

LEGISLATIVE BRANCH APPROPRIATIONS FOR 2022

HEARINGS BEFORE THE COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTEENTH CONGRESS FIRST SESSION

SUBCOMMITTEE ON LEGISLATIVE BRANCH

TIM RYAN, Ohio, *Chairman*

KATHERINE M. CLARK, Massachusetts

ED CASE, Hawaii

ADRIANO ESPAILLAT, New York

JENNIFER WEXTON, Virginia

JAIME HERRERA BEUTLER, Washington

MARK E. AMODEI, Nevada

DAN NEWHOUSE, Washington

NOTE: Under committee rules, Ms. DeLauro, as chair of the full committee, and Ms. Granger, as ranking minority member of the full committee, are authorized to sit as members of all subcommittees.

STEVE MARCHESE
Subcommittee Staff

PART 2

FISCAL YEAR 2022 LEGISLATIVE BRANCH APPROPRIATIONS REQUESTS



Printed for the use of the Committee on Appropriations

PART 2—LEGISLATIVE BRANCH APPROPRIATIONS FOR 2022

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LEGISLATIVE BRANCH APPROPRIATIONS FOR 2022

THURSDAY, FEBRUARY 18, 2021.

HOUSE WELLNESS CENTER AND OFFICE OF EMPLOYEE ASSISTANCE

WITNESSES

BRYAN WEISS, MANAGER, HOUSE WELLNESS CENTER

PAUL TEWKSBURY, DIRECTOR, OFFICE OF EMPLOYEE ASSISTANCE

Mr. RYAN. All right. Well, let's call this meeting to order. All right. Thank you. As this hearing is fully virtual, I want to make sure that we get some of the housekeeping matters out of the way. So, for today's meeting, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition for the purposes of eliminating inadvertent background noise.

So members are personally responsible for muting and unmuting themselves. If I have noticed that you have not muted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

I remind all members and witnesses that the 5-minute clock still applies. If there is a technology issue, we will move to the next member until the issue is resolved, and then you will retain the balance of your time. You can see it up there on the screen.

You will notice a clock on your screen that will show how much time is remaining. At 1 minute remaining, the clock will turn to yellow; at 30 seconds remaining, I will gently tap the gavel to remind members that their time is almost expired; and when your time has expired, the clock will turn red and I will begin to recognize the next member.

I did hear a little background noise so somebody needs to make sure they mute their microphone.

In terms of the speaking order, we will follow the order set forth in the House rules, beginning with the chair and ranking member, then members present at the time the hearing is called to order. They will be recognized in order of seniority. And, finally, members not present at the time the hearing is called to order.

Finally, the House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings or markups, and that email address has been provided in advance to your staff.

Now, with that out of the way, I am pleased to welcome everyone to our first Legislative Branch hearing for the fiscal year 2022 cycle. We have 14 hearings planned for this year with 11 consisting

of traditional budget hearings. The first three hearings will focus predominantly on the events of January 6, 2021, the security failures, physical damage, and the state and health of wellness of the Capitol workforce.

While I am excited to start the 2022 cycle, it is with a heavy heart that I remind us all of the losses we endured at the hand of a mob of insurrectionists that attacked our representative democracy. It is clear there were many failures on that faithful day, and sadly lives were lost, including Officer Bryan Sicknick and Officer Howard Liebengood.

I hope we can use these first three hearings to examine the events of January 6, fix what went wrong, adapt and evolve to ensure that the House and its Members, staff, and campus workforce can safely continue to work and carry out their duties. We are going to have some tough decisions to make over the next 2 months.

And while the subcommittee is small in size, it is a very important function, and I am proud to be working with all my colleagues to address any physical changes needed to ensure the Capitol complex is safe for Members of Congress to carry out our constitutional duties, provide resources to our Capitol Hill community, to heal from this traumatic event, maintain a safe and open campus as much as possible for people to express their First Amendment rights so that visitors from across the country and around the world can witness representative democracy in action.

So let's get started. Today our hearing is going to focus on the Office of Employee Assistance, the House Wellness Center, and the ways these offices are working to support the Capitol community through stress and trauma of not only the January 6 attack on the Capitol but throughout the COVID-19 pandemic this past year.

Our witnesses are Mr. Bryan Weiss, the Manager of the House Wellness Center, and Mr. Paul Tewksbury, the Director of the House Office of Employee Assistance.

Mr. Weiss and Mr. Tewksbury, thank you for being here today to discuss the programs of support your office provides to the House community.

I also want to take a minute to thank Ms. Herrera Beutler for her support for the Office of Wellness, which we created a couple of years ago.

And in a year full of trauma and hurt, with the apex being the insurrection on January 6, our human resources entities within the Capitol complex have adapted to the evolving and increasing mental health needs of our campus. And we are interested today in exploring the response—sorry, we get a cameo from Buckeye every now and again in our Zoom calls.

We are interested today in exploring the response to staff members and our Capitol Police force since January 6, and the start of the COVID-19 pandemic as well, accessibility of services and outreach plans, how OEA and Wellness are providing virtual or hybrid care, what interagency partnerships are they utilizing to support themselves during this increased time of need, and how OEA and Wellness are accessing the long-term mental health and wellness on Capitol Hill beyond the traumatic events of the past year.

So we are very thankful for your leadership and the staff of both your organizations who work so hard to help Members, staff, police, and all those who work so hard to make the House run. I look forward to your testimony today and working with you to continue building support for individuals and teams through stressful and traumatic times.

And, with that, I would like to yield to my colleague from the great State of Washington and a great partner, our ranking member, Jamie Herrera Beutler.

Ms. HERRERA BEUTLER. All right. Thank you, Mr. Chairman.

And I want to say thank you both to Mr. Tewksbury and Mr. Weiss for being here today and for sharing with us your firsthand testimonies to us, to Congress, to the Members, on the services you provide to our staff, to the Capitol Police officers, and the rest of the leg branch community.

I also want to recognize the recently retired director of the Office of Employee Assistance, Liz McBride, who recently—or who spent nearly 30 years building the office into what it is today. Liz positively touched lives of a lot of House Members and staffers and should be really proud of the work that she accomplished.

Workplace wellness programs have evolved a lot in recent years. Employers around the country are offering more than just retirement, paid time off, and healthcare benefits to retain their workers. It is a really competitive market for them. Congress must continue to evolve our employee services to ensure that Members can hire quality staff and retain quality staff. I think we all have the experience of losing a really valued member of our team because they had to, because they had to move on for life, quality-of-life purposes, and for their family.

So, in today's incredibly high-stress workplace environment in Congress, I want to make sure that we are requiring—that we are addressing the, I want to say, the holistic needs that we all have because it can build a good work/life balance. It can promote that overall well-being and increase productivity. Honestly, it is a better bang for the buck for the taxpayer, quite frankly.

So OEA and the Wellness Center has a wealth of services, like personal counseling, which, I think the chairman alluded to, is probably more critical than ever right now, physical activity and mindfulness training for Members, our staff, and other personnel in the House complex.

This past year has thrown a lot of challenges our way, and your supportive services that the OEA and Wellness Center provide are important now more than ever—shhh, baby, shhh—the COVID pandemic has obviously upended everything, like—oh, look, in my notes, it actually says, upended our professionalism and personal lives—that is an understatement—forcing us to work from home and alter our day-to-day operations.

That was well timed, Abigail.

We endure, I think we are still all attempting to make some sense of how to—what we lived through in the last month and what that means, certainly, you know, the threats to staff, to Members, to Capitol Police officers, the death of Officer Sicknick. I really—to say that it has decimated the morale with the Capitol Police officers, that is an understatement.

So I think we are still struggling with that, and I do find us fortunate. OEA and the Wellness Center have quickly and effectively adapted to ensure we are going to be able to provide the best services possible. OEA was well equipped to pivot, I think, to that supportive virtual environment when the pandemic forced everybody home. And, obviously, the telework opportunities that were prepared to offer I think proper mental health counseling for staff, especially in the aftermath of the riot, have been key.

The Wellness Center also added significant enhancements to their work/life services, including emergency backup childcare, which has been a hot button for me for a while, and eldercare. And these programs have been really helpful. So I look forward to learning more about your offices and will continue to support—and how they are going to continue to support our congressional community as we hopefully will get back to normal.

So, with that, I yield back. Thank you, Mr. Chairman.

Mr. RYAN. Thanks, Ms. Herrera Beutler.

I appreciate it and your timely example of the complexities of what is going on here.

I also want to take a half a second to thank former Chairman Yoder, who chaired this committee before I did, who was very instrumental and aware of the needs of a lot of the office—the techniques and the approach that the Office of Wellness is providing, and he was very, very supportive and helped us get this off the ground. So I think it is appropriate to mention him.

Now we recognize the chair of the full committee, Congresswoman Rosa DeLauro, who has been extremely supportive of this approach and the needs of the people on Capitol Hill. Chairwoman DeLauro.

The CHAIR. I want to thank all of you today. And I do want to recognize both you, Chairman Ryan and Ranking Member Herrera Beutler, looking at what you have done in the past, it didn't take the chaos of January 6 or an insurrection for you to understand the needs of, whether it is Members or Capitol Hill Police or employees, no matter who it is that works within the Capitol, to understand that wellness is critical, that a person's environment is critical and their mental health needs are as important as their physical needs. So I thank you both for your emphasis in this area.

And a thank you to Mr. Weiss, Mr. Tewksbury, and we thank you for being here to testify. I am so proud to join with you today because, as I understand it, this is the first congressional hearing dedicated to an open conversation about mental health in the Congress. The subject is critical, especially now.

In the midst of the constant and relentless heartbreak of the ongoing COVID-19 pandemic, many of us are still reeling from the events of January 6 when the cradle of our democracy was viciously attacked. I won't tell my story, but I was in the gallery and evacuated, and we keep reliving that day in so many ways. We had a mob of violent protesters storm the Capitol. Five people lost their lives. Many more hurt. Many sustained serious injuries, head trauma, facial injury, and even losing fingers.

But the physical wounds sustained that day are only a part of the story. From custodians to congressional staffers, Capitol Police, contractors, there is not one person who works on Capitol Hill who

has not been touched by the events of that day. In the aftermath of this tragedy, a Capitol Police officer, a District of Columbia Metropolitan Police officer have died by suicide. Others on the force have turned in their guns. They have turned in their guns for fear that they might hurt themselves.

And even as we continue to work in a place now surrounded by fencing, protected by the National Guard, the nearly 30,000 employees who serve in the legislative branch have been working around the clock to serve the American people. Support staff, many of whom are people of color, cleaned up the Capitol complex just days after a noose appeared on the Capitol grounds and White nationalists waved Confederate flags. Meanwhile, our district and our constituent service staff have been pushing themselves to the limit as they work to meet the increasing needs of those affected by the pandemic.

One of my constituent service staff said that this past year has, quote, felt like drinking from a fire hose while in free fall. For many staffers working directly with constituents, the panic and desperation from those seeking assistance compounded with the personal fear of getting sick or losing loved ones has taken a very deep emotional toll.

In turn, the Office of Employee Assistance, OEA, and the House Wellness Center, has also been working nonstop to meet the increasing emotional needs of those who work on Capitol Hill.

You know, as we celebrate the Congress and its diversity, its strength, all of its—the opportunities here, the OEA and the House Wellness Center have become a one-stop-shop for mental health services on Capitol Hill. These are essential resources for the Capitol Hill community. It is critical that we provide them the resources to support the well-being of all who serve here.

This is a hearing that is long overdue. It is a step in the right direction. But it is important, I think, for all of us to talk to one another, to check in, to cultivate a more free and an open dialogue about the importance of mental health and just make people understand that they are not alone in the feelings that they have, and, in fact, yes, there is a place where we can go for help and that the resources are there to be able to provide that help.

And I thank you very, very much for this opportunity. And I will just say, I will try, as the full committee chair, to make as many of the meetings as possible with the time schedule because I think the issues that we are undertaking and especially here in this subcommittee are critical to our moving forward. So thank you very, very much.

I yield back.

Mr. RYAN. Thanks, Chairwoman. I appreciate your passion and energy behind this. It is definitely needed now more than ever.

And we are excited about also connecting with a lot of the work that is done in your district at Yale and a lot of other areas around the country that Bryan and I have talked about on numerous occasions of people I have met over the years who provide these kind of services. They do it for veterans. They do it for police officers. They do it in, you know, war-torn areas. And, you know, unfortunately, now, today, in this environment, everybody needs access to these kind of approaches.

So, with that, we are going to have Mr. Weiss begin. And we are going to—without any objection, we are going to put the written testimonies a part of the record, if you can summarize your statement, highlight your efforts to the committee. We will have, as I said, Mr. Weiss go first and then Mr. Tewksbury for his statement. Once the statements are complete we will move to the question-and-answer period.

So, Mr. Weiss, you have the floor.

Mr. WEISS. Good morning, Chairman Ryan, Ranking Member Herrera Beutler, and members of the Legislative Branch Subcommittee. It is an honor to testify before this distinguished panel, and I thank you for the opportunity to discuss issues of great importance to the Office of the Chief Administrative Officer and the House of Representatives.

I also want to thank you and all the members of this subcommittee for the unwavering support provided to the House Wellness Center since its inception.

Over the last 28 months, the House Wellness Center has grown into a holistic well-being program for the entire House community, serving the House, U.S. Capitol Police, Architect of the Capitol, and the Congressional Budget Office. Our programs and resources are offered on a variety of platforms ensuring every employee has the same level of access and care intended to positively impact individual and organizational well-being, productivity, and workplace culture.

Since the COVID-19 pandemic began, we increased the promotion of our stress management and resilience-building application, supported employees in their dietary goals with two nutrition applications, hosted a six-part monthly mindfulness webinar series, while concurrently launching an application to help employees establish their daily mindfulness practice.

We created a COVID-19 toolkit web page with a curated list of available tools and services, including exercise, nutrition, and mental acuity worksheets. We hosted a month-long virtual well-being fair in June and launched a wellness coaching platform offering one-on-one lifestyle and behavioral change support for employees.

Considering the environment caused by the COVID-19 pandemic and the increased stress and demand placed on employees, we added emergency backup child- and eldercare, as well as an online academic resource center and educational tutoring services.

These services are in addition to the personalized guidance employees can receive in areas such as childcare and parenting, senior care and caregiving, legal assistance, financial guidance, and house and home needs. Employees can also access a discount marketplace to shop for everything from technology to movie tickets, receive life event kits to tackle life's emergencies and milestones, and other resources.

During this past health benefits open season, the House Wellness Center launched a benefits plan, transparency, and comparison tool to help improve health literacy so employees can make the most informed decisions when it comes to their healthcare.

The turbulent times caused by the COVID-19 pandemic have recently been compounded and magnified by the tragedy of the January 6, 2021, U.S. Capitol violence. With the strategic placement of

the House Wellness Center under the Office of Employee Assistance, we have been able to provide administrative support and resource awareness on behalf of the OEA while they valiantly manage the critical incident response, mental health, and emotional well-being of the House community.

The House Wellness Center is working closely with the OEA to identify additional opportunities and resources to support employees during these extraordinary and unprecedented times. The unfortunate reality is that, while the House community continues to deal with the aftermath of the violence, the other stressors caused by the COVID-19 pandemic and life obligations in general do not go away. It remains the responsibility of the House Wellness Center to provide day-to-day well-being support for the House community to help them achieve work/life harmony and improved quality of life.

In 2021, the House Wellness Center will continue to work to identify population health disparities, increase outreach and awareness efforts, and work closely with key stakeholders to better understand House community well-being needs. The House Wellness Center will begin offering regular House communitywide health enhancement programs, population-specific offerings, and partner with its vendors and business partners on improving health outcomes through education, engagement, and empowerment.

The House Wellness Center will continue to benchmark its resources and services against other Federal wellness programs while staying up-to-date on industry trends and best practices. These efforts and those detailed further above coupled with leadership's commitment to employee well-being and positive culture change will help the House of Representatives remain an agency and employer of choice.

Again, I thank the subcommittee for the opportunity to testify on these important topics, and I look forward to answering any questions you may have.

[The information follows:]

Mr. Bryan Weiss
Manager, House Wellness Center
U.S. House of Representatives
Office of the Chief Administrative Officer
Office of Human Resources
House Committee on Appropriations – Subcommittee on the Legislative Branch
“House Wellness and Office of Employee Assistance (OEA) Hearing”
February 18, 2021

Good morning Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Legislative Branch Subcommittee. It is an honor to testify before this distinguished panel, and I thank you for the opportunity to discuss issues of great importance to the Office of the Chief Administrative Officer (CAO) and the House of Representatives.

I also want to thank you and all of the members of this Subcommittee for the unwavering support provided to the Wellness Center since its inception three years ago. As you all know, at the direction of this Subcommittee, the CAO worked closely with key stakeholders, including the House Sergeant at Arms, Clerk of the House, U.S. Capitol Police, Architect of the Capitol, and Attending Physician to establish the House Wellness Center, launching in October of 2018.

Organizationally, the Wellness Center is located within the CAO’s Office of Employee Assistance (OEA). This alignment allows the Wellness Center to work in seamlessly with the entire OEA staff on a host of well-being offerings that complement and enhance OEA’s services.

Over the last 28 months, the House Wellness Center has grown into a holistic well-being program for the entire House community. We provide tools, services, and a support system to educate, motivate, and empower employees in Member, Committee, and Leadership offices, all House Officer organizations, as well as the U.S. Capitol Police, Architect of the Capitol, and the Congressional Budget Office.

Our programs and resources are offered on a variety of platforms ensuring every employee has the same level of access and care intended to positively impact individual and organizational well-being, productivity, and workplace culture.

The House Wellness Center’s multi-dimensional approach to employee well-being, emphasizes six important areas, including:

- Physical – improving health outcomes through favorable lifestyle choices
- Emotional – fostering confidence and building resiliency
- Financial – a sense of monetary freedom and security
- Social – having quality relationships with family, friends, and colleagues
- Community – connecting with your neighborhood and environment
- Career – a feeling of purpose in the workplace

Overall well-being is not about sacrificing success in one area for another, but rather, finding harmony amongst all six dimensions. While this mindset is an important element of all wellness programs, the events of the past year have underscored the need for our holistic approach.

Therefore, it has been critical during the COVID-19 pandemic, that the House Wellness Center create new, and promote existing, resources and services to support employees during this unprecedented time in our nation's history.

Since the COVID-19 pandemic began, the House Wellness Center has created 15 infographics and offered 50 webinars with close to 1,000 viewers on a variety of relevant topics across all the dimensions of well-being, including stress management, nutrition, and physical activity. Through these efforts, we increased the promotion of our stress management and resilience-building application to help employees understand the root cause of daily stressors and provide access to online tools such as mindfulness, relaxation techniques, meditation, and yoga.

At the onset of the COVID-19 pandemic, the House Wellness Center had just recently launched two nutrition solutions to help employees improve their diets and eat healthy anywhere, anytime. One solution helps employees create healthy menus, choose healthy options at restaurants, as well as order groceries and meal kits delivered safely right to their door. The other, helps employees assess their current diet type and quality, identify nutritional gaps, and provides actionable steps to help employees achieve their ideal diet. This is all done in a matter of minutes, without the arduous task of logging food and tracking calories.

The House Wellness Center also introduced a six-part monthly mindfulness webinar series early in 2020, alongside a stand-alone mindfulness application with a workplace emphasis to help employees establish a daily mindfulness practice. The above resources are offered in partnership with our parent office, the OEA, who are the mental health and emotional well-being experts of the House community.

The House Wellness Center worked closely with the House Staff Fitness Center to promote their mobile application, a free resource to the House community that provides daily workouts, fitness tips, and blogs. A 12-week well-being program was created and launched to help employees increase physical activity and mental acuity, and the House Wellness Center also ran various well-being challenges for Member and House Officer offices to improve employee camaraderie and engagement, while promoting healthy behaviors.

We created a COVID-19 Toolkit webpage with a curated list of available tools and services, updated regularly to keep employees informed and equipped with the latest wellness resources.

The House Wellness Center hosted a month-long virtual well-being fair in June 2020, highlighting different dimensions of well-being each week with activities such as morning mindfulness sessions, mid-day workouts, and interactive demonstrations promoted as family-friendly offerings.

To offer additional support for employees, the House Wellness Center launched a wellness coaching platform, offering one-on-one lifestyle and behavioral change guidance. The wellness coaches work closely with the employees to identify positive action strategies, turning risk factors into strengths, and obstacles into growth opportunities. The in-house coaches have completed more than 100 sessions to date and interest continues to grow in the wellness coaching platform.

Considering the environment caused by the COVID-19 pandemic and the increased stress and demand placed on employees, the House Wellness Center added significant enhancements to the current agreement with their work-life services provider, including emergency backup child and elder care, as well as an online academic resource center and educational tutoring services.

These services are in addition to the personalized guidance employees can receive in areas such as child care and parenting, senior care and caregiving, legal assistance, financial guidance, house and home needs, as well as discounts on everything from movie tickets to technology, life event kits to tackle life's emergencies and milestones, and other additional resources.

Our vendor is the largest work-life services provider to the federal government, covering roughly 50% of the entire civilian workforce, and at the time of this hearing, the House of Representatives is the only agency that offers both the Backup Care Connection and Homework Connection enhancements, a testament to the goal of being an agency and employer of choice.

During this past Health Benefits Open Season, the House Wellness Center launched a benefits plan transparency and comparison tool to help improve health literacy, so employees can make the most informed decisions when it comes to their healthcare. Among other things, this tool provides total out-of-pocket costs for each plan, including premiums, copays, coinsurance, and deductibles, which according to the latest OPM Federal Employee Survey, is the most important factor employees consider when selecting a health plan. For the 2021 plan enrollment season, close to 1,000 unique users accessed the tool nearly 1,200 times.

Even though we have been in a telework posture for close to a year, the House Wellness Center continues to work closely with the CAO Communications and Marketing team to promote its resources and services. At the close of 2020, the House Wellness Center mobile and web-based applications had nearly 2,000 registered user accounts and the House Wellness Center website was viewed over 24,000 times.

Also, I am excited to mention that the renovation of the new House Wellness Center storefront, in Longworth House Office Building B222, is nearing completion and will provide a welcoming location for employees to visit, relax and re-energize, speak with a staff member, and learn about the resources and services that are available. This strategic location will help create greater employee awareness and engagement of the House Wellness Center.

The turbulent times caused by the COVID-19 pandemic have recently been compounded and magnified by the tragedy of the January 6, 2021 U.S. Capitol violence. With the strategic placement of the House Wellness Center under the OEA, the House Wellness Center has been providing administrative support and resource awareness on behalf of the OEA while they valiantly manage the critical incident response, mental health, and emotional well-being of the House community.

The House Wellness Center is working closely with the OEA to identify additional opportunities and resources to support employees during these extraordinary and unprecedented times. The unfortunate reality is that while the House community continues to deal with the aftermath of the violence, the other stressors caused by the COVID-19 pandemic and life obligations in general, do not go away. It remains the responsibility of the House Wellness Center to provide day-to-day well-being support for the House community to help them achieve work-life harmony and improved quality of life.

In 2021, the House Wellness Center will continue its work to identify population health disparities, increase outreach and awareness efforts with initiatives such as a Wellness Champion network, conduct focus groups, and work closely with key stakeholders to better understand House community well-being needs. The House Wellness Center will begin offering regular House community-wide health enhancement programs, population-specific programs, and partner with its vendors and business partners on improving health outcomes through education, engagement, and empowerment.

The House Wellness Center will continue to benchmark its resources and services against other Federal wellness programs while staying up-to-date on industry trends and best practices. These efforts and those detailed further above, coupled with leadership's commitment to employee well-being and positive culture change, will help the House of Representatives remain an agency and employer of choice.

Again, I thank the Subcommittee for the opportunity to testify on this important topic and I look forward to answering any questions you may have.

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Mr. RYAN. Great. Thanks, Bryan.

Mr. Tewksbury.

Mr. TEWKSBURY. Thank you, and good morning, Chairman Ryan, Ranking Member Herrera Beutler, members of the subcommittee, and Chairwoman DeLauro. It is an honor to testify before this distinguished panel.

For the past 6 years, I have served with the Office of Employee Assistance, the OEA, recently assuming the role of director. Since its launch three decades ago, the OEA has provided a range of professional and confidential support services designed to enhance the personal and occupational well-being of the House community, the Congressional Budget Office, and employees of the U.S. Capitol Police, as well as all employees' immediate family members.

Our confidential counseling, supervisory consultation and coaching, trainings, office retreats, trauma response services, and job transition assistance have positively impacted the well-being and work productivity of generations of Members and staff.

Our counselors use a variety of evidence-based techniques drawing from cognitive, behavioral, mindfulness, and strengths based perspectives. Our trauma response services are informed by the dominant models in the employee assistance field. While situations such as the Capitol attack have required a timely and reactive response, OEA services strive to be as proactive as possible educating individuals, managers, and work teams on resilience-building practices.

Thanks to the generosity of the Committee on Appropriations, Members of Congress, and the support from the Chief Administrative Officer, the OEA significantly expanded its staffing in 2018 and helped establish the House Wellness Center. This has allowed us to continue to meet the needs of individuals seeking counseling while also enabling the OEA to increase its delivery of staff retreats more than fivefold in 2019.

The COVID pandemic of 2020 brought about immediate and sweeping changes in OEA service delivery. While accustomed to providing face-to-face services to individuals and work teams, the OEA rapidly and effectively met these changing service demands while addressing the increased support needs stemming from the pandemic.

Our decades of experience providing telephonic counseling to district House staff enabled us to smoothly shift all of our counseling services to this model without any lapse in service.

During the first 6 months of 2020, OEA counselors had more than 3,000 contacts with employee clients. Additionally, the OEA facilitated numerous virtual training sessions during 2020, reaching over 3,000 individuals through these events.

I join you and your colleagues in recognizing the importance of meeting the emotional needs of the congressional community today and beyond. The violent attack on our Capitol on January 6, 2021, generated an extraordinary amount of reactivity and concern.

Allow me to highlight the monumental efforts that our team has taken in response to the horrific events that transpired that day, which include immediately deploying our critical incident response posture to engage the full capacity of our 24/7 services, both in person and remotely; leveraging existing contracting mechanisms to

secure additional counseling resources both for the House community and for the U.S. Capitol Police specifically, providing an unparalleled level of support services to individual employees and managers. Individual interactions with employees and managers since January 6 totaled 1,150, which includes 760 counseling sessions and over 300 individual onsite interactions with USCP personnel thus far.

Issuing numerous House-wide messages and communications on coping with the aftermath of trauma and the availability of OEA services; conducting over 40 live webinars for members, staff, and supervisors on trauma and resilience, which are now also available in our on-demand format; partnering with the Office of the Speaker and the Office of the Attending Physician to conduct trauma and resilience briefings and outreach regarding OEA services for Members of Congress; and actively developing promotional strategies to highlight the culturally competent nature of all services that OEA provides and how to portray this essential messaging most effectively.

Additionally, our OEA team promptly contacted companies that employees the Capitol complex during attack and learned that employers were already providing EAP services to their employees who were onsite. In some instances, these services include bilingual counseling. The OEA team has been providing help and guidance to anyone who has reached out since 1/6 including House contractors. And as a practice providing customized resources upon request, OEA is able to connect employees to bilingual support services.

The CAO ensures our team recruits and hires talent from a variety of backgrounds. Currently, 50 percent of our full-time counselors are African Americans. In addition, the entire OEA team is professionally trained in and regularly delivers culturally competent mental health services to a highly diverse workforce.

Recent increases to our budget allow us to hire more counselors, expand service, and enhance outreach. We are working with the CAO structure to fill a vacant manager position and add two new staff this year. We are also using available funds to supplement our full-time counseling staff with onsite counselors for Capitol Police and three additional contracted counselors within the OEA.

We are so grateful for your consideration and appreciate your support now and into the future. I welcome any questions you have. Thank you.

[The information follows:]

Mr. Paul Tewksbury
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U.S. House of Representatives
Office of the Chief Administrative Officer
Office of Human Resources
House Committee on Appropriations – Subcommittee on the Legislative Branch
“House Wellness and Office of Employee Assistance (OEA) Hearing”
February 18, 2021

Good morning, Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee. It is an honor to testify before this distinguished panel, and I thank you for the opportunity to weigh in on issues of great importance to the Office of the Chief Administrative Officer (CAO) and the House of Representatives.

For the past six years, I have served with the Office of Employee Assistance (OEA), recently assuming the role of Director following the retirement of Ms. Liz McBride-Chambers. Since its launch three decades ago, the OEA has provided a range of professional and confidential support services designed to enhance the personal and occupational well-being of the House community, including Members, congressional staff in DC and in district offices, and their immediate family members. In addition to assisting individuals, the OEA facilitates retreats to help teams work together more effectively. The OEA is honored to serve staff in House support offices, the Congressional Budget Office, and employees of the U.S. Capitol Police.

Our confidential counseling, supervisory consultation and coaching, trainings, office retreats, critical incident response services, and job transition assistance have positively impacted the health, well-being, and work productivity of generations of Members and staff.

While the bulk of the OEA’s services fall within the domain of mental health, our services are considered ‘therapeutic’ yet not ‘therapy.’ Although each of our professional staff is trained and licensed in a behavioral health-related discipline, as a workplace-based service it is not the policy of our office to provide ‘diagnosis’ or ‘treatment.’ Rather, our core service is to support individuals experiencing mental or emotional distress and to provide comprehensive assessment, short-term solution-focused counseling, referral to specialized care if indicated, and follow-up services to gauge progress.

The OEA and most employee assistance programs (EAPs) are considered a ‘generalist’ practice. Our team is highly experienced in assessing a vast range of personal and work-related concerns and assisting individuals experiencing a wide variety of stressors. A partial list of frequent issues brought to the OEA includes work stress, anxiety and depression symptoms, relationship issues, substance abuse, and various types of trauma reactions. Our counselors utilize a variety of evidence-based counseling techniques, drawing from cognitive-behavioral and psychodynamic perspectives, mindfulness principles, and a strengths-based practice framework.

An abundance of employee assistance outcome research in the past decade shows that EAP services - whether provided in-person, telephonically, or through video - are effective at increasing work engagement, productivity, and well-being, as well as reducing absenteeism and turnover. Detailed information on such studies is available through the Employee Assistance Professionals Association, an international organization educating and supporting employee assistance practitioners.

Our critical incident and trauma response services are informed by the dominant vetted models in the employee assistance field, including Psychological First-aid, Critical Incident Stress Management (CISM) and the workplace-specific contemporary model known as Critical Incident Response (CIR). While situations such as the Capitol attack have required a timely and reactive response, OEA services strive to be as proactive as possible, educating individuals, managers, and work teams on healthy resilience-building practices to incorporate into their personal and work lives. Along with our House Wellness Center, the OEA strives to embed a proactive culture of wellness into the experience of work of all whom we service across the House community, the USCP, and the CBO.

Even though OEA services are always voluntary in nature, our office provides a formal referral option for supervisors seeking to connect struggling employees with support. Non-disciplinary by design, this service is designed to be a productivity enhancement resource for employees, their managers, and work teams. While it is generally employees and supervisors who initiate contact with the OEA for either individual or workgroup services, be assured that our staff routinely reaches out to offices and workgroups impacted by large-scale adverse events to assure them of the availability of OEA support, be it a natural disaster, employee death or other significant stressors or hardships a work team may face.

Over the past three decades and to this day, the OEA team collaborates with other employee resources within the House, including the Office of Attending Physician, Office of House Employment Counsel, Office of Employee Advocacy, and the Office of Diversity and Inclusion. While confidentiality is a cornerstone of our services, with an employee's permission we can ally with other resources to help employees navigate situations involving both personal and professional complexities.

Additionally, the OEA team is well acquainted with other EAPs across Capitol Hill, including the Senate and Architect of the Capitol EAP offices. Furthermore, our staff is committed to staying informed about reputable community resources in the domains of mental health and wellness, as to make quality referrals for individuals seeking specialized services outside of the workplace.

The OEA understands that any mental health-related service can be misunderstood or even maligned due to historical stigma. Therefore, all promotional efforts by the OEA are meticulously crafted to be inclusive, to normalize the services for employees, and to invite and embrace diversity of all types. We portray help-seeking as a sign of strength, reminding our customers that emotional and mental health is 'real health,' and describe our services using terms such as 'practical, supportive, and collaborative' in addition to being easy-to-access, confidential and cost-free.

Until 2018, the immediate OEA full-time staff had never exceeded six individuals. Thanks to the generosity of the Committee on Appropriations, Members of Congress, and the support from the Chief Administrative Officer, the OEA significantly expanded its immediate staff in 2018, and helped establish the House Wellness Center, which Wellness Manager Bryan Weiss will elaborate upon later in today's hearing. The increased staffing within the OEA has allowed us to continue to meet the needs of individuals seeking confidential counseling, while also enabling the OEA to increase its delivery of staff retreats more than five-fold in 2019, and to notably enhance delivery of trainings across the House community.

The COVID pandemic that evolved in early 2020 brought about immediate and sweeping changes in service delivery not only within the OEA, but in the greater House community as workgroups of all types were thrust in to a telework posture to prevent spread of the virus. While accustomed to providing face-to-face services to individuals and work teams, the OEA rapidly and effectively met these changing

service demands while addressing the increased support needs stemming from stressors our community experienced due to COVID. Our decades of experience providing telephonic counseling and consultation to district House staff enabled us to smoothly shift all of our counseling services to this model without any lapse in service. During the first six months of 2020, and largely attributed to the pandemic, the caseload for the OEA more than doubled as compared to the same period in most prior years. OEA counselors had more than 3,000 contacts with clients during this time.

Additionally, the OEA counselors' acuity with technology allowed the OEA to provide training sessions to Members, Committees, Leadership, and staff during 2020 by using WebEx, Zoom, and Teams teleconferencing. The OEA reached more than three thousand Members and staff through these virtual training sessions, which included topics such as stress management, compassion fatigue, time management, and best practices for teleworking teams.

While office retreats waned in 2020 due to COVID restrictions, the OEA is now offering full-service, customized virtual retreats, which include communication workshops, team building, operational discussions, and strategic planning sessions. The OEA's online presence has increased and use of the OEA's virtual mental health screening platform continues to be steady.

OEA counselors also created several infographics on compelling topics including stress reduction, mindfulness, and managing in a telework environment in 2020. These documents were shared across the House community and illustrate the OEA's ability to offer information flexibly and responsively.

Over time, while the OEA expects to offer more face-to-face services as the pandemic gradually subsides, our ability to provide services using technology will continue on a significant scale. Our telephonic counseling services have been abundant, convenient for our customers, and effective to meet their needs. Our virtual education sessions and retreats have only elevated the popularity of these services, enabling the OEA to connect with more employees across the Capitol complex, the nation, and territories. Moving forward, reaching our clientele in these numerous ways will allow for more engagement in all of our wellness related offerings.

I join you and your colleagues in recognizing the importance of meeting the emotional and well-being needs of the Congressional community today and beyond. The violent attack on our Capitol on January 6 of this year generated an extraordinary amount of emotional and psychological concern, the likes of which the Congressional community has never seen. The OEA team has a history of responding to the most demanding of critical incidents including the Congressional baseball shooting on June 14, 2017, the assassination attempt of Representative Gabrielle Giffords on January 8, 2011, and the terrorist attacks of September 11, 2001. The team's response to critical incidents underscores the essential role the OEA plays to promote resilience and healing in times of tragedy.

Allow me to take this opportunity to highlight the monumental efforts that our dedicated OEA team has taken in direct response to the horrific events that transpired on January 6, 2021. These actions include:

- Immediately deploying our critical incident response posture to engage the full capacity of our 24/7 services, both in-person and remotely
- Meeting the demands of a very substantial and rapid increase in our confidential counseling and assessment services to the House community

- Leveraging existing contracting mechanisms to secure additional counseling resources to assist with the surge in services, both for the House community and for the USCP specifically
- Creating and disseminating numerous House-wide messages and communications on coping with the aftermath of trauma and the availability of OEA services
- Conducting over 40 live webinars for Members, congressional staff, and supervisors on trauma and resilience, which are now also available on-demand through the Congressional Staff Academy
- Partnering with the Office of the Speaker and the Office of Attending Physician to conduct trauma and resilience briefings and outreach regarding OEA services for Members of Congress
- Providing an unparalleled level of support services to individual employees and managers: individual interactions with employees and managers since January 6 total 1,150, which includes 760 counseling sessions and over 300 individual onsite interactions with USCP personnel thus far
- Actively developing promotional strategies to highlight the culturally competent nature of all services that OEA provides and how to portray this essential messaging most effectively

Additionally, in the immediate days following January 6, our OEA team contacted companies that had employees at the Capitol complex during the attack to (1) determine whether they offer EAP services to their staff and (2) educate them on our internal OEA services. Through these discussions, we were pleased to learn that employers were already providing direct EAP services to their employees who were onsite during the violence. In some instances, these services include counseling for employees who speak English as a second language. Regardless of whether these employing organizations offer EAP services, our OEA team has been providing help and guidance to anyone who reaches out.

Allow me to also highlight that the CAO's commitment to diversity is a top priority. We take great care to ensure that our team recruits and hires talent from a variety of backgrounds. Currently, 50 percent of the full-time counselors on the OEA team are African Americans. In addition, the entire OEA team is professionally trained in, and regularly delivers, culturally competent mental health services to an exceptionally diverse workforce across the House, USCP, and CBO communities. As a practice providing customized resources upon request, the OEA is able to connect employees to bilingual support services.

Based on these responsibilities and accomplishments, our OEA team continues to receive tremendous support from the entire House community. Recent increases to the OEA budget allowed the team to hire more counselors, expand services, and enhance outreach. We are working within the structure of the CAO on a plan that will allow us to fill a vacant manager position and add two new professional staff in 2021. Additionally, we are utilizing available funds to supplement our full-time counseling staff with significant 'surge support' including four onsite crisis counselors dedicated to meeting the needs of the USCP onsite around-the-clock, and three full-time contracted counselors stationed within the OEA.

We are so very grateful for your kind consideration to ensure that the OEA team is positioned to continue providing critical support services across the House community well into the future. Again, I genuinely thank the Subcommittee for the opportunity to testify and I look forward to answering any questions you may have.

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Mr. RYAN. I appreciate it, Paul. Thank you very much for that comprehensive review. We are going to go right to questions, and we are going to go to the ranking member to begin with the question-and-answer period.

Ms. HERRERA BEUTLER. All right. Thank you very much for that. I wanted to actually start with—I mean, everything you talked—everything that you both just shared, I have so many more questions, but let me start with talking about our Capitol Police officers. Obviously, many are still suffering some significant trauma. I think the chairwoman brought that out in her opening remarks.

Can you detail services that are—you are providing for—specifically for officers to ensure they have the support they need, and are you collaborating with Congress and the Capitol Police leadership to ensure the officers know about these services and have the ability to access them, given the fact that they have been working 21 hours, like they have been—they have had no breaks. They have gotten no time off at all, to the point where their spouses are reaching out and raising significant concern about their mental health. Let's start with that.

Mr. TEWKSBURY. Yes. Thank you so much for that question. And I can speak to specific response efforts that have taken place and continue to take place for the U.S. Capitol Police specifically. Within our internal OEA team and additional assets we promptly secured in the form of four professional crisis counselors who have been working around the clock in each division of the Capitol Police onsite since shortly after January 6 to provide one-on-one trauma response drop-in services and group support and also information about services.

We have worked closely with the Office of the Chief Administrative Officer and Capitol Police to do a lot of outreach. We have been featured in numerous Capitol Police bulletins. I had an opportunity within the past couple of weeks to actually write a letter that was distributed through a bulletin to all Capitol Police personnel as another way to engage personnel and support, educate them on what is available, how to access it.

And, literally, we have been serving the Department around the clock and continue to do so. And so other ways our services have been promoted beyond the bulletins is messaging from our onsite contracted counselors at many roll calls at shift change—yes?

Ms. HERRERA BEUTLER. Can I just jump in really quick—

Mr. TEWKSBURY. Please.

Ms. HERRERA BEUTLER [continuing]. On that front? So there is four round-the-clock, constantly available counselors, and these are counselors who have dealt with, like, I would assume like trauma in the sense of war, and they work with police—there are different types of counselors, and I am forgetting the term. But these are specific counselors who specialize in this, and they are constantly available, like if someone is on a shift and they just are like, “You know what, man, I need 10 minutes,” and they can just drop in?

Mr. TEWKSBURY. Yes, that is absolutely correct. And all of these counselors are professionally trained in contemporary workplace-based and law enforcement specific critical incident and trauma response services, as are our internal staff who were initially providing these services directly after-hours and on weekends. And,

yes, 24/7 four staff available in various strategic locations throughout the Capitol complex.

Ms. HERRERA BEUTLER. Can I ask, how many are taking you up on it? Like what are the numbers of—that you are seeing?

Mr. TEWKSBURY. We have had over 300—the numbers keep growing, but certainly well over 300 one-on-one contacts between our onsite counselors and Capitol Police personnel. We have had a couple hundred more receive information and support in a group setting and a lot of interaction with managers to educate managers on reaching out to impacted personnel to lead them to services.

And that is on the onsite contracting side. In addition, our immediate office in the OEA, and, again, we are providing telephone services, we have seen numerous individuals for counseling sessions. We have done several roll calls ourselves. And one of our colleagues, I think this was a little earlier, some discussions on, you know, kind of race issues and concerns in that dimension for Capitol Police, several discussion sessions of that nature.

So we are very cognizant that this is a very heavy lift for the department. We continue to stay in touch with the Office of the CAO there, and we are working on ways to keep the onsite support in place in addition to the internal services our office provides.

Ms. HERRERA BEUTLER. Can I ask, so then you—it sounds like with—so what are you going to need from us to maintain that level of care of the force? Because obviously nothing has dialed down for them. In fact, they are all on heightened alert, again, in the next, what, couple weeks. So do you have what you need from us? What do you need from us?

Mr. TEWKSBURY. Well, I really appreciate that consideration, and it is something that if I could respectfully get with some of our CAO leadership and certainly let you know, there may very well be a need. We do have resources between our office and the Capitol Police to have financed this thus far and to continue to do so for a period of time, but that is a real consideration. We will certainly want to follow up with you, and I thank you for that offer very much.

Ms. HERRERA BEUTLER. Keep in touch. Keep in touch.

I yield back. Thank you, Mr. Chair.

Mr. TEWKSBURY. We will. Thank you.

Mr. RYAN. Thanks, Jamie. Good questions.

Next, the chair of the full committee, Congresswoman Rosa DeLauro.

The CHAIRWOMAN. Hello? Okay. Just very, very quickly because I don't want to take time from others. Are the Capitol Police being vaccinated? So many that I have talked to, as—now, I have heard that that is a direction we are going in. Are they now being vaccinated for their own safety and for the safety of their families?

Mr. TEWKSBURY. Ma'am, I can address that from just an anecdotal perspective of what I have been hearing through various Capitol Police personnel that, yes, I understand a vaccination is underway. I am not exactly sure how fast that has moved or how it is organized. I know that they have like a COVID response—

The CHAIRWOMAN. Well, let me just say this because, again, I don't want to take from others: I think one of the things in order to provide some—lessen anxiety and lessen the mental health

issues, not only for the Capitol Police officers but also for their families, that we ought to then begin the process of vaccinating all of our Capitol Police and have that on a timeframe, let them know that so that they get a sense that their well—we are watching out for their well-being and we are going to make that happen.

I will leave that there, Mr. Chairman and Ranking Member, because I think that is one of the first things that needs to get done for Capitol Police.

Thank you and I yield back. I know others have questions, so—
Mr. RYAN. Great. Thanks, Rosa.

Representative Clark, you are up.

Ms. CLARK. Thank you so much, Mr. Chairman and Ranking Member Herrera Beutler. I just wanted to follow up quickly on the ranking member's question about the number of Capitol Police. Is the 300 number you cited, is that an increase over what you would typically see?

Mr. TEWKSBURY. Yes, ma'am. Thank you for the question. That is certainly, historically speaking, a significant increase in one-on-one consultations, counseling sessions, trauma response drop-ins and the like, given the short period of time in which it has occurred, which really speaks to the magnitude of the event and the needs.

We do have a long history as an office serving the Capitol Police since 2000 and responding to a lot of other critical events, the last notable one unfortunately being the Capitol—the baseball shooting in 2017. But this is a—at a larger scale. So, yes, that is a notable increase and, you know, was necessary to acquire that additional asset of our onsite counselors. But we think that, statistically speaking, that is a very engaging number when we consider the size of the department and growing every day and night literally.

Ms. CLARK. Yeah. And I am sure we haven't begun yet to meet the full need. But one question I have for you that certainly applies to the Capitol Police but to other staffers as well: There is still lingering concerns about reaching out to OEA and how that could potentially affect employment. What would you tell a staff person or anybody looking at OEA with that concern?

Mr. TEWKSBURY. Thank you for the question. And that theme is not unfamiliar to us historically as an Office of Employee Assistance, a mental health-related service, and some of our cornerstone language in promoting the service is and has been, it is highly confidential, and I can certainly speak to details on that. Your supervisor, for example, will never know anything about you connecting with us unless an employee provides written permission and a compelling reason, and even in that case, it is a limited release of information.

Another thing about our services is they are supportive, collaborative, easy to access, and cost-free. And all of these are things we put in all our promotional materials, outreach, e-Dear Colleagues, literature, online presence. In presentations, we always highlight this because we know people have different perceptions of mental health and help seeking in general. So, yeah, confidentiality is really a cornerstone because if people don't think it is confidential, they won't come.

Ms. CLARK. Yeah.

Mr. TEWKSBURY. So we are very meticulous about it at every level, and we always highlight it in our promotional offerings.

Ms. CLARK. And, you know, with the pandemic combined with the events of January 6, how do you handle clients that need medium- to long-term counseling or medication-assisted treatment? Do you refer those patients to outside services, and how does that process work?

Mr. TEWKSBURY. Yes. Great question. And the answer is we are not only a supportive counseling service directly, but one of our key core services to individuals is just that, is comprehensive assessment, immediate short-term support, which can vary in length, and referral to specialized resources as needed.

And so, as a generalist practice, we see all types of individuals from all walks of life with any type of presented concern, and we make it our business to be aware of community resources, what is available in individual's health plans, and to make quality, reputable referrals in the domain specifically of mental health and wellness.

So some of the most common referrals we make to people needing long-term or specialized care are to outpatient therapy, to psychiatry and medical, you know, med management for medication, to facility-based care if that is indicated for mental health or serious substance abuse needs and things of that nature. So, yes, it is not merely a referral service. A lot of the issues we see are amenable to a short-term solution-focused counseling model, but we very much do refer people out as indicated, as appropriate to their needs.

Ms. CLARK. Thank you. Thank you, Mr. Chair.

Mr. RYAN. Thank you, Ms. Clark.

Mr. Amodei.

Mr. AMODEI. Hey, Mr. Chairman. How are you doing today?

Mr. RYAN. Good. Thanks for getting up early for us.

Mr. AMODEI. Hey, it was a pleasure. And especially after hearing that a bipartisan unity that I brought to the committee in the meet-and-greet with derogatory comments about my personal appearance, it is a good thing I don't have feelings as we talk about the subject matter of today's meeting. And they have probably been hurt, but all is good in mental healthville for the instant for me.

Mr. RYAN. You have the floor.

Mr. AMODEI. So I want to—thank you. I want to expand a little bit on the chairwoman's remarks because I think there is part of—and this definitely plays into mental health, and it may not be specific to the 6th, but it is in terms of the general sense, and that is I—and maybe I am wrong. I hope somebody gets on and says you're wrong about this, but so far it doesn't look like it, and that is this: When you go to the other jurisdictions in this country regarding vaccinations, first responders have all been vaccinated.

And so I was a little surprised to hear the response that—I am assuming that the Capitol Police as first responders, law enforcement types, have been vaccinated. And if they haven't, that is probably a unique circumstance in the Nation.

But I want to expand it even a little bit beyond that, Mr. Chair, because when we talk about mental health stressors and stuff like that, I want to point out another circumstance that I think needs

to be dealt with, and it is not all in these folks' bailiwick, but it is something that they need to be part of, and that is this: My district's staff in Nevada gets vaccinations because they are, you know, public servant, essential employees providing services.

That stuff may all vary from State to State, those criteria, but they are vaccine eligible and scheduled in the tiers that are applicable in this jurisdiction, but yet nobody is talking about—or at least if they are, I haven't heard it—nobody is talking about staff in the District.

And so when you talk about mental health and getting stuff back to order and performing key continuity of government and key public service functions, I think we need to kind of confront that issue because, quite frankly, at least in my jurisdiction, if I put all my D.C. staff on a plane to Nevada, they could get jurisdiction—they could get vaccinations.

And so that is one of the things I think that maybe in—you know, it is not like there is nothing to do these days, but I think it is something that needs to be focused on because it is like, well, the Members have been vaccinated and you have got a couple extra vaccines for your staff for continuity purposes. The committee folks have gotten four extra ones.

But it is like, hey, we need to kind of, I think, make sure that we are taking care of business in our own house, not changing the rules, not making people—but, quite frankly, I think the States have dealt with this, and probably your folks in Ohio, I would assume, probably are eligible or already have their vaccines based on continuity of government and the key public service functions that they provide.

So I don't expect to solve that in this meeting, but I do want to let these folks know we are going to be following up in terms of going, hey, what is the plan, what isn't the plan, where are we at on this stuff, because, quite frankly, it is something that needs to be taken care of, not only for mental health but for operations and certainly in the case of first responders.

Thank you. I yield back.

Mr. RYAN. I appreciate that, Mark. That is a great point. So let's keep that on the table for further discussion. I appreciate it.

Now we are going to go either further west and deeper into the early morning with Congressman Ed Case. Your—you have the floor.

Mr. CASE. Good morning, all. And to both of you, thank you so much for your own service in a difficult time.

You know, there are a lot of tragedies from January 6, but to me one of the most tragic were suicides of our officers and, I assume, potential suicides by others in our Capitol 'ohana, as we call it here in Hawaii, family, because somehow one feels that those were avoidable and actually somehow one also feels a sense of personal responsibility for making sure that doesn't happen to anybody else.

So let me ask you to get a little bit more into suicide prevention efforts. I serve also on the MILCON Veterans Affairs' Subcommittee on Appropriations and, of course, suicide and suicide prevention has been a major issue in our armed services and our vet communities for a long time.

And one thing is very clear, and that is that if you simply assume that people are going to come to you if they need help that may lead to suicide, that is not the way to approach it. Certainly you want the door to be open, but you have got to go out and try to find folks and try to get at the game a little bit and also just change cultures that may not favor going in for counseling.

And so, in that spirit, I would ask you, I assume that there are many parallels from this perspective with most directly our U.S. Capitol Police but not exclusively, and so what are you doing to affirmatively outreach and especially in the suicide prevention area?

And I would follow up on the ranking member's question, you know, what do you need to do that? Because, you know, to me, part of this hearing is what do you need to deal with the realities of January 6 and its aftermath? And I am not sure which one of you is the right person to ask, so, Mr. Weiss, why don't you try it, unless that is clearly over on the other side.

Mr. WEISS. Sure. Thank you, Mr. Case. Yeah, that is primarily the office of responsibility—Office of Employee Assistance. They are our mental, emotional, well-being subject-matter experts on the Hill. So I will defer to Paul to answer that question, but thank you.

Mr. CASE. Thank you.

Mr. TEWKSBURY. And thank you, Congressman, for the question. One of the very significant accomplishments along those lines that the OEA undertook and completed just within the last couple years is a comprehensive suicide awareness training that was delivered to the entire force, at least all uniform personnel. Over 1,800 officers and personnel were trained in a suicide awareness program that was done in person over a period of months.

And it was very well received. The information was delivered by a couple of my colleagues and delivered in a way as to be very practical, very normalizing, and really helping educate people in the department, not only how to take care of their own needs but how to look out for colleagues and involved in that managers to look for certain signs without putting them in a counseling role, but to look for certain signs to lead employees to help.

So this was a, we thought, a pretty significant undertaking. We are very aware and very pained by the tragedy of the suicides that have taken place this year, and working with the office of the CAO and Capitol Police, keeping people on site, you know, it is not only to get a lot of people to interact, I spoke with—about some pretty impressive numbers of, you know, hundreds of officers using the one-on-one support, but the rationale is, even if you can save one life, it is essential to have support in place and make it inviting and appealing enough or to cope with it, enough willingness that people will reach out. So—

Mr. CASE. Can I just ask you—

Mr. TEWKSBURY. Yeah.

Mr. CASE [continuing]. For a quick followup because my time is just about up? Are you affirmatively going back out there now, post-January 6 with, you know, an update refresher extension of that program that you did a year ago?

Mr. RYAN. And, Paul, take your time. You can give an extended answer here. It is an important question.

Mr. TEWKSBURY. Okay. Thank you very much. We are exploring. We don't have a lot of details, but if I could respectfully share more as soon as I have them, we are exploring ways to do just that. We have had refresher trainings following the training for all personnel. I can get back to you with details on, you know, when/how that is happening and at what level as soon as they are available.

But I want to assure you that, as professionals in employee assistance and mental health, we are acutely aware that this is a concern, this has been a tragic occurrence and not only within our internal team but the folks who are on the ground, at the four locations, 24/7 are looking out for officers and kind of working the floor, so to speak, to connect with managers, supervisors, to not invasively but appropriately reach out with people who seem to be struggling.

So we are very much, you know, working towards suicide prevention, and then we move on to, you know, other types of well-being. But that is absolutely essential and has certainly been something the OEA has been trained in and has dealt with over the years, not just with Capitol Police but with, you know, anyone who we serve. And we have training and practical techniques to provide more awareness and—

Mr. CASE. Okay—

Mr. TEWKSBURY. For everybody on that.

Mr. CASE. Thank you very much. And just quickly, as you get back to the committee on that, again, the question is, what resources do you need to do what you feel needs to be done? Because I would hate the answer to be: We didn't do something because we didn't have the resources.

Mr. TEWKSBURY. Yes. Thank you.

Mr. CASE. Thank you.

Mr. TEWKSBURY. I so appreciate that, and we will reach out with additional needs so we can do even more of what we are doing. It is so important.

Mr. RYAN. I appreciate it. Great questions, Ed.

You know, Paul, I think, you know, to me and Bryan and the Capitol Police and the Sergeant at Arms and really all of us, you know, around the idea of really reaching out and not being afraid to ask people how they are doing because I think any of us who have been around somebody who has taken their own life, you know, the questions, you know, a lot are, why didn't I say more? We didn't know, you know, that they were in this much pain, they were hurting this much.

So, you know, I just think we are talking about a culture shift not only, you know, in the country, but what can we do in our local community here on Capitol Hill to really shift that culture. And I hope that, as your trainings and what Bryan is doing, like we can really figure out a way to have that permeate all of the different, you know, approaches and group meetings and all of that to really, you know, hopefully shift the culture. So I appreciate the questions there, Ed.

Congressman Espallat.

Mr. ESPALLAT. Thank you, Mr. Chairman, Ranking Member, for this opportunity.

I want to thank both Bryan and Paul for their presentation.

My question is on a diversity angle. Given the nature of the attack and the fact that it was perpetrated with a racist, White supremacist tone and the Confederate flag was paraded around the Capitol, it has been reported that African-American Capitol Police officers stated that they have never been called the “N” word as much as that day, and a noose was, you know, put outside the Capitol. That is symbolic of—we know what that is symbolic of.

I am just concerned that people of color that work in the Capitol that cannot blend in by simply taking off their pin will be in a very difficult position. And I just wanted to know what you are doing about that, what kind of resources you have, do you have a diverse staff that will be—that is culturally sensitive that will be able to address this as we move forward?

There is a lot of chatter underneath the pain that has not come out yet but is there. I mean, the Congress is more diverse now than ever, and so are our staffers. And so there is a lot of chatter going on about what happened that day. I think there is a lot of pain that has not been manifested yet, and I wanted to know, what is your plan to address that and if you have the tools and if you have the resources available to effectively address that?

Mr. TEWKSBURY. Thank you very much, Congressman, for that question, and let me start by saying that our staff at the OEA is highly diverse. Fifty percent of our full-time staff are African American. We are diverse also in the age range of our staff. We are diverse in the gender identification of our staff, being three-quarters female.

And diversity is—and respect for and working with diversity of personnel of socioeconomic status and so many kinds, too many to mention, is really the essence of what we do in our training and, you know, just our spirit as people truly.

So, while we cannot say we have walked in everyone’s shoes, been in every situation a client has been in, we are culturally competent in our approach. And what that means is we try to be aware and are aware and we learn from the community around us on a daily basis of what the concerns are.

The concerns that you mentioned, sir, are certainly things that I am aware of and that our team is aware of and issues that people are already bringing to our office at every level, staff and people at every level in the House and the Capitol Police. This is very real. We honor this. We try to provide practical strategies for people to navigate that.

And, yes, we are accustomed to connecting people with other resources, whether they are focused on, you know, certain cultural preferences that people have or just certain, you know, care needs people have or both. If we are not the direct service to meet their longer term or specialized needs or preferences, it is our business to connect people with other resources and stay informed on that.

But the concerns that you portray are certainly things that are coming to our attention, and we are working with a lot of individuals and, you know, some work groups to allow people safe space to process this. And we have seen some of the reactions move from just raw trauma, life at risk on January 6, now to recovering from that, but all of these undertones, right. We understand this is

much more than just a one day where people's safety was at risk situation.

So, you know, we are counseling professionals and I think caring people, so we very much, if we haven't walked in their shoes, can connect with them and appreciate the depth of these concerns and create this kind of therapeutic alliance around that to build trust and understanding.

And if people have preferences with, you know, which, like, cultural background of a counselor they would like to work with, we honor that, you know, when employees ask us that.

Additional outreach, just briefly, that we are already doing in the form of multimedia videos and some other things to continue to engage more the workforce is going to highlight diversity of our staff and services and approach even more, but we have always been striving to do that. Thank you for the question.

Mr. ESPAILLAT. Thank you, Mr. Chairman. My time is up.

Mr. RYAN. Congresswoman Wexton, you are now live.

Ms. WEXTON. Thanks, Mr. Chairman and Ranking Member.

I think I am on the caboose of the committee.

So I think I just want to touch on some of the things the other people of authority have brought up and hopefully get a little bit more detail on a couple of things.

There is no question that this has been a really, really challenging year for everybody. I know that everybody was operating under very elevated levels of stress and anxiety and depression and isolation, leading up to January 6, and then January 6 happened, the, you know, violent attack on the Capitol, and nobody was more affected by that than the Capitol Police, who were literally on the front lines and fighting in hand-to-hand combat.

And, you know, one of the things, as we are talking about Officer Brian Sicknick and those who sustained physical injuries, I can't stop thinking about those that are going to have lasting mental health injuries and damage as a result of that day, especially, you know, my constituent Officer Howie Liebengood took his own life in the days following, and, you know, I don't want that to happen to anybody else.

So one of the things that was brought to my attention when it comes to the Capitol Police is that, after January 6, all their friends and family started asking them: How did this happen? How could this happen?

And what they heard was: How could you let this happen?

Right? So they felt very responsible for it, not to mention the fact that, as more facts come out, it appears that leadership had intelligence about just how damaging and how violent this demonstration could become and left them out there without any supports.

So I think that there is a lot of issues that the Capitol Police are going to have to work through, as well as our, you know, regular Capitol Hill staff and people at all levels of the Capitol staff.

So, Mr. Tewksbury, you testified that there are four full-time clinicians on staff at OEA. Is that correct?

Mr. TEWKSBURY. And forgive me. And thank you for the question. The four refer to the current level of contracted staff that are on site for Capitol Police round-the-clock trauma response, but we have a full-time staff of eight at the Employee Assistance Office

and we also have three additional contracted counselors with our immediate office and a graduate student in mental health. So put that all together, there are 16.

Ms. WEXTON. And those four that are contracted for the Capitol Police, they are temporary employees. Is that correct?

Mr. TEWKSBURY. They are on a time-limited contract that already has been extended, and we are actively exploring strategies to extend that further.

Ms. WEXTON. Are they specialized in law enforcement and military PTSD?

Mr. TEWKSBURY. They have a lot of specialized training in law enforcement and trauma response, using kind of the standard best practices in employee assistance. So, yes, they are not just generalists. Their organization, this contract company specifically provides large-scale trauma response services.

Ms. WEXTON. But specifically geared towards law enforcement and PTSD?

Mr. TEWKSBURY. Yes, included in that, not exclusively, but that is one of the areas of specialty, working with law enforcement, identifying clinical concerns that could indicate post-traumatic stress disorder, things of that nature.

Ms. WEXTON. Now, it has come to my attention that you all don't have the ability to do video conferences for your sessions, for your clinicians. Is that true?

Mr. TEWKSBURY. Currently, that is correct. However, we are providing a huge amount of telephonic services, and that is something that is going to be—

Ms. WEXTON. Are you attempting to get approval to engage? I mean, sometimes having that face-to-face interaction, if you can't literally be face to face, at least having video contact and being able to look somebody in the eye is really helpful. So are you in the process of getting approval, and what is it going to take for that to happen, and how can we help?

Mr. TEWKSBURY. Okay. That is a great question, and I so appreciate it. Our whole team does. That is something that, again, is being explored, admittedly, in the early stages. And it is our intention to move forward on that. One thing that we are very cognizant of is the high level of confidentiality of our services requires something beyond what is already in place within House resources, but if I could respectfully kind of determine what our needs are and how your subcommittee could assist us with that and moving that forward, I would be very appreciative.

Ms. WEXTON. Okay. That is great. We are happy to work with House Admin or whoever it takes to get you guys whatever kind of technical assistance you need to make that happen. I just want assurances that is something that is a priority and something you all will actually explore. Will you provide those assurances?

Mr. TEWKSBURY. Yes, ma'am.

Ms. WEXTON. Okay. Fantastic. Great. I see my time has expired. So I will yield back.

Mr. RYAN. Thanks. And we will make sure the staff follows up on that, too, Jennifer. That is really important.

And some of the people that I have gotten connected to Bryan and the Capitol Police, Center for Mind-Body Medicine, Project

Welcome Home Troops—they live in that space of veteran trauma—police. I know Center for Mind-Body Medicine has done a lot in the West Bank and, you know, helping some of our people in the State Department, USAID, really who have functioned in those areas where there is a great deal of trauma. I think you are right. I think you hit the nail on the head. Those are the kinds of experienced people we need helping. And, you know, I think we need more, you know, more people with more experience but also more bodies. And, you know, we are all dealing with this together, Paul. So we want to be helpful and absolutely provide some kind of, you know, communication where they can get these services online, if necessary.

Bryan, what is your interaction with the Capitol Police? How has that unfolded?

Mr. WEISS. Thank you, Chairman, for the question.

So the relationship I have had with the program coordinator at the Capitol Police wellness and resilience division has been very great. From the very beginning, we have had regular, every-other-week phone calls, you know, talking about what we are doing, existing programs, future programs, outreach efforts, and just resource and service availability.

You know, from a general well-being perspective, we were able to connect our two information technology and security teams to make sure they had access to our mobile and web applications. We worked alongside them to make sure they had access to the House staff fitness center's mobile application so they could have in-home, at-home workouts. We coordinated and launched at the same time the emergency backup child and elder care platform, as well as the online academic resource center and education tutoring services. We launched those back in November. We also shared information with them about the benefits navigation and transparency tool to help improve health literacy, you know, for those folks who need that type of support.

So we have been working closely. We continue to look at, you know, what the needs are within our mobile and web applications. We have the ability to break out aggregate well-being data so that way we can look at what the specific needs are of not only the House community but the Capitol Police organization so that we know how to better tailor our programs and services, how we look at improving things and adding new platforms.

So it has been a great working relationship, and, you know, we continue to talk, and, you know, I am happy and excited by what the future brings for that relationship.

Mr. RYAN. You know, I wasn't surprised, but, you know, coming back after January 6 and just going around, talking to a lot of the rank-and-file members, you know, it is just an interesting experience to see how different people, you know, there is, like, a scale. There is, like, a spectrum of how people are feeling. One person, you know, I talked to, you know, wanted to talk to somebody, and they were. And then there was another guy who was, like: I just need a couple of good nights' sleep. I just need to see my kids.

So I think we have got to, you know, figure out, again, getting back to really changing the culture, you know, where these cops are working 12-hour shifts, going back, some of them, to December,

going through everything, you know, the experience of the 6th, tearing it right back up for the inauguration, and not seeing your family, you know.

So, you know, the things that help you deal with, you know, some mental health issues are connection, you know, the people you love and care about. If you don't have that connection, you start sliding. You mentioned diet and nutrition. You know, the research is showing more and more the connection to your diet, and, you know, mental health issues or issues of well-being, depression are affected by how you can screw up your gut bacteria, as crazy as that sounds. But it has an effect on your mood and all the rest and sleep. The research on sleep over the last, you know, 10, 15 years has been incredible.

So how do we, you, us supporting you but how do we build out and shift this culture around all of these issues around well-being? I mean, what is your outreach to new members, Bryan? And I know you are trying to do a lot, and it has been difficult. Maybe you could mention the storefront and all that to really help shift the culture, 'cause I think that is going to be the key.

Mr. WEISS. Yeah, sure. So, for us, it is, you know, culture, you know, starts at the top right. It is a top-down thing. So forums like this and this committee being invested in the well-being of the program is super important, you know, kind of walking the walk. So that obviously is an important piece. But also from a bottom-up standpoint, you know, we recognize that every individual is unique and have individual needs that need to be considered. So we are going to be doing a lot of research and work on that piece.

We are going to be conducting focus groups with key stakeholders and member committee officer-eligible agency offices to better understand what they need, what they need from a health and well-being standpoint, how they access our resources and services, what barriers or limitations there are, and what they would like to see from our office so we can provide greater organizational support. So that is kind of the grassroots piece of it, kind of the bottom up.

And then, with that leadership support as well, you know, we are going to be able to shift the culture and create a greater level of individual and organizational well-being.

From a Capitol Police standpoint, you know, specifically them, I mean, with a fairly new program, they are going to, with their wellness program coordinator, they are going to be the ones that are going to look at our umbrella of wellness services. And as they get a better understanding of what the individual needs are of that culture, they are going to be able to pick and choose what makes the most sense from our collective resources. And then also we can work together with our vendors and some of our agreements that we have with industry leaders to see how we can better tailor and update platforms and services to really meet the needs of what this workforce is.

So, instead of just throwing a whole bunch of stuff at the wall and seeing what sticks, really, you know, talking to the employees, understanding what the needs are, looking at, you know, our population health data and then creating greater efficiencies and effec-

tiveness with our programming. That is going to be the key to success to determine health and well-being on the Hill.

Mr. RYAN. I appreciate that.

We had—I don't know if we got you connected yet but we had a great conversation with a doctor out of Yale, and they do a lot of screening around trauma with kids and others. And we want to make sure that you get introduced to them, and Paul, as well, to where we can have some level of screening. The way I see this maybe unfolding is where we have a screening process. We figure out where people are. I mentioned there is this spectrum of, you know, where people are; and where you think you are may not be where you are, you know. It could be completely different.

But do the screening, and then, based on the screening and the understanding, then the almost the smorgasbord of options are then there with the different areas. You know, that is the thing that I have learned a lot with veterans experiencing some of these different programs. So some like things like the Project Welcome Home Troops, where it is a bunch of really deep breathing that really helps release a lot of the trauma that you are holding in your nervous system. Other people like mindfulness-based meditation where it is more of, you know, you are following your breath. You are trying to get detached from your thoughts. Other people like things like transcendental meditation. Other vets, I have seen a lot of vets who have been healed by that, where it is more of a you get a word that you say over and over. I have seen vets, and we have talked about this, really getting connected with some of the religious community and the Office of Faith and Politics where, you know, centering prepare and know religious-based contemplative practices are very, very helpful.

So I think, as we look at this, it is the screening process to figure out where people are and then have this, you know, really buffet of options, which I think you are doing a hell of a job, Bryan, in developing all of these. And, you know, we want to make sure we continue to support you. I think, in both instances here with both you and Paul, we have got to be committed, and that means the resources have to be committed to the well-being of the men and women who make this thing go. And I think the American people would want that to happen. They saw what happened on January 6.

But as I mentioned to Chairman Yoder, we started this long before COVID, long before January 6 of 2021, and Capitol Hill is no different than most American towns where there is a lot going on for people, and there is a lot of anxiety, a lot of stress, a lot of disconnection, a lot of issues around well-being, physicality, mental, et cetera.

So I think we covered a good deal of what I wanted to cover here today. I want to give each of you an opportunity, if there is something that you want to add from a previous question that you may have gotten and you didn't think of at the time, that you want to share before we close things out.

Paul, do you want to take that first? Is there anything you want to add?

Mr. TEWKSBURY. Oh, yes, please. Thank you, Mr. Chairman, for that opportunity.

There are a couple of items I just wanted to clarify from some earlier questions, so thank you. One is the vaccine issue with Capitol Police. While I share just my [inaudible], I would have to refer the subcommittee to officials at Capitol Police to get certainly a detailed read on what their plan is to vaccinate officers and where they are in that plan.

And also regarding the department, up to now, they have been actually providing financing for the additional onsite crisis counselors. So I can respectfully defer to them on some of the details of how that has happened and what needs they may have on that front. We are certainly working closely with Capitol Police leadership about oversight of those services and affiliating them with our office, but technically that is something they have been handling.

Other than that, I just appreciate everyone's time and attention, very insightful questions, and foremost the real commitment to what we hold dear in wellness at OEA, which is just that. It is well-being, work productivity, and the exceptional amount of needs in our community right now. We are beyond grateful for not only your attention but your offers of support, and I owe the subcommittee some responses on some of those offers, which we will get back to you very soon on. So thank you.

Mr. RYAN. Bryan, any closing comments?

Mr. WEISS. Sure, yeah, I just want to thank you, Chairman Ryan, not only for today's opportunity but also, you know, the referrals that you send my way. I mean, we have ongoing conversations. I have multiple today actually this afternoon. So we are always looking at new and innovative ways to stay on the cutting edge. You know, I know it is important that we not only remain an agency of choice but an employer of choice. So I do appreciate those. I will keep you posted as we move forward with that.

But just to you, Ranking Member Herrera Beutler, and members, Leg Branch Committee for this opportunities today and just for your overall continued support, you know, we appreciate everything that you guys do for us and the House Wellness Center and the OEA. You know, we look forward to your guidance and engagement and advocacy for years to come. So thank you again. You know, I look forward to working with you all.

Mr. RYAN. We appreciate it. Thank you so much. We are going to be in contact.

I think we had a lot of great questions and a lot of great followup that, you know, we are going to be following through with it.

So, anyway, I want to thank Ranking Member Herrera Beutler, Acting Ranking Member Mr. Amodei.

You are the man.

Congresswoman Wexton, thank you for sticking around. And God bless. You guys take care. We will be in touch. This committee is adjourned.

WEDNESDAY, FEBRUARY 24, 2021.

**HEALTH AND WELLNESS OF EMPLOYEES AND STATE OF
DAMAGE AND PRESERVATION AS A RESULT OF THE
JANUARY 6 INSURRECTION**

WITNESSES

**BRETT BLANTON, ARCHITECT OF THE CAPITOL
FARAR ELLIOTT, CURATOR, U.S. HOUSE OF REPRESENTATIVES
CATHERINE SZPINDOR, CHIEF ADMINISTRATIVE OFFICER**

Mr. RYAN. The committee will come to order. As this hearing is fully virtual, I have got to address a few housekeeping matters. First, for today's meeting, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition for the purposes of eliminating inadvertent background noises.

Second, members are responsible for muting and unmuting themselves. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

Third, I want to remind all members and witnesses that the 5-minute clock still applies. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time. You will notice a clock on your screen that will show how much time is remaining. At 1 minute remaining, the clock will turn yellow. And when your time has expired, the clock will turn red, and I will begin to recognize the next member.

Fourth, in terms of the speaking order, we will be following the order set forth in the House rules beginning with the chair and the ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority.

Finally, House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings or markups. That email address has been provided in advance to your staff.

Good morning to our panel. I am happy to welcome the Architect of the Capitol, Brett Blanton; and Chief Administrative Officer, Catherine Szpindor; and House curator, Farar Elliott.

Today is our second of three hearings reviewing the aftermath of the breaching of the Capitol by an insurrectionist mob on January 6. None of us at this hearing will soon forget that day, but how we remember it determines how we move forward and collectively learn from the mistakes. If we do not adapt or choose to only prepare for the last encounter, the Capitol campus will continue to be vulnerable to unknown and unexpected threats.

This building, the Capitol, which Thomas Jefferson called the first temple dedicated to the sovereignty of the people, stands for more than just us. It stands for tomorrow and the day after that. It stands for a future for all people. And while it may seem to be a leap to some, this very small subcommittee is at the forefront as one of the protectors of representative democracy.

But we cannot militarize the Capitol in response to an attempted ransacking of representative democracy. This is not what these first three hearings are about. The purpose of this hearing is to dig deeper into what we are doing to support our House employees during these turbulent times. It is to learn from the CAO on the current and future security and COVID-19 related needs for the House. It is to receive an update on the damages to the House, both physical and to collections, because of the events of January 6.

And, most importantly, it is to continue the discussion on next steps to ensuring the physical safety of our campus for Members of Congress to carry out our constitutional duties, provide resources to our Capitol Hill community, to heal from the traumatic event, maintain a safe and open campus as much as possible so that visitors from across the country and around the world can witness representative democracy in action.

It is incumbent on all of us to talk to each other, and I welcome our witnesses today. We are thankful for your leadership and the staff of your organizations who work so hard to make this House run.

At this point, I would like to yield to my friend and colleague from the great State of Washington, Ranking Member Jaime Herrera Beutler, for any opening comments she would like to make. Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. I was going to put my other headphone in, but I have only got the one. Hopefully you guys can hear me okay.

Mr. RYAN. You are fine.

Ms. HERRERA BEUTLER. Thank you for that, Mr. Chairman.

And, Mr. Blanton, Ms. Szpindor, Ms. Elliott, thank you so much for taking the time to be here. It was a pleasure to connect with you all before we got going.

You know, this past year with COVID-19 pandemic and the Capitol 6th riot has placed a great strain on our Capitol Hill community. It is more important than ever that Members and staff have access to resources that help people endure the high-stress work environment and access a holistic approach in managing the high—really managing everything that we have been going through.

Can you guys hear me okay? I see Chairman Ryan, but everybody else looks like they are kind of frozen. Are you guys frozen or am I frozen?

Mr. RYAN. You are fine.

Ms. HERRERA BEUTLER. Oh, okay. Everybody else is—all right.

Last week, this subcommittee heard from the directors of the Office of Employee Assistance and the Wellness Center on their work to provide vital well-being and mental health resources to the leg branch. These offices were well prepared and well equipped to give the appropriate support to staff and Capitol officers in the after-

math of the January 6 riot, and I look forward to hearing more from Ms. Szpindor about these services and how they continue to grow and to adapt.

For the Architect of the Capitol and the entire AOC team, you all deserve credit for your hard work in cleaning and repairing the Capitol Building and the grounds immediately after the building was cleared by the Capitol Police—and I know we have already talked about the costs that are going to be associated with some of those things—and repairing—basically getting the grounds ready again in such short order.

This includes the frontline workers who have also kept this place running and sanitized even over this last year throughout the pandemic. This was something I remember last year talking about how—what were the enhanced cleaning procedures going to be. And it took monumental effort to restore the Capitol and the inaugural stands just 2 weeks after the attack. So it has been a lot that you have all been—you guys have been inundated with.

The AOC is charged with the stewardship of the Capitol complex and its grounds. The Capitol functions not only as a monument and a museum, I would say a living museum, but it also is an office building where we do the people's work. With that in mind, it is going to be important to balance the need of both repairing the damages made from the riot with preserving some marks from that day to mark the historical reminder of the riot. I think it is something that we do need; we should not forget.

The AOC, along with the House and the Senate curators, have the challenge of determining how and what to restore and preserve so that future generations can view and understand the historical significance of January 6. It is my hope that the AOC will work with the curators and the House community when making these decisions.

And, with that, I appreciate everyone taking the time to be here, and I yield back, Mr. Chairman.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

Without objection, your written testimonies will be made part of the record. Please summarize your statements as we move to Mr. Blanton.

We want you to begin, and after your statement we will turn to Ms. Szpindor and then to the House curator. Once the statements are complete we will move to questions and answers.

Please begin. We will start with you, Mr. Blanton.

Mr. BLANTON. Thank you, Chairman and Ranking Member and members of the subcommittee. I appreciate the opportunity to speak with you today about the Architect of the Capitol's response efforts following the January 6, 2021, U.S. Capitol Building breach. The events of this January 6 were difficult for the American people and extremely hard for us on campus to witness.

As we continue to deal with the shock and disappointment over the actions of those who attacked the Capitol Building, I remain proud of and encouraged by the professionalism displayed by the AOC team in the face of this dangerous and stressful event.

On the morning of January 6, my team were preparing the grounds and the inauguration stage. Our artists were painting the stands a bright white with a deep blue edge on the main stage of

the platform. About midday, as crowds began to appear on the west front, our staff secured our equipment and was moved indoors.

Over the course of a couple hours, the hard work of the team was destroyed. The platform was wrecked. There was broken glass and debris everywhere. The sound system and photography equipment was stolen or damaged beyond repair. Two historic Olmsted lanterns were ripped from the ground, and wet blue paint was tracked across the historic stone balustrades and hallways of the Capitol.

As the crowd began crashing through windows and prying open doors, my staff undertook several unheralded actions in support of Congress. AOC employees identified and sheltered congressional staff in their shops to protect them from the roving mob. Other members of the team raced to the roof to reverse the air flow within the building to help clear the air of chemical irritants, such as bear spray, repellent, and pepper spray, while other team members rushed bottles of water and eye wash stations to Capitol Police officers in need of assistance.

In my opinion, we served as a light of hope that day and in the days following insurrection. As soon as the security officials cleared the building, AOC employees worked tirelessly to clean up and begin repair work. Carpenters covered broken windows and doors with plywood to secure the building. Laborers began sweeping up glass and broken furniture to enable Congress to continue its work. Our groundskeepers cleared a small mountain of debris left on the west and east fronts, and our painters carefully repainted the platform.

We were committed to, and ensured, the electoral college certification process would continue on January 6. Furthermore, we were sharply focused on ensuring the campus was prepared for the Presidential inauguration without interruption to signal our Nation's determination to support a peaceful transition of power.

My team has worked nonstop. As an experienced combat veteran, I am mindful of the stress that such an event has on employees. I know that, in the next several weeks and months, my team will continue to need counseling and support to process this event. The safety and personal health of AOC employees is my highest priority.

The agency provides support services through our Employee Assistance Program, which is free, voluntary, and confidential. Employees have access to trained staff counselors through our EAP. They can also use TalkNow, which offers AOC employees immediate 24/7 telephonic access to confidential, in-the-moment counseling support delivered by quality behavioral health professionals with no appointment necessary.

In addition to these services, many of the resources offered by the House Wellness Center and the House Office of Employee Assistance are available to AOC employees.

In the weeks following the building breach, we also hosted an "Office Hours" employee session to provide a venue to all employees to share their concerns, ask questions, and hear directly from our director of EAP and the agency's ombudsman. We also are planning proactive counseling sessions for our tradesmen, support staff, and artists who were directly impacted by the 6th.

Since becoming the Architect of the Capitol a little over a year ago, I have been continually impressed and inspired by the great work of this agency. We have been in pandemic operations for nearly a year, we supported three lying in states or honor ceremonies, and prepared for a Presidential inauguration all during the pandemic.

I am honored to lead a team whose extraordinary efforts on January 6, and the days that followed, helped Americans of all walks of life take solace in seeing order restored to the U.S. Capitol. We would appreciate your support to ensure that we are positioned to address ongoing and future facility needs in addition to the health and wellness of our employees.

Thank you, and I am prepared to answer any questions that you may have.

[The information follows:]

Statement of The Honorable J. Brett Blanton
Architect of the Capitol



Architect of the Capitol
J. Brett Blanton

Statement before the Subcommittee on Legislative Branch,
Committee on Appropriations, United States House of Representatives

Hearing on Health and Wellness of Employees and State of Damage and Preservation
as a Result of January 6, 2021

February 24, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee, I appreciate the opportunity to speak with you today about the Architect of the Capitol's (AOC) response efforts following the January 6, 2021 U.S. Capitol building breach.

The events of January 6 were difficult for the American people, and extremely hard for all of us on campus to witness. As we continue to deal with the shock and disappointment of the actions of those who chose to attack the U.S. Capitol Building, I remain proud of and encouraged by the professionalism displayed by the AOC team in the face of this dangerous and stressful event.

On January 6, members of my team were preparing the grounds and the inauguration stage. The day was bright and clear, and our artists were excited to finish painting the stands a bright white with a deep blue edging on the main stage of the platform. At about mid-day, as crowds began to appear on the West Front, our staff was moved indoors. Over the course of a couple of hours, the hard work of our team was destroyed. The platform was wrecked, there was broken glass and other debris, sound systems and photography equipment was damaged beyond repair or stolen, two historic Olmsted lanterns were ripped from the ground, and the wet blue paint was tracked all over the historic stone balustrades and Capitol Building hallways.

As the crowd began crashing through windows and prying open doors, my staff undertook several amazing actions in support of Congress. AOC employees sheltered congressional staff in their shops to protect them from the roving mob, other members of our team raced to the roof to reverse the airflows within the building to help clear the air of chemical irritants, like bear repellents and pepper spray, while more team members rushed bottles of water and eye wash stations to Capitol Police officers in need of assistance.

As an agency, we served as a shining light of hope that day and in the days following the insurrection. As soon as security officials cleared the building breach, AOC employees worked tirelessly to cleanup and begin repair work. Carpenters covered open windows and doors with plywood to help secure the building, laborers began sweeping up glass and broken furniture to enable Congress to continue its work, our groundskeepers cleared a small mountain of debris left behind on the West and East Fronts. And our painters carefully repainted the platform. We were committed to, and ensured that, the Electoral College certification process could continue on January 6th. Furthermore, we were sharply focused on ensuring the campus was prepared for the presidential inauguration without interruption to signal our nation's determination to support a peaceful transition of power.

At this time, our teams also began to carefully assess the damage to the historic building and grounds. The initial assessment is that most of the damage – in areas maintained by the AOC – on the interior and envelope of the building was broken glass, broken doors and graffiti. Statues, murals, historic benches and original shutters all suffered varying degrees of damage, primarily from pepper spray accretions and residue from chemical irritants and fire extinguishers. This damage to our precious artwork and statues will require expert cleaning and conservation.

Though much work remains to be done, I am also mindful of the stress that the event has had on my employees. Common reactions to situations such as these include stress, anxiety and depression. The safety and personal health of AOC employees is my highest priority.

I am committed to making sure the agency continues to provide the necessary support services through our Employee Assistance Program (EAP), which is free, voluntary and confidential. Employees have access to trained staff counselors through EAP. They can also use TalkNow, which offers AOC employees immediate, 24/7 telephonic access to confidential, in-the-moment counseling support delivered by qualified behavioral health professionals, with no appointment necessary. In addition, many of the resources from the House Wellness Center and the House Office of Employee Assistance are available to AOC employees. This service includes a variety of professional support services and resources to address the needs of individual employees and their family members, as well as the concerns of the greater organization and its managers.

In the weeks following the building breach, we also hosted an “Office Hours” employee session to provide a venue for all employees to share their concerns, ask questions and hear directly from our Director of EAP and the agency’s Ombudsman. We are also planning proactive group counseling for our tradesmen, support staff and artists directly impacted by January 6.

Looking ahead, there will be many discussions about the security of the campus. The AOC has assembled a team of highly specialized professionals to treat and maintain the Capitol’s historic fabric and artworks. The Appropriations Committees approved a transfer request of \$30,000,000 that will address the AOC’s expenses incurred to date and extend the temporary perimeter fencing contract through March 31.

Since January 6, the AOC has ensured that all available security-related resources be used to support the required emergency security costs, including temporary perimeter fencing and support for the National Guard. While this transfer addresses some of this need, expenses that we know are forthcoming are unfunded. Additional resources will also be needed should the elevated security posture of the campus extend past March 31.

In addition, I respectfully request the committee’s assistance to pursue funding for a campus-wide, comprehensive facility security assessment that coordinates previous studies and other ongoing reviews or assessments. My professional opinion is that this study is critical to the overall safety of the Capitol facilities, and ultimately, members of congress and their staffs. I appreciate your support and look forward to working with you on this effort.

The events of January 6 were stark reminders that institutional biases, priorities and actions taken out-of-sync with actionable data resulted in poor decisions. If we do not learn from these mistakes, the campus will continue to remain vulnerable to unknown and unexpected threats. History teaches us that project costs for replacements and repairs beyond in-kind improvements across campus will be considerable and beyond the scope of the current budgetary environment. The agency’s facility security assessment is a pre-requisite to considering any new project work. We owe it to taxpayers to accurately and adequately address campus needs in coordination with all appropriate entities as proposed in the assessment.

Many members have asked about preservation of damaged items as a remembrance of this sad day. We have identified damaged materials from that day, and those were turned over to the Department of Justice. For safety reasons, the AOC is replacing broken windows and doors. For example, we have removed the damaged glass in the windows in the historic Columbus Doors on the East Front, however, we preserved the panels for a potential presentation or display.

Several have asked about what did I know, as a Capitol Police Board member, about the events of January 6. Leading up to the 6th, I participated in a “Law Enforcement Partners Inauguration Briefing: hosted by Chief Steven Sund, USCP.” During the inauguration briefing, then-Chief Sund mentioned the expected rally near the White House but there were no actionable intelligence or credible threats shared at that meeting. In terms of support for USCP, as I have shared previously, then-chief Sund did not reach out to the Architect of the Capitol with a request for an emergency declaration or interest seeking National Guard support in advance of the breach. Then-Chief Sund confirmed in his February 1, 2021 letter to Speaker Pelosi that he engaged in conversations with other members of the Board – House and Senate Sergeants at Arms – but no such conversation occurred with me or any AOC employee involved in Board matters. In addition, the AOC has no record of the January 3 intel briefing cited in the media and by Acting Chief Pittman.

Finally, concerning the overall safety of the Capitol campus, I would be remiss if I did not mention our commitment toward ensuring that adequate measures are taken to mitigate the threat of COVID-19 pandemic across the Capitol campus. In the spirit of full-transparency, I have worked with the subcommittee staff to provide accurate cost updates to continue our COVID-19 response efforts. Other than our initial installment of funding, which is fully obligated, the AOC has been forced to use our critical infrastructure and security project funding to support Congress at a service level required for enhanced cleaning and PPE. I ask for your support for our requested security and COVID-19 funding.

Since becoming Architect of the Capitol a little over one year ago, I have continually been impressed and inspired by the great work of this agency. We have been in pandemic operations for nearly a year, we supported three lying in state and honor ceremonies and prepared for a presidential inauguration. I am honored to lead a team whose extraordinary efforts on January 6, and the days that followed, helped Americans of all walks of life take solace in seeing order restored to the U.S. Capitol. We would appreciate your support to ensure that we are positioned to address the on-going and future facility needs, in addition to the health and wellness of our incredible employees.

Mr. RYAN. Thank you, Mr. Blanton. We appreciate it. You have had quite the first year here. We appreciate what you have done.

Next, Ms. Szpindor.

Ms. SZPINDOR. Good morning, Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee. As you know, my appointment as Chief Administrative Officer began on Sunday, January 3. Just 3 days later, the Capitol was under siege. Like so many of the Members and staff, I was sheltering in place along with several CAO employees as chaos ensued just outside of our office here in the Capitol.

Although I will never forget those harrowing hours, I am tremendously grateful for the dedication and rapid response of so many of my colleagues and professionals from all House entities, including Members, staff, and the U.S. Capitol Police. The efforts to restore order and protect our democracy were shining examples of the commitment we all share for this great institution.

As the insurrection was occurring, our Office of Cybersecurity took several critical actions to ensure the House network, equipment, and technology infrastructure remained secure. Over the following several weeks, we provided guidance to the House community and responded to various Member inquiries about the House's cybersecurity posture. Please know that the House's Chief Information Security Officer and his staff are prepared to brief any Member interested in discussing the current state of cybersecurity at the House.

In response to the mental and emotional well-being needs of the House community, our Office of Employee Assistance handled over 1,150 individual interactions over the 6-week period since January 6. At the peak of their workload, OEA had seven additional contractor counselors to support an eight-team staff. The supplemental contracting staff included four onsite crisis counselors dedicated specifically to the U.S. Capitol Police. Be assured, we will all continue to coordinate with the Capitol Police to determine future consulting services needs and how we can best support them.

I recognize the gravity of the moment we find ourselves in, and, as such, I encourage any member or staffer of the House community who is struggling with a personal issue to please reach out directly to the Office of Employee Assistance. They are poised and positioned to help 24 hours a day, 7 days a week.

The House Wellness Center has been another integral component in promoting the health and well-being of Members and staff. And, Mr. Chairman, as a champion of this program, we cannot thank you enough. The Wellness Center takes a holistic approach to improve well-being providing resources and services to the entire House community.

The solutions are offered on a variety of platforms ensuring every member has the same level of access and care and includes support for personal issues that may impact the individual's overall mental or physical well-being. The growth and popularity of the Wellness Center in just over 2 years is highly impressive.

I would also like to take this opportunity to highlight the CAO's response to the COVID-19 pandemic. Less than a year ago today, the CAO, along with our legislative branch partners, rapidly responded to prepare offices for maximum telework. This daunting

and unprecedented challenge required coordination with no prior roadmap to replicate.

Fortunately, the unwavering support from House leadership made our transformation to our remote workforce possible. While none of us could have imagined the full impact of this pandemic, it is important to highlight that our migration to Microsoft Office 365 in the summer of 2019 was critical to our successful ability to telework over the past 12 months.

These proactive efforts have supported nearly 21 million chat messages, 425,000 virtual meetings, and an average of more than 6,000 House staffers who are able to connect on a daily basis to do their work. As the Nation continues to cope with the COVID-19 pandemic, the CAO stands ready to assist and execute critical initiatives in support of ongoing operations for the House of Representatives.

Thank you, Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee for the opportunity to participate in today's hearing. I look forward to answering any questions you may have. Thank you.

[The information follows:]



Statement Before the House
Appropriations Subcommittee
on the Legislative Branch

*Health and Wellness of Employees and State of
Damage and Preservation as a Result of the
January 6 Insurrection*

The Honorable Catherine L. Szpindor
February 24, 2021



Good morning Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee.

I am pleased to join you today and appreciate the opportunity to discuss several topics that are important to the Office of the Chief Administrative Officer (CAO), including:

- The resilience, dedication, and ability of the CAO workforce
- The CAO's response to COVID-19 in support of the House of Representatives
- The CAO's response to the January 6 insurrection in support of the House of Representatives
- The CAO's commitment to health and well-being throughout the House of Representatives

Resilience, Dedication, and Ability of the CAO Workforce:

Mr. Chairman, as you know, my appointment as the Chief Administrative Officer began on Sunday, January 3. Just three days later, the Capitol was under siege. Like so many other Members and staff, I was sheltering in place, along with several CAO employees, as chaos was ensuing just outside of our office in the Capitol.

Although I will never forget those harrowing hours, the focus of my testimony is not about my own personal experiences. But I would like to take a moment to recognize the entire CAO team and everyone else who was locked down in the U.S. Capitol and the House office buildings.

I am tremendously grateful for the dedication and rapid response of so of my colleagues and the professionals from all House entities, including Member and Leadership offices, Committees, Officer organizations, and the U.S. Capitol Police. The efforts to restore order and protect our democracy were a shining example of the commitment we all share for this institution.

As a group, CAO employees are an engaged and highly motivated team. Results from our 2020 employee engagement survey note that our employees overwhelmingly feel a sense of pride working for the House of Representatives. This connection to a greater purpose inspires the workforce to deliver services to ensure Members of Congress can perform their Constitutional duties.

From the early onset of the COVID-19 pandemic through today, CAO employees continue to design new services and resources, roll out updated technologies, and find innovative ways to perform their jobs. I am extremely proud of the way all CAO employees are supporting this institution and am honored to serve with them.

The CAO's Response to COVID-19 in Support of the House of Representatives:

Mr. Chairman, the COVID pandemic has fundamentally changed the way we conduct the business of the House. Less than one year ago today, the CAO organization, along with all other House entities, rapidly responded to prepare offices for a maximum telework posture. This daunting and unprecedented challenge required maximum coordination with no prior roadmap to replicate. Fortunately, the



unwavering support from the House leadership made our transformation to a remote workforce possible.

Within our organization, several CAO business units collaborated to establish a Telework Readiness Center in the Rayburn Cafeteria to distribute laptops and tablets to Member offices. As a result, over 300 laptops were received for remediation, nearly 1,500 new devices were imaged for Member offices, and over 1,600 pieces of equipment were purchased by the Office Supply store and imaged by House Information Resources.

While none of us could have imagined the full impact of the COVID-19 pandemic, it is important to highlight that our migration to Microsoft Office 365 in the summer of 2019 was critical to our successful ability to telework over the past year. Since March 2020, the House information technology infrastructure has supported nearly 21 million chat messages, 425,000 virtual meetings, and averaged over 6,000 remote workers on any given day. House Members and staff average 785 Teams meetings each day over the past six months.

These numbers are as staggering as they are impressive. Arguably they put the House of Representatives on par with any best practice organization in the public, private, or non-profit sectors.

In addition to these technological enhancements, the CAO Safety and Office Design and Move Services teams conducted over 180 consultations with Member offices. Through these efforts, the CAO provided important safety information on social distancing standards, office layout and configuration suggestions, and guidance on maximum occupancy requirements. The team also provided over 800 plexiglass barriers and other personal protective equipment (e.g., masks, hand sanitizer, gloves) to offices around campus.

While it is impossible to know when this institution will return to a full onsite operating status, one thing is certain: COVID-19 may have changed the nature of work forever. Thus, as we move into the next several months, the CAO is committed to continually evolve our services to meet the needs of the House. Doing so will require additional resources and funding, and I am very appreciative of the collaborative effort from your subcommittee in assisting us with supplemental funding.

The CAO Response to the January 6 Insurrection in Support of the House of Representatives:

During the January 6 insurrection, we were all thrust into a situation that changed the way we think, feel, and operate. As events transpired, we had to manage multiple aspects of our crisis response efforts quickly and effectively. One of my first priorities was to ensure that all CAO employees were taking appropriate safety measures and following direction from the Sergeant at Arms and the U.S. Capitol Police. To ensure that this occurred, I sent a message out to the entire CAO workforce at 2:50 p.m. asking any employee who was onsite to lock their doors and shelter in place until it was safe to move throughout the Capitol complex.

At the same time, my staff and I were coordinating with the House Sergeant at Arms, the Clerk of the House, the Architect of the Capitol, and the U.S. Capitol Police. Together, we followed our continuity



planning response to ensure the Capitol building was clear, order was restored, and the House chamber was prepared for the Vice President and Members of the House and Senate to certify the results of the Presidential election.

Finally, as the events were transpiring, the CAO's Office of Cybersecurity took several critical actions to ensure the House network, equipment, and technology infrastructure remained secure and to protect sensitive information. These efforts included issuing commands to lock computers and laptops and shutting down wired network access to prevent unauthorized access to House data.

We also provided guidance to the entire House community through an e-Dear Colleague letter asking offices to (1) account for all IT equipment; (2) contact the cybersecurity team if anything is missing or if a possible breach occurred; and (3) change passwords on any equipment that may have been inadvertently exposed to unauthorized access. Additionally, as CAO, I sent several follow-up e-Dear Colleague letters and responded to inquiries from Members on the status of House cybersecurity following the January 6 attack. The House's Chief Information Security Officer and his staff are prepared to brief any members interested in discussing the current state of House cybersecurity.

The CAO's Commitment to Promoting Health and Well-Being Throughout the House of Representatives:

Last week, Paul Tewksbury, the Director of the Office of Employee Assistance (OEA) and Bryan Weiss, the Manager of the House Wellness Center testified before this subcommittee. Both Paul and Bryan highlighted the monumental efforts underway to provide a full range of mental health and well-being programs for 10,000 employees across the House, including the U.S. Capitol Police and the Congressional Budget Office.

OEA's focus on mental health, coupled with the House Wellness Center's approach to ongoing well-being support, provides employees of the House with a best-in-class compassionate care model. Ultimately, this arrangement helps make the House of Representatives an employer of choice.

Even though the OEA and Wellness services are aligned in the same department and seamlessly integrated, this testimony will highlight specific activities from each offering beginning with the Wellness program.

Mr. Chairman, as the champion of this program, we cannot thank you enough your support of the Wellness team. Since officially launching in October 2018, the Wellness Center's program has matured from a concept into a holistic set of tools and services designed to educate, motivate, and empower staff.



Key highlights from the Wellness program include the development and delivery of:

- Personalized guidance for staff in all areas of life, including child-care and parenting, senior care and caregiving, financial guidance, and legal assistance. Each of these services are available for all staff through our agreement with LifeCare.
- A host of mobile and web-based well-being applications, including mindfulness and nutritional solutions. These applications have close to 2,000 registered users.
- Educational training programs and guidance across all dimensions of well-being, including mindfulness, stress management, and physical activity.
- A benefits plan navigation and transparency tool allowing employees to improve health literacy and make informed decisions about their health care options. During the 2021 open enrollment season, this new tool was accessed by nearly 1,000 unique users.
- A wellness coaching platform offering one-on-one lifestyle and behavioral change guidance.
- In direct response to COVID-19, the team also added emergency back-up child and elder care, as well as an online academic resource center and educational tutoring services.

In the next month, the House Wellness Center will launch a Wellness Champion program to identify well-being enthusiasts who can serve as a liaison between their offices and the Wellness Center. Essentially, this network of staff within offices around campus will help market Wellness Center offerings, help the Wellness staff learn about respective office well-being needs, and inspire others to participate in our programs.

Mr. Chairman, the Wellness Center may be a new office, but they have made tremendous strides in less than 30 months. Most of this can be directly attributed to the hard work of the team and the unwavering support from this subcommittee.

The second organization I would like to highlight today is the Office of Employee Assistance. For the past thirty years, this office has been honored to serve Members, congressional staff, and employees from the U.S. Capitol Police and the Congressional Budget Office. Their confidential counseling, consultations, trainings, and office retreats have impacted the health and well-being of generations of Members and staff.

While the physical scarring and damage to our magnificent Capitol building can be detected and repaired, the emotional aspects of the events of January 6 are more difficult to notice and treat. After a critical incident, feelings of fear, desperation, anxiety, and depression can linger undetected or even be ignored.

No group of staffers knows this better than our OEA team, which is why they immediately deployed their critical incident response posture as events were unfolding on January 6. This decision allowed OEA to engage the full capacity of our services to ensure they were available to staff 24 hours a day, 7 days a week.



In a typical year, the OEA team handles about 3,000 individual interactions with employees and managers, though this number almost doubled in 2020 due to the needs presented by the COVID-19 pandemic. Over the six-week period since January 6, the OEA team handled over individual 1,150 interactions with employees, managers, and Members. At this rate, counseling and consultation services in 2021 would increase by 65 percent over 2020 and by 200 percent as compared to more 'typical' recent years.

While the team's initial response to the insurrection is commendable, it soon became evident that the caseload would require additional resources. Fortunately, we were able to leverage existing contracting mechanisms to assist with the surge in counseling needs.

At the peak of our workload, OEA added seven additional contract counselors through two separate arrangements. These counselors are supporting the CAO's eight full-time team members and one full-time Employee Assistant Specialist funded by the U.S. Capitol Police.

The first contract was designed to provide the U.S. Capitol Police with four onsite crisis counselors. This arrangement was initially funded directly by the U.S. Capitol Police through an interagency agreement with the CAO organization starting on January 12. Late last week, the CAO organization starting using our internal funds to support this arrangement. Over the coming weeks, we will continue working closely with the U.S. Capitol Police to monitor the counseling needs of the workforce and determine appropriate requirements for ongoing contractor support.

In addition, the CAO leveraged funding from our Business Continuity Disaster Recovery account to fund three full-time counselors to serve the greater House community. This arrangement with the Federal Occupational Health agency started on February 3. We will continue monitoring utilization trends of these supplemental counselors and make any necessary adjustments as needed.

While the confidential counseling sessions are a large part of the OEA's workload, efforts to communicate and provide services to the House community did not end there.

As Chief Administrative Officer, I sent six House-wide e-Dear Colleague letters in direct response to the January 6 attack, including:

- Four messages to highlight OEA services, which were sent on January 7, February 1, February 11, and February 18.
- Two messages with the Sergeant at Arms to gather direct feedback about the attack from Members and Congressional staff, which were sent on January 11 and 19.



In addition, to these messages, the OEA team:

- Created and disseminated additional marketing materials to highlight coping mechanisms in the aftermath of trauma.
- Developed a short video on trauma and resilience, which is available on HouseNet.
- Sent an e-Dear Colleague to all House Chiefs of Staff explaining OEA services and encouraged them to provide referrals for team members.
- Made direct contact with staff association and affinity groups to provide more background on the office's services.
- Conducted over 40 live webinars on trauma and resilience, which are now available on-demand through the Congressional Staff Academy.
- Partnered with the Office of the Speaker and the Office of Attending Physician to conduct trauma and resilience briefings tailored for Members of Congress.

Finally, even though OEA's mandate is to serve Members, House staff, and employees of the U.S. Capitol Police and Congressional Budget Office, the team called companies that had contract employees at the Capitol complex during the January 6 attack.

Through our outreach, we were glad to learn that some employers were already providing employee assistance services to their staff. Regardless of whether these counseling services exist, our OEA team will provide appropriate referrals to any House contractor who reaches out to them.

Based on everything the House community has experienced since early January, it is apparent that the OEA services are in high demand. Fortunately, the tireless efforts of the team are not going unnoticed. In fact, several Members of Congress have reached out to me directly to express their gratitude for the OEA team and to convey an interest in an expansion of OEA's services. Over the coming months, we will continue evaluating the needs of the OEA and work with members of this subcommittee to determine whether additional long-term resources and support are necessary.

Mr. Chairman and Ranking Member Herrera Beutler, before I conclude my remarks, I would like to speak directly to the 10,000 employees who work at the House of Representatives. If you are experiencing strong emotional or physical reactions to the events of January 6, the ongoing pandemic, or any other traumatic event in your life, please know that you are not alone.

I encourage any Member of Congress, congressional staff, and employee of the U.S. Capitol Police and Congressional Budget Office who is struggling with a personal issue to reach out directly to our Office of Employee Assistance team. They are a dedicated, trained, and skilled group of mental health professionals who are poised and positioned to help.

Mr. Chairman, this concludes my statement. Thank you for your continued support and for the opportunity to testify.

Mr. RYAN. Thank you, Ms. Szpindor. We appreciate you and your team.

Mr. Blanton had an interesting first year; you've had an interesting first couple of months, and we appreciate your rising to the occasion.

Next, Ms. Elliott.

Ms. ELLIOTT. Chairperson Ryan, Ranking Member Herrera Beutler, members of the subcommittee, thank you for your ongoing support for the Office of the Clerk's work and for the opportunity to testify today about the Clerk's response to damage to the fine art collection of the House on January 6, 2021, and our budget request related to that damage.

The House Collection of Fine Art and Artifacts encompasses the sweep of the institution's history, 13,000 objects that tell the story of the people's House. As provided in U.S. Code and under the direction of the House Collection's oversight body, the House Fine Arts Board, the Clerk is responsible for care of this collection.

219 objects from the House Collection were on display in the Capitol on January 6. On January 7, I and the rest of the Clerk's curatorial staff made a preliminary inspection of every object on display. The Senate Curator and I also undertook a walk-through of the entire building coordinating with our colleagues at the Architect of the Capitol.

Our preliminary inspection identified eight House Collection objects with potential damage, six sculptures and two paintings. All of them are adjacent to the Chamber's north doors, and they were covered in a fine powder. The Smithsonian Institution's Museum Conservation Institute analyzed and identified that powder as fire extinguisher particulate and containing, among other chemicals, an oily yellow dye.

In the coming weeks, we will begin conservation treatment to remove chemicals and accretions and dye before they cause permanent discoloration and harm. Conservation of those eight objects is significantly more than the unexpected damage that we plan for every year. Our entire conservation plan for this fiscal year is only six projects: annual treatment for delicate treasures, like the silver inkstand in the Chamber; scheduled treatment for other pieces that are stable but eventually need work; and a plan to address one instance of emergency intervention.

To enable us to conserve eight objects as emergency interventions as well as continue the sound care of the entire collection, we respectfully request the subcommittee's support for a supplemental appropriation of \$25,000 for conservation of House Collection objects.

Thank you again for the subcommittee's continued support of the Clerk's role as a steward of the House's heritage, and thank you for the opportunity for me to testify about that. I look forward to answering any questions that the committee has.

[The information follows:]



**STATEMENT BEFORE THE HOUSE APPROPRIATIONS
SUBCOMMITTEE ON THE LEGISLATIVE BRANCH**

**State of Damage and Preservation as a Result of the
January 6 Insurrection**

FARAR ELLIOTT, CURATOR, U.S. HOUSE OF REPRESENTATIVES
FEBRUARY 24, 2021

Chairperson Ryan and Ranking Member Herrera Beutler, Members of the Subcommittee: Thank you for your ongoing support for the Office of the Clerk's work and for the opportunity to testify about the Clerk's response to damage to the House's fine art collection on January 6, 2021, and our budget request related to that damage.

HOUSE COLLECTION OF FINE ART AND ARTIFACTS

Since the start of the first Congress in 1789, the Clerk, as the custodian of the institution's official documents, has documented and preserved the material record of the House's work. In 1988, the House formalized the Clerk's similar stewardship of the House's material culture—the art and artifacts that tell the story of the People's House. As provided in 40 U.S.C 188c(b), the Clerk, under the supervision and direction of the House Collection's oversight body, the House Fine Arts Board, is “responsible for the administration, maintenance, and display of the works of fine art and other property....”

With that charge, the Clerk's curatorial office cares for the House Collection, which encompasses the entire sweep of the institution's history, from the first meeting of Congress to the present. Of the 13,000 objects in the collection, from portraits to photographs to campaign memorabilia, 535 are currently exhibited in the Capitol and House Office Buildings.

Survey

On January 6, 219 House Collection objects were on display in the Capitol. As the events of that day unfolded, I thought first for the safety of my colleagues in the Clerk's office and the Members and staff across the Hill. As the Capitol was secured that evening, my curatorial colleagues and I turned our attention to potential damage to the House Collection and loans in the Capitol.

During the riot, courageous staffers saved several important artifacts of the House's legislative history. Quick thinking by a journal clerk secured the House's 1819 silver inkstand, the oldest object in the Chamber. Sergeant at Arms staff evacuated the Mace from the Chamber. Late in the evening, the Clerk went to the House's most recently opened exhibition, marking the 150th anniversary of the election of Joseph Rainey of South Carolina, the first African-American Representative, to confirm the safety of artifacts and portraits of Rainey and Shirley Chisholm in that display.

As part of our emergency planning, the Clerk's curatorial staff maintains a detailed record of collection item locations. Early on January 7, guided by that information and publicly available images of locations in the Capitol that rioters breached, the Senate Curator and I undertook a joint walk-through of the building. We coordinated with Architect of the Capitol staff, who provided access to rooms and information on overnight clean-up efforts. At the same time, the House's curatorial staff inventoried and made a preliminary assessment of every House Collection and loan object in the Capitol.

Damage Assessment

The preliminary survey of the House identified eight objects with potential damage: marble and granite busts of Speakers Joe Cannon, Champ Clark, Joe Martin, and Thomas Brackett Reed; portraits of James Madison and John Quincy Adams; a bust of Chippewa statesman Be shekee; and a statue of Thomas Jefferson. These objects are in the corridors adjacent to the House Chamber doors. We noted that they and their frames, plinths, pedestals, and niches were covered in a fine powder, likely residue from a chemical spray.

We collected samples of the powder from the marble bust of Speaker Champ Clark, located next to the House Chamber's west doors. To stabilize all four Speaker busts temporarily and prevent further damage, we encapsulated them in museum-grade plastic until we could identify the particulate. Multiple chemical sprays, from fire extinguishers to bear repellent, were present in the Capitol on January 6. The Smithsonian Institution's Museum Conservation Institute analyzed our sample and identified the powder as discharge from a nearby ABC fire extinguisher, with a slightly acidic pH of 5.5–6. This type of fire extinguisher contains various chemicals, including silicone oil and yellow dye.

Repair and Conservation

On-site investigation by our contract conservator in February expanded our understanding of the damage to objects and provided a roadmap for treatment. Fire extinguisher particulate contains a yellow dye that can discolor the surfaces it touches, particularly porous stone such as marble. The treatment plan we will undertake in the coming weeks will remove the dye-infused oil through a combination of mechanical removal of loose particulate, followed first by a 5 percent solution of ammonium citrate, ammonium chloride, and ammonium hydroxide added to pH 8, and then by a poultice of 5 percent synthetic magnesium silicate clay in successive 2" square patches.

APPROPRIATION REQUEST

We appreciate the Subcommittee's ongoing support for the curatorial operations of the Office of the Clerk. Each year, the funds appropriated to the Clerk include plans for scheduled, programmatic conservation work. The damage from January 6, however, was significant. We respectfully request a supplemental appropriation of \$25,000 for support of emergency repair and conservation of the House Collection objects.

Conservation of the House Collection—the careful, sound management of the objects—is at the heart of the Clerk's stewardship responsibilities. Additional funds, if appropriated, would be used for treatment of objects above and beyond what is provided for in our annual collections care budget. We plan for an average of six conservation projects each year, which range in cost from \$1,000 to \$25,000. Most of our conservation efforts are the result of conscious, proactive identification of risks that could potentially affect the long-term health of the institution's collection and appropriate allocation of resources to reduce these risks.

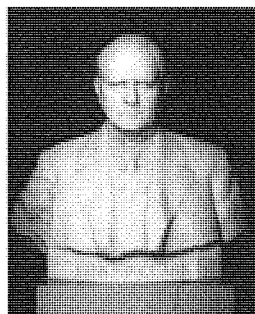
We inspect each object on exhibit and in Leadership offices in person every year. The House's collection management policies direct that "objects needing treatment upon observation from either inventory or spot-checking are kept on a list. Objects are attended to when determined to be unstable and funding is appropriated." This cyclical care structure allows for annual treatment of delicate treasures of the institution, like the silver inkstand in the Chamber, and planned treatment of others on a rotating basis.

The Clerk's budget also accommodates unexpected emergencies. We plan for a single unforeseen conservation effort per year, usually as a result of an accident. Past sources of damage have been HVAC failures, equipment falling against objects, and liquid or food accretions. In the past, that emergency plan has been sufficient.

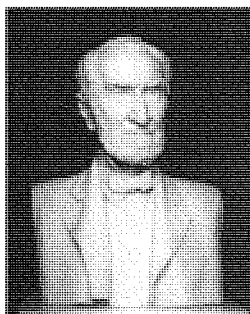
The current emergency conservation needs will require funds beyond our current contingency plan and beyond our six-object annual conservation plan. Response to the damage of January 6 leads us to request the Subcommittee's support for our supplemental appropriations request to enable us to continue sound management and care of the entire collection for generations to come.

Thank you again for your continued support and for the opportunity to testify.

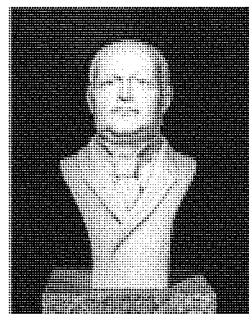
House Collection objects with identified damage



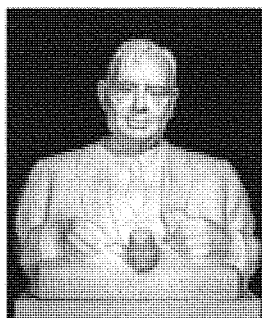
Speaker Champ Clark



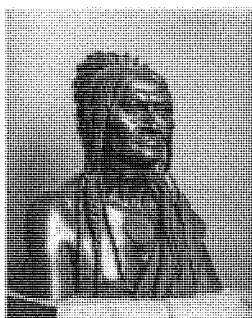
Speaker Joe Cannon



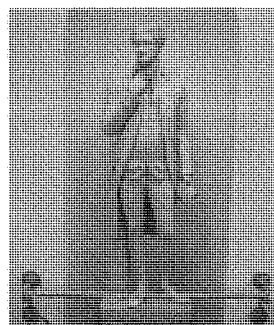
Speaker Thomas Reed



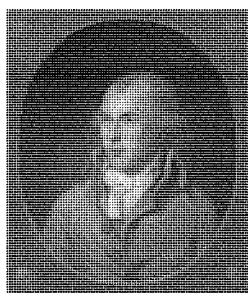
Speaker Joseph Martin



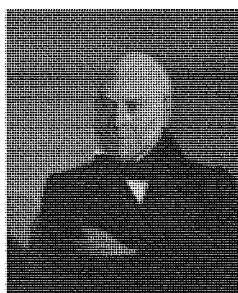
Be sheekee



Thomas Jefferson

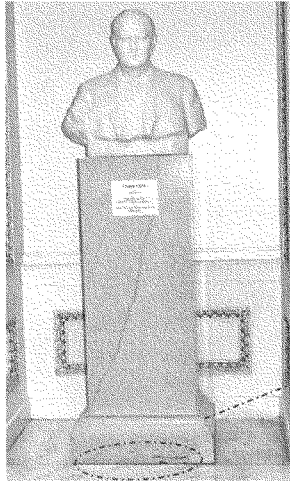


James Madison

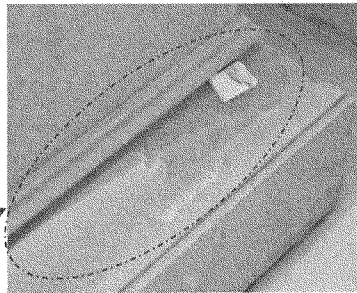


John Quincy Adams

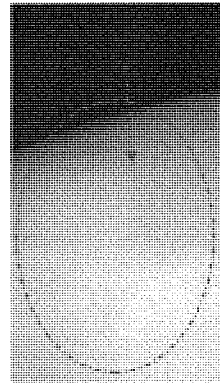
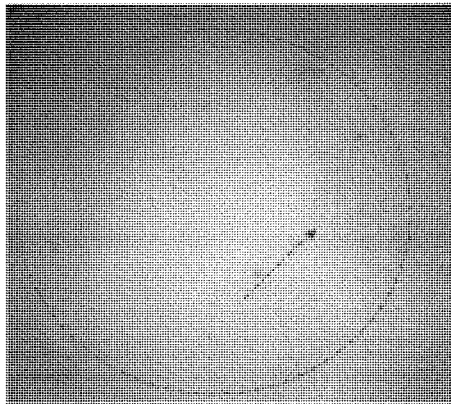
Examples of chemical particulate on House Collection objects



Yellow fire extinguisher residue on base and floor, and sponge used to wipe residues and grime.



Treatment tests showing cleaned areas with start of untreated areas marked



Mr. RYAN. Thanks, Ms. Elliott. We appreciate it, and thanks for all the good work you do behind the scenes. We work in such a special place, and I know, like most Members, we sometimes take it for granted. We are always hustling to go get a vote in or run to a meeting, but we really appreciate the work. And it is such a magnificent space that you help preserve. So thank you for that.

We are going to move to the question and answers, and we will start with the ranking member, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you so much. Man, just hearing that last piece, I mean, hearing from all of you was important, but it just—you just—what the chairman said, you stop and think about the fact that we get to work in this place, the people's House. It is the most amazing thing ever. We do scurry around a lot, get into our—getting our business done, don't take the time to think about it. So thank you all because I know that is a big part of your job is to think about it all the time to preserve for the American people, and I so appreciate it.

I am going to start with Mr. Blanton. You know, as a member of the Capitol Police Board, you have insight into the events and decisions made on January 6, and I am particularly interested in the statement you released in response to Acting U.S. Capitol Police Chief Yogananda Pittman's testimony where she stated that the Capitol Police may have requested the Board for support prior to January 6.

You released a statement refuting Chief Pittman's assertion that there were verbal or written requests prior to January 6. And I guess, I think the question is, why do you feel compelled to release that statement and expand on the assertion you made in the statement? And could you detail, if any, formal or informal meetings that were held by the Board prior to January 6 and what those meetings entailed? And then I have a little followup if there is time. Thank you.

Mr. BLANTON. Yes, I am happy to answer. There were two points that I refuted. One was my attendance at our meeting on January 3. And in that meeting, no individual from the Architect of the Capitol staff nor I was at that meeting. It was later learned that meeting may have been with a smaller audience, but it did not include my staff.

The second point was that she mentioned that Chief Sund asked the Capitol Police Board for additional resources. Chief Sund, as he stated in his testimony yesterday and his letter to the Speaker, went directly to both Sergeants at Arms and asked for that, and I was refuting the point that I was not asked specifically for those—for additional resources.

There was a meeting on January 5 that was hosted by then-Chief Sund regarding the inauguration planning, and it was an inter-agency meeting with the police forces throughout the Washington, D.C. area that have a role in inauguration. During that, there was—most of it was introduction of what the roles and responsibilities were to the inauguration. There was a little discussion about the 6th, most of it centering around at that time there was no credible evidence, although there is—was chatter for events that may occur on January 6.

Ms. HERRERA BEUTLER. Thank you. With regard to the Board specifically, and I know you have just detailed the meetings that took place—and I apologize if you can hear babies screaming in the background—are you aware of any discussion by the actual Board members regarding the intelligence showing the possible disturbance on the 6th, like in a more—like the Board itself?

Mr. BLANTON. As an entity, we did not have that. I understand there was an intelligence assessment that was released on the 4th by the Capitol Police. It went to the Sergeants at Arms. And from what I have learned later is that intelligence assessment says it was an improbable or not likely that there would be violence on the 6th.

Ms. HERRERA BEUTLER. Are you aware of any requested changes by the former House Sergeant at Arms, Paul Irving, to the physical security plan prior to January 6?

Mr. BLANTON. There was requested changes, and Chief Sund alluded as to it by changing the—expanding the security perimeter. He alluded to that both in his letter and in his testimony yesterday in front of the Senate.

Ms. HERRERA BEUTLER. So was your office asked to modify positioning of any perimeter barricades, and if so, did you find the request consistent with the direction given ahead of previously planned protests?

Mr. BLANTON. So, yes, our—my staff was asked to move barricades, and that was a different footprint than we had in previous—whether it was the MAGA or the protests that occurred during the summer months. It was a different footprint than was originally used then.

Ms. HERRERA BEUTLER. Thank you very much.

I yield back, Mr. Chairman.

Mr. RYAN. Thanks, Ms. Herrera Beutler.

I just want to follow up on one of those, Mr. Blanton. So, just so the committee is clear on this, when the Chief was asking the Sergeant at Arms for more support, that wasn't necessarily a clear ask of the Board, correct? Or was it an ask of the Board, and if it was, does the Board have to vote on that, or how does that process work?

Mr. BLANTON. Yes. So it was portrayed—and I am only speaking from what I have seen in media. It was portrayed by Chief Sund, or my interpretation of his portrayal, that was he was asking for support from Sergeants at Arms. In order to have gotten emergency declaration, there would have to be a Board vote. So there was not an official ask at that time.

Mr. RYAN. And—

Mr. BLANTON [continuing]. Go into his mind on whether it was—he was asking because he wanted to see—just see if there was an appetite for it or he was saying: Okay. I am going to come ask for this in the future.

Mr. RYAN. Yeah. Just so—again, I want the committee and we want the committee and the American people to know how this works. So, if the Chief—is it two different things for the Chief to say to the Sergeant at Arms, “Hey, we need you to declare an emergency, we need more help,” okay, so that is one way of doing it; is that separate from an official ask for the Board? So does he

have to have a written ask to the Board or written ask to the Sergeant at Arms? And if the Sergeant at Arms gets a request from the Chief of Police—or from the Chief of Police, is he then required to bring it to the Board?

Mr. BLANTON. Sir, what I would—any conversations with the Sergeant at Arms and the Chief of Police when it comes to a Board matter is just a conversation. In order for it to be official, we would have an official request. Now, those don't have to necessarily be in writing. We could follow that up with the paperwork should it be an emergency, you know, an actual quick-needed emergency.

And in this case, it seemed like he was, at least from his testimony, was having conversations and feeling out the need for additional resources because if there was a need for it, he could have submitted an official thing where we had a Board vote.

Mr. RYAN. That is some of our—that—and moving forward, we need to completely understand the operation of the Board and how the Board works and what that process is. And, you know, we are trying to really determine how that works, and that will help us understand how things went down.

Ms. HERRERA BEUTLER. Mr. Chairman?

Mr. BLANTON. If I could be clear on one thing, just so—so we can do a verbal vote on the Board. So, if he can't—if he goes to the chairman of the Police Board and says, "I want to do this, we need to do it now," we can have a verbal vote and get it done and then follow it up with the written paperwork so there is nothing slowing anything down.

Mr. RYAN. So not at any time did the Sergeant at Arms, did Mr. Irving say to you, "Hey, we need to have a vote on this, my recommendation is we, you know, we don't pass an emergency order for whatever reason, ask the national—I asked the Chief to ask the National Guard to lean in, but we are not going to do anything here"? He never brought that to your attention and said, "Hey, should we do a vote on this, do you want to do a vote on this," or obviously you didn't vote on it, correct?

Mr. BLANTON. That is correct; it never came to the full Board's attention.

Mr. RYAN. Okay. Go ahead, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Mr. Chairman? Thank you.

Mr. RYAN. And let me just—

Ms. HERRERA BEUTLER. I just—

Mr. RYAN. Let me just let the committee know, we are going to—because of the importance of this issue, we are going to take some liberties, not just the ranking member and I but all members, because we want to make sure we follow the line of questioning and we are able to tease out all these answers. So every member of the committee will have similar leeway.

So Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. I really appreciate it, and I will make it brief, and it is just for consideration. I know we are going to be hearing from the Board in different hearings over the next few days, but everyone's going to be in a separate hearing. It might—I don't know how changing this would be, but it might be helpful to have everybody in the Board at once in front of us.

But we can see how this goes. It is just for your consideration. I know we are going to hear from the individuals. But I think as this line unfolds, I just have more of these questions, and it might be nice to be able to have them all sitting together. I don't even know if we can do that. That is my thought.

I yield back. Thank you, Mr. Chair.

Mr. RYAN. You are welcome.

Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman and Ranking Member Herrera Beutler.

And thank you to all the witnesses for coming today to talk about not only the events of January 6 but how we keep this citadel of our democracy safe and in a state of good repair.

And, Mr. Blanton, I want to return to you and this question around these meetings in advance of January 6. My understanding is, from your testimony, that you were not part of the meeting on January 3, that you weren't involved until the meeting on the 5th. Is that correct?

Mr. BLANTON. That is correct.

Ms. CLARK. And at that meeting on the 5th, was there a discussion of additional security barriers?

Mr. BLANTON. No. That meeting on the 5th's primary purpose was for law enforcement entities that were involved in the inauguration to brief what their planning is for the inauguration and then also go over the overall national security event chain of command for the inauguration.

Ms. CLARK. Okay.

Mr. BLANTON. There was some discussion on the 6th, but it wasn't—there was no discussion about any changes to any physical infrastructure or—and it was very minor discussions about the threat, just saying that there wasn't likely an event on the 6th.

Ms. CLARK. But that is very different than what Chief Sund testified to yesterday, that he did make the Board aware of his concerns. And he also said that it was a regular practice to only discuss these types of security issues with Sergeants at Arms of the House and Senate, not including the Architect of the Capitol. Do you agree with his statement that it is regular practice that you would not be included and your office would not be included in these type of meetings?

Mr. BLANTON. So I would say, we do have these discussions at Police Board meetings, and so then at—there I am included. I do not know what conversations he had on a daily basis with either the House or the Senate Sergeant at Arms. If that was his regular practice then I think we found an issue with the operational chain of command of the Capitol Police Board, frankly.

Ms. CLARK. So my understanding is that he asked for an emergency declaration. Is it possible that that could have been denied without your involvement?

Mr. BLANTON. It could not have because the Police Board would had to have voted on it. It never got to the point that the Police Board was actually voted on the emergency declaration.

Ms. CLARK. So were you aware of that request or were you not?

Mr. BLANTON. I was not.

Ms. CLARK. You were not?

Mr. BLANTON. No.

Ms. CLARK. Do you think that there are reforms we need to make to the way this Capitol Police Board operates so that you are not left out of these crucial conversations?

Mr. BLANTON. I do believe there are reforms that need to be made. I think they are broader than just the—what conversations occur with the Architect of the Capitol or not. I believe that as a member of the Police Board that there needs to be more accountability and transparency on some of the actions that we vote upon.

Ms. CLARK. Can you go into a little more detail on how you would like to see that accountability and transparency improve? What are some specific things we should be looking at?

Mr. BLANTON. Well, obviously, my area of expertise is in the facilities.

Ms. CLARK. Right.

Mr. BLANTON. A lot of the stuff, when it comes to physical security, we overclassify. So there is information that could be of vital importance to members but is classified at a level that can't be shared. And many of these, if you look in the executive branch agencies, the classification isn't as high, or they do an unclassified version so that they can get out information so that members have—or interested parties have the ability to digest what that information is so they understand, have a better understanding of what the physical constructs are in the area that they are working.

Ms. CLARK. And what about around accountability? What reforms would you like to see?

Mr. BLANTON. I think, again, it goes to more a lot of decisions are—end up being classified, so it is there are very few individuals who actually have visibility of what decisions are made by the Police Board.

Ms. CLARK. And do you think that is the reason that you were not included in these discussions between January 3 and January 6 around these concerns?

Mr. BLANTON. No, I do not think it was. I think it was—well, I mean, I am speculating on why Chief Sund would have done that, but I think it just was just this is the standard for how they operated. Now, I can give them some deferences. We had a vacancy as the Architect of the Capitol, so you had acting people in there for over a year, and so it could very well have been their standard practices evolved to a way that they didn't include the acting people. But, again, that is a speculation more than it is a—something where I would testify as a fact.

Ms. CLARK. Thank you, Mr. Blanton.

I see I am over my time. Thank you, Mr. Chairman.

Mr. RYAN. All right. Thanks. Great line of questioning there, Ms. Clark.

We are going to Mr. Amodei up next.

Mr. AMODEI. Thanks, Mr. Chairman.

If I had written a book, I would have it in the background, but what the heck.

Mr. RYAN. My favorite.

Mr. AMODEI. Thank you, Mr. Chairman. I appreciate it.

I would like to—I want to start with something, since everybody we have heard from so far that are involved in the community of

the campus on Capitol Hill has been talking about, you know, obviously physical stuff, emotional stuff, all that other sort of stuff, so I want to start with Mr. Blanton.

Mr. Blanton, do you know, since your function here is uniquely not able to be done from home, have all your folks received COVID vaccinations?

Mr. BLANTON. No. In fact, we have had a small distribution of COVID vaccines for my staff.

Mr. AMODEI. Okay. But they are still coming to the Hill every day and doing what they do, and especially as increased responsibility as a result of picking up the pieces from January 6. Is that true?

Mr. BLANTON. Yes, they still are, and we are still following our COVID protocols that worked very, very well on the Hill since the March/April timeframe of last year.

Mr. AMODEI. Okay. So let me ask you this: As a result of January 6, have all of your staff taken advantage of the testing things that have been provided here on campus? Have they all been tested post-January 6?

Mr. BLANTON. I will say, not the entire staff, but anybody who has felt symptomatic or has filled out the Office of Attending Physician checklist and has marked one of them as positive, they are afforded and do take the available COVID test on campus.

Mr. AMODEI. Okay. And I was listening as you were doing your introductory remarks, and they were quite rightfully complimentary of the mission that your folks have, the criticalness of it in terms of keeping the citadel of democracy functioning and stuff like that. I am assuming that you are basically rock solid in terms of that analysis, and your folks perform a function that is vital and was even above and beyond the call on January 6?

Mr. BLANTON. I can tell you, from myself and my staff, we are at awe every day at the facilities that we work on, that we work in, and that we support. The morale of my staff for the work that they do, they love the work they do. They are truly artisans, and they come to work saying: I like what I am doing. I want to come and continue this work, so—

Mr. AMODEI. Well, I don't disagree with you. I just find it amazing that they are not important enough to also be somewhere on the list of critical government folks that, quite frankly, get the vaccine. But that is not your issue; that is mine.

Ms. Szpindor, same questions for you. Have your folks received the vaccine?

Ms. SZPINDOR. A small portion of our staff that are responsible for business continuity and a few of the staff that have to be in the Capitol every day. Like Mr. Blanton's folks, we have had people here that are onsite every single day, working directly with the Members and their staff. And we would love to have all of them who are—who do that vaccinated, but as of yet, we have gotten enough to have our critical staff vaccinated.

Mr. AMODEI. Okay. So I am not trying to put any words in your mouth, but is the answer to my question, has all your staff received vaccine, the answer to that question is, no, you have prioritized folks, but in terms of your staff and their functions, no?

Ms. SZPINDOR. That is correct.

Mr. AMODEI. Have you had any communication with the Attending Physician's Office or House Admin about, hey, when are we going to get around to getting the rest of these people done?

Ms. SZPINDOR. We stay in direct contact with the Office of the Attending Physician, and I know that he has looked into requesting additional vaccine. I think that it has been hard for him to obtain at this point, but we are waiting on him. We are looking to the Office of Attending Physician to notify us when he has any additional dosages.

Mr. AMODEI. Okay. Fair enough.

Mr. Blanton, I want to go back to you on a subject that deals directly with January 6, and that is: I have already had a discussion with the Acting Sergeant at Arms that goes something along these lines: Hey, listen, if we are going to have metal detectors to go vote, that is fine. That is not my hill to die for. But, quite frankly, with the resources available or that can be available, can we do that in such a way that does not look like an afterthought in an airport lobby?

And so it is like, is there technology that exists to build something tastefully, in keeping with the resource that we are talking about, that basically people can walk through without having to go queue up in front of something that is taking space in hallways and stuff like that?

And, oh, by the way, can we set them so that shoes don't—so it doesn't require me to go in barefoot to get around the metal detector and then try to figure out, once I get in the Chamber, as I am redressing, what shoe goes on what foot?

Has anybody approached your office about how we can perform that security function in the least visually and physically intrusive way in terms of the various and sundry entrances to the Chamber, whether they be on the Speaker's Lobby, whether they be on the hallways by elevator banks? Is there not some more elegant thing available, or has anybody even checked into that?

Mr. BLANTON. So thank you, and I think that is a wonderful question. I can say that nobody has specifically talked with me, but my—if I was to presume this, the Sergeant at Arms would probably deal with the superintendent of the House building first before coming to me.

I think it is a very valid ask, and it is something that we should look at, but it is also something that, frankly, we need to look at in the construct of all the security and detection equipment across the entire campus. And I know my staff has looked at options for replacing metal detectors, and I can say that we will definitely take this on as something that should be looked at to find something that is—frankly blends more in with the architecture of the Chamber than portable metal detectors.

Mr. AMODEI. Thank you. I appreciate that.

And, obviously, that is—Mr. Chairman, that is—obviously, I will talk with you about that more, but I just think that is something where it is like, that is fine, I think we can achieve the security goals without basically doing what we are doing now. And so I am—I will work with you on that offline to see if that can't be something that the committee works on. And I know my time is up, so I yield back.

Thank you, Mr. Chairman.

Mr. RYAN. I appreciate it, Mr. Amodei.

Thank you for your questioning along the lines of the vaccine. We have had a lot of work with—in trying to get it to the Capitol Police where they had about 200 rank-and-file members who had COVID-related issues, which put further stress, and so we have had to go through great lengths to try to get them their vaccinations.

But I appreciate your raising that issue and the issue around the security. And maybe even Mr. Blanton could maybe get one of the engineers or architects over there to help you figure out, you know, what shoe goes on what foot. We are happy to help you figure that out.

Next up is Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

And to each and all of the three of you, I just want to join the comments by the chair and the ranking member thanking you and your teams for your service, for your commitment, and for your honesty and candor as we try to sort through the immediacy of January 6 as well as the broader issues, for example, the tradeoffs between securing the Capitol and guaranteeing access that we want to guarantee.

It seems to me that—I would like to step back just a second, and, Mr. Blanton, I will direct this at you. It seems to me that we have three broad questions dealing with January 6: Number one is kind of a past question, what happened and why? Number two is a present question, which is, how can we continue to deal with the lingering effects today of January 6, for example, consequences to our employees? And then, number three, how do we prevent this from happening again?

And we can't do much about the past because it already happened, but we can take the lessons of the past. The present, I think we have tried to address that. But it is more number three that I am focused on, which is, how do we sort through the lessons and implement those lessons?

And here is my question to you, and, again, the context is that we have already seen division in politics, you know, leak into this evaluation. We have got a debate going over, you know, whether we should have a 9/11 Commission, and if so, what kind of membership it should have.

I know that each and all of us has had the experience of seeing division within our own communities over the continuing security barriers around the Capitol with kind of, you know, oversimplifying this, you know, one side saying it is necessary to prevent, you know, further attacks, and the other side basically saying: Take the wall down; it is not necessary. And that has a political angle to it, and I think we are trying to keep the politics out of this and just figure out what happened and why and how to prevent it from happening again.

And here is my question: How do we actually best get to the bottom of that question—those questions, what happened, why, and how do we prevent it from happening again? And my question has to do with whether we can do this internally adequately or whether we really need objective, independent, outside evaluations?

Good-meaning people that were there and present at the moment can believe and hope that they have objectivity on it, but sometimes that is not the case. Sometimes you are better with an external, you know, independent, nonjudgmental, nonpolitical view.

And I am asking, Mr. Blanton, what procedure do you think is best for us to pursue the questions that are in front of us, what happened, why, how do we prevent it from happening again? To what extent do we need independent, objective, external views?

Mr. BLANTON. Thank you. That is a great question. So being that my expertise is in the facilities side of it, what I am proposing we have is a comprehensive facilities security assessment, one that starts with threats. And in the past, if you go to our [inaudible]—and this is in the entire Federal Government, this is not just the legislative branch—have been focused since the Oklahoma City bombing on protecting against an explosive device of a certain size in a certain location. And that is why we had things such as windows that were more secure next to—right next to windows that were not secure because they were addressing that certain threat with that certain set of risks.

The other thing is, as we look from a broader threat, it needs to be in conjunction with our partners within the national capital area so that we aren't hardening ourselves to the point that makes other entities soft targets, or they aren't doing the same and making us a soft target.

And, frankly, from my perspective, in my job, I have to look across the entire campus so that is all the House Buildings, Senate Buildings, but it also includes the Library of Congress, the Supreme Court, and the Thurgood Marshall Building; I want to make sure all of those are included and accessible.

But the key to it is it starts with a series of threats that we all agree. We can continue with the threats from the past of the explosive devices but then bring into it even small things like a lone gunman, a squad of six people who want to invade, and then from that, what is the risk associated? And the risk is the likelihood of it occurring and the consequences if it occurs. From that, we come up with a set of mitigations, and those mitigations will be short-term ways to implement to help protect that. And then, finally, a long-term set of solutions.

And one key to it in my mind is very important is that we stay with the logistics tail it is going to be to this, because many of these ideas that we have of doing security, they are going to—if they end up having to increase the number of Capitol Police officers that have to stand a post or have to be in a certain area or have to—or are pulled off a post because of what we are doing to secure the area, we need to have that identified so we know what the total ownership cost is of these ideas, so that you as appropriators are fully informed when we go and ask for these what the total cost is over the years, not just for this specific project.

Mr. CASE. Okay. I will come back in my second round, but my question—you have identified, I think, the issues that we need to sort through, but my question was more about, how do we get the answers? Is that an internal process or is that an external process? Do we need extra help?

The resources side of it flow from getting the right answer to start with. I think we all want to provide the resources. But I want to have the right answers so that I am personally comfortable that I have done and resourced and directed what actually has to happen, and I am fearful of an internal-only assessment. So that was where my question was going.

Mr. BLANTON. Yeah. So what I am proposing would bring in outside experts. In fact, we are proposing using the Army Corps, which has a Protection Center of Excellence that looks specifically at that one for facilities.

Mr. CASE. Okay. Thank you.

Mr. RYAN. Thank you, Mr. Case.

Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman. Good to see everybody. Let me also add my voice of appreciation and thanks to the three folks that are in front of us this morning, all have very important jobs and responsibilities.

And I really think that the big question in front of this committee as it stands right now is how can we together ensure that the institution literally of the Capitol Grounds themselves can really continue to provide that catalyst for public participation in our democracy but also at the same time ensuring that those of us who work here certainly and those members of the public that come can remain safe from those that may wish to do us harm. So I look forward to working with all of you toward those goals.

I would like to address my first questions to the—Mr. Blanton, if I could, and kind of follow up with some of the line of questioning other members have taken. Mr. Blanton, you mentioned in your testimony that institutional biases and action items taken out of sync, if I can use your words, with actionable data resulted in poor decisions during the Capitol attack.

So could you talk about what some of those specific biases were that were detrimental to your office's response, and how can we as a committee help you? If there is a disconnect, how can we help you break that down so that you can provide positive actionable actions with the data that you receive? And I guess putting that into English, how can we help you make that line of communication better?

Mr. BLANTON. Thank you. And, again, I appreciate that question. So I was hired to transform the Architect of the Capitol. It was an entity that had a couple years of history that were very troubling, and we have had in the past some projects and programs that we did and we did not execute very well. I am in the middle of transforming that, and I will say that the AOC of today is not the AOC of last year. We are more responsive. We are more open. We are more accountable, and I am working to make sure that is even clearer on everything we do.

Part of what I talk about by institutional biases is I have conversations with people and staffers, and they all say: We don't believe you because a decade ago this is what happened, or a project 4 years ago you guys messed up. It is those things like that—and it is not just in staffers; it is across the Capitol complex.

And I admit, we had issues years ago. And the staff themselves are wonderful people who love their work, do incredible work, but

we fumbled a few things in the past. But those fumbles aren't indicative of what the future is. And if we continue to be judged by what decisions were made in the past or areas where we could have done better in the past, then we will never be able, as a Capitol complex, to advance. And so that is what I was alluding to in those statements.

Mr. NEWHOUSE. And so, in rectifying that, is there a role that we can assist you with, or is this going to be, you know, the proof is in the pudding, that you have to build your own reputation and trust among colleagues and people that you are responsible to?

Mr. BLANTON. In many ways, the proof is in the pudding, but also it is—I would say, come in with an approach that we are trying to do things the most honest, ethical, and efficient way possible. I mean, one thing that I have done that has been really a sea change for my staff is when we talk about the budgets, I say: It is not my money; it is the Capitol complex's money.

So when someone says I am not going to allow you to do a project, it is not my project. It belongs to you, sir, because it is there to support you. I don't get benefit out of—I enjoy supporting you. I enjoy that. That is my job is to support you. But the project itself is there for Members and their staff. The project is not for AOC just to have work to do. And I don't want to have just work to do. I want to do stuff that has an outcome.

Mr. NEWHOUSE. Right.

Mr. BLANTON. So, if you can look at it from that lens and that perspective in how we are dealing with things, that would be very helpful to our organization as a whole.

Mr. NEWHOUSE. Well, thank you very much.

Well, Mr. Chairman, I would like to, if we have another round of questioning, also delve into some of the workings of the Capitol Police Board, as well as some of the assessments in where we go from here as far as the building is concerned. But I appreciate the—appreciate you all being here this morning and look forward to further conversation. Thank you.

Ms. CLARK. You are muted, Tim.

Mr. RYAN. Ms. Wexton. I am in charge here, Katherine.

Ms. Wexton, you are up.

Ms. WEXTON. Thank you, Mr. Chairman. And I want to add my voice to the chorus of members saying thank you to all the witnesses for everything that you have done before and since January 6 to keep us safe and keep the Capitol running smoothly.

Now, Mr. Blanton, I want to follow up a little bit more on the Capitol Police Board and your involvement in the decisionmaking leading up to January 6 because Capitol Police Board, just to refresh everybody's recollection, it consists of the two Sergeants at Arms, one for the Senate, one for the House; consists of the Architect of the Capitol, that is you; and then the Chief of the Capitol Police, but the Chief of the Capitol Police does not get a vote. Is that correct?

Mr. BLANTON. That is correct.

Ms. WEXTON. Okay. So you testified that you had a meeting with law enforcement, different agencies on the 23d of December just generally talking about logistics for January 6. Is that correct?

Mr. BLANTON. No. I talked about on January 5, there was a meeting of law enforcement, and the subject of it was in preparations for the Inauguration.

Ms. WEXTON. Okay. And was there discussion at that time about requesting National Guard assistance?

Mr. BLANTON. No, there was not.

Ms. WEXTON. Okay. Now, were you aware that at that time that Chief—Acting Chief Pittman, that there had been a meeting on January 2 where the DOD asked U.S. Capitol Police if they would need the National Guard?

Mr. BLANTON. I was not aware of that.

Ms. WEXTON. Okay. And according to Chief Pittman's testimony when she was before the subcommittee a couple weeks ago, she testified that on January 3, the U.S. Capitol Police changed their mind and Sund asked for National Guard and it was denied, and apparently he asked maybe the Sergeants at Arms. Is that—I mean, did you have—but you didn't have any knowledge of that. Is that correct?

Mr. BLANTON. I had no knowledge of that, and I still have no knowledge of a meeting on the 3rd. There may have been a meeting on the 4th that he talked about, but we have no record of any meeting whatsoever, and later on, Chief Sund, in his testimony, in his paper talked about the 4th. But there was no formal meeting that I was at or nor anyone from my staff, on the 3rd nor the 4th.

Ms. WEXTON. So is it just majority rules in the Capitol Police Board?

Mr. BLANTON. Well, we try to get consensus, but if it is down to—it is a 2–3 vote, then it would be that.

Ms. WEXTON. Is it customary to leave one of the voting members out of the decisionmaking process?

Mr. BLANTON. Again, as I stated earlier, if he was officially asking for it, then there would not be—then all of us would have the opportunity to vote. I only can paraphrase what I heard from Chief Sund's testimony and his letter that he wrote to the Speaker that he talked to the Sergeant at Arms. Now, I don't know if he was doing that to talk so that he is seeing, testing the waters if we are able to do that, what the Board feels like, but he had not officially asked for it from the entire Board itself.

Ms. WEXTON. All right. And have you previously been consulted about additional security measures in advance of protests and things coming to Washington, D.C.? For example, during the Black Lives Matter protest over the summer, were you consulted about additional hardening and security measures around the Capitol at that time?

Mr. BLANTON. So my staff was working in conjunction with the Capitol Police before Police Board meetings in the past to put up the bicycle rack barriers around the Capitol Police—sorry, around the Capitol complex for every single event. And as Chief Sund said, they approach every event from a very similar construct, and so we do that when there is any known protest.

Ms. WEXTON. And that is what you did for the January 6 protest as well, right?

Mr. BLANTON. Yes.

Ms. WEXTON. Nothing further than the normal. And it was never elevated——

Mr. BLANTON. They did extend the police barricade—the bike rack barrier for the January 6 event, as Chief Sund testified.

Ms. WEXTON. Right. But there were no additional barriers involved?

Mr. BLANTON. Correct.

Ms. WEXTON. Okay. Now, have they been—has the Police Board been in discussions as a committee of the whole talking about hardening after January 6?

Mr. BLANTON. We have had several discussions about that.

Ms. WEXTON. And were you——

Mr. BLANTON. Yes, I have been in——

Ms. WEXTON. So you were privy to the discussions about the temporary fencing as well as other options for the long term?

Mr. BLANTON. Yes.

Ms. WEXTON. Okay. Thank you.

Mr. Chairman, I see my time has expired, but I will have more questions in another round.

Mr. RYAN. There we go.

Congressman Espallat.

Mr. ESPAILLAT. Thank you, Mr. Chairman. Thank you for this opportunity. I want to thank all of the folks that are testifying here today about this horrific day in the Capitol.

As many of you know, the Capitol staff, particularly the custodial staff is made up of many people of color, particularly men of color who were targets, obviously, of this racist, bigoted mob. The images of the Confederate flag, of the gallows with the rope and noose, typifies the horrible history of lynching in the South and throughout the country, set deep fear among many of us workers.

I observed, myself witnessed, when I went down to the Capitol at about 7:30, about two to three men of color mopping the area, the blood where the shooting occurred right outside the Capitol. And so I want to know what is being done with these workers that are traumatized.

And, first of all, sending them down there right after this horrific attack was somewhat troubling to begin with. I could just imagine what they felt. When I saw them, I was terrified myself. I didn't really capture the fact right away, immediately that they were mopping up blood. And to send folks that were clearly the target of this attack and couldn't take their pins off and blend to then mop up the floor, I thought was a little bit too much. I want to know what is being done for these folks and what the AOC and the administrators are doing to help the people that were traumatized during this attack.

Mr. BLANTON. Thank you. And I will say, my staff had great pride in the work they did immediately following. They actually were proud of themselves and the organization that they were able to clean up. The people who were dealing with blood were trained in biohazards, and so they had all the prerequisite skills to deal with the biohazards.

The janitorial staff and the laborers who were vacuuming and cleaning up the glass, they volunteered to do that because they support the organization and they knew what was at stake. What

was at stake was the certification of the electoral college. They have that sense of mission——

Mr. ESPAILLAT. But allow me, we have heard from Capitol Police that were called the n-word. We saw the Confederate flag and the gallows with the noose and the rope out there. I just think sending men of color to mop up the blood after this horrific act is just a little bit over the top. Now, what are you doing now to address any issues, longstanding issues that they may have?

Mr. BLANTON. Thank you, and I was just about to get to that. I am sorry if I was taking too long. What we are doing is they are actively involved in our Employee Assistance Program. One of the things that we are doing is instead of having it be where they feel like they have to call—because I know some of the men and women of the Architect of the Capitol, we are a tough group, and some of us want to internalize that. So we are going to have—we are proactively taking it for each of the trades who were there that day and having counseling sessions for them to talk about it.

Additionally, in one of our—in our supplemental request, we have asked for funds so that we could do an awards program for these staff that were there that day so that they can get recognized beyond what our standard awards are at the AOC because I do feel like they went above and beyond the duty. And that is why we are looking at them both mentally, and I want to look out for them—we look out for their physical health and making sure they are properly trained but then also some economic benefit for what they did.

Mr. ESPAILLAT. One last, quick question I want to ask the Architect. Are the floor plans of the Capitol easily accessible to the general public via the internet? Are they accessible to Members, to anyone that wants access to them?

Mr. BLANTON. No. It takes the House Office Building Commission and Speaker to approve release of the floor plans. In fact, it is even challenging to get my contractors who have to use those floor plans to do work to get a hold of the floor plans because they are very, very tightly held.

Mr. ESPAILLAT. There has been allegations that the insurrectionists had access to the floor plans of the Capitol. Have you been able to assert whether that was true or not?

Mr. BLANTON. I have only heard that in the media. I have not seen any indication of that, nor has the FBI, who is investigating it, given us any information that they have.

Mr. ESPAILLAT. Do you have the records of anybody that would have—let's say if I wanted to get the floor plans and I instructed my staff to do it, would you have the records that they attempted to get the floor plans or download the floor plans?

Mr. BLANTON. Well, there is no way to download them because they are on a secure server, but we hand out hard copies if it is deemed that it is needed for an individual to have the floor plans. But that group of people is exceptionally small on the Capitol——

Mr. ESPAILLAT. Can your secure server get hacked?

Mr. BLANTON. We have no indication of that. There is no indication of any AOC server being hacked.

Mr. ESPAILLAT. Okay. Thank you.

Thank you, Mr. Chairman. Thank you for your time.

Mr. RYAN. Thank you. Great line of questioning.

Ms. Wexton, great line of questioning as well.

I have got a couple followups, and then just for the members, we are going to do a second round. We will probably have a 2-minute round so everybody can get another question in, and we want to be sensitive to everybody's time here with other committees going on and the responsibilities of our witnesses.

Just a couple questions, Mr. Blanton. First, I just want to say how much we appreciate you and how you have handled yourself through this whole ordeal. You have impressed a lot of people. Let me ask, you brought up the FBI, and there was a report supposedly from the FBI that went to the Capitol Police that Chief Sund said it never made its way up to him about, you know, the threat level on January 6. Were you aware at all of that FBI intelligence?

Mr. BLANTON. No.

Mr. RYAN. One of the issues with the Capitol Police that, you know, talking to Gus, who is the head of the union there, and a lot of the rank-and-file members, was around the equipment. Were any of these issues around shields and helmets and batons and lack of equipment for some of the rank-and-file members, did you ever hear that come before the Police Board?

Mr. BLANTON. Not in my tenure here. Maybe prior to my tenure, but I can say it is disturbing what I heard afterwards, that limited amount of equipment and then some of the anecdotes of people whose helmets are so old that the padding was rotting out of it. That was heart-wrenching to me.

Mr. RYAN. Just out of curiosity, how many Police Board meetings, official meetings were you in over your tenure here, in the last—

Mr. BLANTON. So it would have been 12 total.

Mr. RYAN. So you do one a month?

Mr. BLANTON. Something like that.

Mr. RYAN. Okay. And what generally are the—again, we are trying to really figure out how this Board is operating because this is going to be, I think, at the heart of any reforms that we start proposing. What is the general length of time for some of those Board meetings?

Mr. BLANTON. We schedule an hour and a half for the meetings.

Mr. RYAN. Does it usually go that long?

Mr. BLANTON. It depends on the agenda. Some months, when there is less information, Congress is out of session, for example, there is less stuff to pass, and so it won't go as long. When there is larger events going on, then it is—they are longer meetings.

Mr. RYAN. Okay. Have you talked to General Honore about—

Mr. BLANTON. Several times.

Mr. RYAN. Okay. How many times?

Mr. BLANTON. We have had—my staff has been in constant contact with his staff. They have been working significantly together. And I have had two direct meetings with him, and we have another one once he releases his draft findings dealing with facilities assessments.

Mr. RYAN. Okay. I would be interested in, since we have you, and I know this is a longer conversation, and I think Ms. Herrera Beutler touched on it, the issue of reforming the Capitol Police

Board. I mean, clearly if—you know, we want your opinion as to how we would move forward with any reforms.

I mean, clearly, if the Chief of Police is saying to the Sergeant at Arms, you know, in essence, you know, “We are screwed and we need help,” and then the Sergeant at Arms just kind of single handedly tells him no without bringing it to the Board, which is kind of what we are gathering here, what kind of reforms—you know, also being sensitive to the fact that, you know, we need to respond in a timely manner, so we don’t want to, you know, create another bureaucracy like we saw, you know, happening with trying to get approval through the Department of Defense and all that. Any recommendations you can share with us here on maybe how we can adjust the Board and how we respond appropriately and timely?

Mr. BLANTON. So what I think we should do is enlist in the D.C. area likeminded entities. You have the Secret Service. They have a command structure over them. You have Pentagon Force Protection Agency, which has a command structure over them, because obviously they are not—they don’t make the decisions independently, and really have them look at what we are doing and propose best practices. I think an outside look at us is worthwhile.

Mr. RYAN. Uh-huh. And so basically continuing what General Honore is doing but in—more in depth over a longer period of time, is that—

Mr. BLANTON. Focused on—I don’t—I look at—General Honore isn’t really looking at the command oversight of the Capitol Police. That is not one of his areas, unless it has been—unless it has been expanded since when he has talked to me. But that is something that is a valid thing to look at, and it would be valid to take entities who have been under significant transition and had events and have changed because of those events.

I mean, we have all seen events at the White House, events at the Pentagon over the past 3 years, and those organizations have changed dramatically. It is a good look to see how can we change to support what—how to be more responsive than we have been in the past.

Mr. RYAN. Well, we are certainly going to be leaning on you for your recommendations.

We are going to go to a second round here, a little bit of a lightning round where we will give each member 2 minutes to be able to ask questions. And so we are going to start with Mr. Amodei, if you want. You can certainly pass. I know there are other committees happening right now so we want to be sensitive to that.

All right. Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

Mr. Blanton, if we could go back just for a moment to the request that was made to expand the perimeter. At any point after this request to move the perimeter was made, did you or anyone at AOC deny any piece of this request, or did you have the assets necessary to fulfill this request?

Mr. BLANTON. So no one at AOC denied, nor would anyone at AOC have the authority to deny the request, and we did have the assets.

Ms. CLARK. To the best of your knowledge, was there any discussion or objection about those barriers in place because of the optics of it?

Mr. BLANTON. No. I will say, me personally, I had not heard the word "optics" until the discussions afterwards dealing with the National Guard and the Pentagon.

Ms. CLARK. Thank you so much.

And very quickly, in my last minute, Ms. Elliott, as Curator of the House, do you feel it is important that we keep some of—some record, some artifacts of what occurred on January 6? I know some Members have requested that broken glass windows and doors be kept. What is your feeling as Curator of the House?

Ms. ELLIOTT. Thank you for the question. As Curator of the House, look, I under the direction of the Clerk am responsible for the House Collection objects. And our first duty to those is to make sure the objects that already exist in the House Collection are cared for as best we can.

So, in some cases, for us the most important thing is to make sure that we first do no harm, that we make sure that we conserve and treat and clean the objects that already exist in the Collection, and then, after that, take stock of what are the artifacts that tell the story of the people's House right up through today.

Ms. CLARK. Thank you.

Thank you, Mr. Chairman. I yield back.

Mr. RYAN. Thank you, Ms. Clark.

Mr. Newhouse, interim ranking member.

Mr. NEWHOUSE. Yes. I appreciate the increase in my pay grade.

Ms. SZPINDOR, we understand that many of the rioters made off with some of the technological equipment from some of the offices they broke into, including, I think, I understand the laptop of the Speaker. Are you confident that every piece of equipment that might pose a future cyber threat has been accounted for, and do you know exactly what was stolen and whether or not they still pose a cyber threat to us?

Ms. SZPINDOR. Thank you for the question. I am aware through briefings with Capitol Police that some of the PCs—it is our understanding at this time it was only a few PCs from some of the offices. We do believe that, based on what we know about one of the PCs, it is a very low risk to the House because of what we—know how it was used.

Mr. NEWHOUSE. Okay.

Ms. SZPINDOR. The other PC, we—again, we know who had that PC, and we feel like that it was a moderate to low risk. Of course, this is still a continuing criminal investigation, and I can't say too much more about it other than we took steps, as you know, during the insurrection to begin shutting off areas of the network that were impacted during the siege and feel as though we did the right thing in doing that, protected any additional equipment.

Mr. NEWHOUSE. Okay.

Ms. SZPINDOR. And we are also looking to roll out some additional security measures and are in process for that, to protect us in the future, to enhance the protection in the future.

Mr. NEWHOUSE. Okay. Thank you very much. I appreciate that.

And back to Mr. Blanton, if I could real quickly, Mr. Chairman, there was a substantial request for an increase in appropriations having to do with security assessments. Could you talk a little bit about the ongoing reviews that are—that you have and the assessments of campus security and what deficiencies these assessments have in order to warrant a need for a more comprehensive review? I think the request is something in the neighborhood of \$30 million.

Mr. BLANTON. Yes, thank you. So we did a transfer from my Library of Congress budget for the book module 7 up at Fort Meade to us, and that transfer was for—to cover historic costs from January 6, the damage for January 6, for the immediate repairs, the cost for supporting the National Guard and the cost to extend the fence line until March 31.

We asked for an additional \$10 million to do a comprehensive security assessment, and this assessment was meant to synergize the assessments that all other entities are and should be doing. For example, Capitol Police is doing an internal one. A lot of it is going to focus on what they do as Capitol Police. Part of that may have some recommendations for facilities changes.

General Honore has a study. He has got four key tenets. One of those is dealing with quick facilities improvements. And then there is going to be other studies probably on the Senate. But there is one entity that looks across the entire campus and that—and including the Supreme Court and the Thurgood Marshall Building and can look at and can synergize all these requests into one so that we have a consistent footprint across the entire campus. And that is what I am looking to do.

Additionally, when we do it, when we do this, we need to have executable projects that have budget-level data so that I can tell you how much the project should cost and when we can get it done. By just saying things like, we should put hardened glass on all doors, all windows in the Capitol, that may or may not be executable, and I say this because the Capitol was built—was designed in 1790. It was first started construction in 1793. It was never envisioned when they first laid the foundation that there would be a 9.7 million ton cast iron dome on top of it. It was expanded.

Now, if you put over a ton of glass on the windows, that may cause structural problems, and we need to analyze that before it is just a good idea of putting stronger glass on windows. And that is what we do in our study is to make sure it is actually an executable project.

Mr. NEWHOUSE. Okay. Okay. Thank you very much.

And thanks for your indulgence, Mr. Chairman. I appreciate it.

Mr. RYAN. Thank you, Mr. Newhouse.

Mr. Case.

Mr. CASE. Thank you. Two comments and a question.

A comment to Ms. Elliott. Thank you so much for taking care of our cultural heritage. I think you said you needed an extra \$25,000 in supplemental to complete some of the assessments and damage repair, and I just wonder whether that is too low. This is not the time to come in with, you know, lower requests. I think we all want to do the right thing here.

And then, Mr. Blanton, I would—back to my initial line of questioning on how we best get the answers to what do we do going forward, I would strongly endorse your instincts to get third-party best practices assessments from the DOD as well as Secret Service, and I would further ask you to consider whether further additional independent reviews may be necessary.

Because General Honore is, as you pointed out, going to the facilities assessment and the securities issues, and what I think we are about here right now is an understanding of what broke down operationally, procedurally, and how to adopt an operational procedural framework that we don't, you know, go through the same mistakes all over again, and do we need external assessment even at cost to get the right answers there?

Ms. Szpindor, a very quick question following up on Mr. Newhouse. Is there any indication that there was any simultaneous or coordinated cyber attacks or cyber activity in your shop or to your knowledge elsewhere in the Capitol around the January 6 physical attack, which some claim was, you know, a spontaneous combustion and, of course, associated cybersecurity, cyber activity would indicate something other than that? Is there any indication of that?

Ms. SZPINDOR. There really is not. We have had individuals, other outside consultants that we use helping us check the network. We were monitoring everything real time, both the dark web as well as other areas of web activity. We did not see, have not seen any penetration in the network at all, any indication that anyone was trying to get into the network on January 6.

Mr. CASE. Okay. Thank you very much.

Ms. SZPINDOR. Uh-huh.

Mr. RYAN. Thanks, Mr. Case. Great questions.

And I encourage all the members of the committee to—last year I went over and visited the Cybersecurity Office over there and House Administration, and I just—it is a neat place to go, but it is that essential work that Mr. Case just brought up.

And we have got to make sure—because I think moving forward, it is a very important point. I mean, we are talking about being aware of all the threats and being prepared with all the threats. And we saw with the pipe bombs at the RNC and the DNC, how that was coordinated, in addition to, you know, what else is going on as a distraction. And so I think Mr. Case rightly, you know, brings that point up about the issues around a coordinated effort around cyber. So we appreciate that.

Mr. Amodei.

Ms. Wexton.

Ms. WEXTON. Thank you, Mr. Chairman.

And thank you to the witnesses again for all your great answers and to my colleagues for asking a lot of the questions that I had. So thanks for that.

You know, I still am so in awe that I get to work in this place, you know, and the amazing history that it has, and I never, ever want to lose that. And so January 6 felt like a huge violation, you know, for I think all of us, seeing people marching around in the Capitol and defacing it as they did.

And I have thought many times how just days before I was present in the crypt when Virginia removed one of its statues from the Capitol, which was our statue of Robert E. Lee. And that was something that I spearheaded along with my colleague Congressman McEachin, also from the Commonwealth of Virginia, so—which, by the way, they do at 3 a.m. For those—you guys probably already knew that, but I didn't until it was time for you guys to move it.

So it was especially jarring to see the insurrectionists marching through the crypt, you know, carrying the Confederate battle flag, and I thought more than once how glad I was that there was no longer that statute of Robert E. Lee there for people to take selfies with.

So I was especially inspired to hear how staff was so quick thinking on January 6 and moved to preserve the safety of portraits like Congressman Joseph Rainey and Shirley Chisholm, the first African-American Congresswoman, as well as the new collections that honor Representative Rainey.

Ms. ELLIOTT, I would inquire if you have any information about whether any particular pieces or artifacts were specifically targeted by the mob on January 6?

Ms. ELLIOTT. Thank you. No. I don't have any information that that is the case.

Ms. WEXTON. Well, that is reassuring. Now, were there hate symbols defacing any artifacts or property within the Capitol?

Ms. ELLIOTT. No, nothing on the House Collection at all.

Ms. WEXTON. Okay. Well, I guess that is reassuring. So thank you for all that you are doing, and I will yield back.

Mr. RYAN. Great. Thank you. Ms. Szpindor, I just have a question. You mentioned—because I want to get some context. You mentioned that the—I forget how you said it, but it was the engagements or around the issues of some of the wellness visits, or I forget how you said it, but there were 1,150 in the 6 weeks from the January 6 event. Was that correct?

Ms. SZPINDOR. Yes, sir.

Mr. RYAN. What is the context for that? So what is the—you know, how many visits happen in a year? And if you don't have that number, just—

Ms. SZPINDOR. I do. It is, typically, I think we see 3,000 visits on an annual basis. So, when you compare that to the 1,150, that is a critical percentage of what we normally see and anticipate that we will continue to see some higher numbers. However, over the past week, we see things beginning to level out a little bit, probably about 50 percent of what we have seen the week before.

But we are still providing the outreach and also literature and publicizing everything that we have to encourage people to keep coming like they always have. I mean, the Capitol Police, we have been serving since 2000, and we will—we have a great relationship with them, and we will continue to reach out to them and make sure we are satisfying whatever need that the community has here.

Mr. RYAN. And are you—do you guys—how integrated are you with the House office of well-being and the wellness initiatives? Is that—are you guys pretty much in lockstep on how you communicate to the staff and members?

Ms. SZPINDOR. They are. And I think it is—certainly Brian Weiss with the Wellness Center, he is doing a great job, but it is a good thing that he works directly with Paul Tewksbury in the OEA. And so that helps them stay in sync with one another and make sure that they are supporting one another with whatever items that one of them may produce, the other one may be able to make use of it, and so it is a great relationship.

So we are continuing, I want to put a plug in for Brian and his staff, what a great job they have done. And their storefront location that is open now in Longworth. We encourage staff to please go there and visit with them.

Mr. RYAN. Yeah. We want to continue to try to push that out. You know, there is still a lot of people on the Hill that don't know about it, and we want to make sure that they recognize the resources that are there, both for mental health promotion and fitness and financial literacy, financial help, deals on all kinds of different programs. And it is really on the cutting edge.

And that was the idea is to make sure that the employees here—this was pre-pandemic and pre-January 6—but that in a very high-stress environment, that our employees here, while they may not make as much in the private—as they would in the private sector, that they are offered the same kind of support that improve their quality of life and the quality of life of their families. And so we want to make sure we continue to promote that so that the men and women who work here have access to all of that.

And I just want to personally just say thank you to you, Ms. Szpindor. Immediately after January 6, we saw, you know, a number of the Capitol Police who were continuing to work 12- to 16-hour shifts, you know, the influx of the National Guard who are here. And I think it is important for this committee to know how quickly you responded to open the Dunkin' Donuts, to make sure there was—in the evening for the midnight shift, making sure there was food accessible for them, and how quickly you made those determinations. And I just want to personally thank you for that. That was—you know, it goes beneath, you know, the radar for most people, but how quickly you responded to make sure that they had what they needed, and that was very impressive, and we continue to thank you for your support.

So we are going to wrap it up. Let me just say, Ms. Elliott, thank you for all you do, again, much behind the scenes. Much of what you do is behind the scenes, but it clearly has made this such a special place, and we want to thank you for your service and your commitment to preserving this special building that we work in.

Ms. Szpindor, thank you again. And please thank your teams. You know, we know that, as Members of Congress here, how important the staff is for all of us, unknown and unnamed many times, but please thank your teams for us.

Mr. Blanton, again, thank you for all your work. And, you know, moving forward, as I said, we are going to rely on all of you. But Mr. Blanton especially, when it comes to these issues around security, we are going to be relying on your judgment. And we appreciate you and your viewpoint because you have been very helpful in helping the committee understand exactly what transpired and I think exposed some of those flaws that are in the system, espe-

cially around the Capitol Police Board that seem wholly inadequate to addressing the needs that the Members here had and the staff here had.

So I also want to just take a second to thank our team, our staff, Steve and Anna, and the minority staff, Rachel on my personal staff, and all the members of the committee. As the panelists can see, we have a lot of intellectual firepower here on both sides of the aisle that care deeply about the role that this subcommittee now plays in protecting this institution and really crafting a model for how we move forward from both a security standpoint and taking care of the men and women who are here. And hopefully they can be an example for how we should treat our workers around the country, and that is the goal of the committee.

So, with that, this committee is going to adjourn, and we will see everybody tomorrow morning.

THURSDAY, FEBRUARY 25, 2021.

**U.S. CAPITOL POLICE AND HOUSE SERGEANT AT ARMS,
SECURITY FAILURES ON JANUARY 6**

WITNESSES

HON. TIMOTHY BLODGETT, ACTING SERGEANT AT ARMS

**YOGANANDA D. PITTMAN, ACTING CHIEF, UNITED STATES CAPITOL
POLICE**

Mr. RYAN. The committee will come to order.

As this hearing is fully virtual, I must address a few house-keeping matters.

First, for today's meeting, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition for purposes of eliminating inadvertent background noise.

Second, members are responsible for muting and unmuting themselves. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

Third, I want to remind all members and witnesses that the 5-minute clock still applies. You will notice a clock on your screen that will show how much time is remaining. And if there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Fourth, in terms of the speaking order, we will be beginning with the chair and ranking member. Then, members present at the time the hearing is called to order will be recognized in order of seniority.

Finally, the House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings. That email address has been provided in advance to your staff.

Good morning to our panel.

I am pleased to welcome Acting Chief of the Capitol Police Yogananda Pittman and Acting House Sergeant at Arms Tim Blodgett.

Today is our third of three hearings reviewing the aftermath of the breaching of the Capitol by an insurrectionist mob on January 6. The purpose of this hearing is to dig deeper into the failures that occurred on January 6.

I and the members of this subcommittee will be asking some very uncomfortable questions as we conduct a thorough review of what went wrong. I want to emphasize at the outset that the hearing is not a "gotcha" exercise.

None of us at this hearing can forget the events of January 6, but how we respond will determine how we collectively learn from the trials of that day, not as Democrats and Republicans but as Americans charged with the responsibility of being caretakers of our Republic.

As we move forward, we do not want to fall into the trap of preparing to fight the last war. We must be prepared to ensure the next one never happens. And if we ignore the mistakes of the past, the Capitol campus will continue to be vulnerable to unknown and unexpected threats.

So I am going to start with the meeting I had on January 5. I was briefed by then-House Sergeant at Arms Paul Irving and U.S. Capitol Police Chief Sund. During the briefing, both Chief Sund and Mr. Irving provided assurances that the Capitol complex had comprehensive security and there was no active intelligence that groups would become violent at the Capitol during the certification of the electoral votes.

I was later told by Chief Sund that his department did not have intelligence that there would be an armed insurrection, although we now know that there was, in fact, an intelligence report from his own department released on the 3rd, which states, quote, “Unlike previous post-election protests, the targets of the pro-Trump supporters are not necessarily the counter protesters, as they were previously, but, rather, Congress itself is the target on the 6th. As outlined above, there has been a worrisome call for protesters to come to these events armed, and there is the possibility that protesters may be inclined to become violent. This, combined with Stop The Steal’s propensity to attract White supremacists, militia members, and others who actively promote violence, may lead to a significantly dangerous situation for law enforcement and the general public alike,” end quote.

But even putting the Capitol Police intelligence assessment aside, how could the security planning, policies, and procedures apparently be so lacking and ill-prepared? This event was widely promoted on social media weeks in advance, and your own report specifically shows the department was monitoring these posts. There were numerous groups with a history of violence known to be planning to attend, and these groups were actively discussing their plans on social media.

I, for one, am at a loss to understand how your intelligence report and then later, as the mob walked 16 blocks, growing in size and aggressive demeanor, failed to impact the Capitol Police force security posture.

I also would like the panel to address the failures regarding command and control and communication. I have spoken to many officers who felt that, on that day of the attack, they were left alone and unsure how to respond. How did command and control break down so quickly? What needs to be changed?

It has been widely reported that senior leadership was not reachable nor providing direction to the officers. Is that true?

We have also been told that there was not a clear understanding of the rules of engagement and the level of force that officers were expected to use as the attack unfolded. How could that have happened?

Once the Capitol was breached, was there a strategic plan to secure the building?

Now I look forward. I hope you can provide updates to the committee as to how the Capitol Police and Sergeant at Arms are currently protecting the campus and its workforce and to talk about the next steps to ensure the future physical safety of our campus.

We need to know what you think are the major institutional and cultural reforms and/or overhauls needed to maintain as safe and as open a campus as possible so that the visitors from across the country and around the world can witness representative democracy in action.

I look forward to your answers to these questions and more. I want you to know that we are very thankful for your service and that of the staff of your organizations, who work so hard to make this House run.

At this point, I would like to yield to my friend and colleague, the ranking member, Jamie Herrera Beutler, for an opening statement that she would like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And thank you, Acting Chief Pittman and Acting Sergeant at Arms Blodgett, for being here today.

January 6, the whole world watched in disbelief as the center of American democracy was assaulted. The very ideals of democracy that make us the envy of the world were attacked. It was the Constitution in action, it was the counting of the electoral votes, it was the transfer of power that takes place every 4 years, and it was literally under insurrection. The very ideals were coming under fire.

And, that day, an angry mob with the intention to destroy not just the symbols of our freedom but the people who took an oath to serve and protect the Constitution—the assault on the Capitol will forever be a painful reminder that democracy and the rule of law are not guaranteed to us. We must continuously fight to uphold them.

With that in mind, we have to take very seriously that it is our job as both the American people and as Members of Congress to make sure this never happens again. This starts with a clear and candid assessment of what went wrong.

Here is the truth: Top officials either failed to take seriously the intelligence received or the intelligence failed to reach the right people. This meant that the Capitol Police force was woefully unprepared for the attack.

To be clear, the United States Capitol Police force is not meant to be an army. Expecting 1,600 officers to hold back an unruly mob of 8,000 to 10,000 people, many of whom were armed and had their own homemade explosive devices or came with weaponized everyday items, is not a position we should ever have to be in.

But we must understand what failed on that day, whether it was the broken lines of communication, whether it was inadequate training, not enough or the correct equipment, decision-making processes, or everything in between.

Look, security is essential, and we all have a fundamental need to feel safe on the Capitol Grounds. It is up to the Capitol Police and the Sergeant at Arms to provide that assurance so that we

may work on behalf of the American people without obstruction or fear of violence.

While we absolutely must do better to keep this place secure, I have to say, it is also important that we try to keep this institution as accessible to the public as possible. We are the people's House. Sacrificing the openness of this institution is not the only way to keep the Capitol secure. I don't like that there is a fence around the Capitol complex that makes the seat of democracy look like a military base, and I don't like that it costs almost \$2 million a week.

I hope we are able to find ways to secure this place without such measures—a balance I believe must be and can be struck. I look forward to working with the legislative branch, with Chairman Ryan, and with the different agencies involved to figure out what that balance is and to execute it as quickly and efficiently as possible.

With that, I yield back, Mr. Chairman.

Mr. RYAN. Thanks, Ms. Herrera Beutler. Appreciate your leadership on all this, and appreciate how you have conducted this in a bipartisan manner. It has been a joy to work with you.

Next, we will ask the chair of the full Appropriations Committee, Congresswoman Rosa DeLauro, for any opening statements that she would like to make.

The CHAIR. Thank you very much. Thank you, Mr. Chairman, and thank you, Ranking Member Herrera Beutler, and welcome to our witnesses. I am so grateful to join with you as we dig deeper into the security failures that occurred on January 6.

On that day, our Nation held its collective breath, watching in disbelief as violent insurrectionists rioted in our Capitol. We listened in horror as insurrectionists were spurred on.

As the mob stormed the Capitol Building, aiming to disrupt Congress—and, yes, they came for the Congress—members of the U.S. Capitol Police and the House Sergeant at Arms valiantly leapt into the fray, but they were overwhelmed.

These courageous women and men risked their lives to defend our democracy. It is a testament to their bravery and their dedication that no Members or staff were physically harmed. But it breaks all of our hearts that so many Capitol Police officers were injured in the attack, many quite severely.

We pray for the officers and their families as they have dealt with the unfolding tragedy of that day, especially the family of Officer Brian Sicknick. And our hearts are heavy for the loss of Capitol Police Officer Howard Liebengood, who died by suicide in January.

As we honor these sacrifices, we must take the hard look at just what exactly happened on that dark day and what we need to do to ensure such an alarming breach, such an alarming failure of our Capitol security—this should never happen again.

The attack exposed weaknesses in our Capitol security systems that are far greater than any of us would have ever anticipated. And it has made it abundantly clear that the Capitol Police and the Sergeant at Arms require major institutional and cultural reform.

What went wrong on January 6? As the committee that funds the security of the Capitol, today we hope we can gain a better understanding of the problems that the Capitol Police and the Ser-

geant at Arms must address, what resources they need to reform themselves to keep Members, congressional staff, employees, and their own officers safe. What are the solutions? What should the role of the Capitol Police Board be?

I say a thank you to our witnesses for joining us today. Acting Chief of Police Yogananda Pittman briefed members of the Appropriations Committee last month, and I hope we can continue to drill down on the issues that we discussed then. And Acting House Sergeant at Arms Tim Blodgett brings an important perspective from his office.

On January 6, 2021, our Nation gazed into the abyss. Our democracy indeed is fragile, but the security of our seat of government should never be. And that is why it is so immensely important that we have an open and honest discussion to ensure the events like those that took place on January 6 can never happen again.

And I yield back and thank the gentleman.

Mr. RYAN. Thank you, Chairwoman DeLauro.

Next is the ranking member of the full Appropriations Committee, Kay Granger, for any opening statements you would like to make, Kay.

Ms. GRANGER. I would like to thank Chairman Ryan and Ranking Member Jamie Herrera Beutler for holding this important hearing today.

The January 6 attack on the Capitol was something I never thought I would witness. In the face of great danger, U.S. Capitol Police bravely fought to defend the complex and ensure our Members and staff were safe.

In addition to making sure that the Capitol Police have the support and resources they need to process and heal from the traumatic events of that day, we must ensure that they have the resources necessary to defend the Capitol against similar attacks.

It was clear from our briefing last month that the failure to protect the Capitol was not due to a lack of intelligence but, rather, a failure to properly act on the intelligence. There was also a clear lack of command and control, because so many agencies were involved, yet their actions were not coordinated. This is unacceptable and left our law enforcement men and women on the ground unprepared for the very real threat they faced.

At the center of this controversy is the Capitol Police Board, which includes the Sergeant at Arms, Architect of the Capitol, and Capitol Police. Serious questions remain about their failure to approve the request from the Capitol Police Chief to call in the National Guard and properly notify Members and staff on the status of the threat through the emergency notification system.

As we speak, miles of fencing still surrounds the Capitol, and the center of American Government is now tarnished by razor-wire and limited access. While we must take the necessary steps to make the Capitol complex safe and secure, we must have the ultimate goal of safely reopening the Capitol and its grounds to the public.

The Capitol and its buildings belong to the American people, not us. They need to be able to visit their elected Representatives and know they will be safe while doing so. I want the witnesses to dis-

cuss what changes have been made and will need to continue to be made to ensure the Capitol complex is protected.

I thank you, Mr. Chairman, and I yield back.

Mr. RYAN. Thank you, Ranking Member Granger.

We are now going to move to our witnesses.

Without objection, your written testimonies will be made part of the record. We ask you to please summarize your statement and highlight your efforts to the committee.

Chief Pittman, please begin. And after your statement, we will turn to Sergeant at Arms Blodgett for his statement. And once the statements are complete, we will move to the question-and-answer session.

So please begin, Chief Pittman.

Acting Chief PITTMAN. Thank you for the opportunity to testify before the committee.

On January 6, our strength, determination, and commitment to the mission of protecting the democratic process was tested. Fortunately, the USCP succeeded in its mission. With the assistance of law enforcement partners like MPD, the United States Capitol Police protected the congressional leadership, Members, and the democratic process.

On January 6, I was the Assistant Chief of Police of the department's protective and intelligence operations. Leading up to January 6, the department gathered information about the anticipated events of the day and released assessments that analyzed the raw information received from multiple sources.

The department issued four assessments about the January 6 event. The final assessment indicated, amongst other things, that militia groups, White supremacists, and other extremist groups would be participating in the January 6 event, these groups planned to be armed, the target of the demonstration would be Congress, and the demonstrators saw this as a last opportunity to overturn the results of the Presidential election, and they were desperate.

The assessment was widely shared throughout the department. And in response to the assessment, the department made significant changes to its security posture. We increased the size of protection details; deployed countersurveillance agents across D.C.; increased our CDU platoons, including deploying hard platoons; we deployed SWAT teams; enlarged the security perimeter; and increased exterior and interior patrols, to include the subways.

Since the 6th, it has been suggested that the department was either ignorant of or ignored critical intelligence that indicated that an attack of the magnitude that we experienced on January 6 would occur. The department was not ignorant of intelligence indicating an attack of the size and scale we encountered on the 6th.

There was no such intelligence.

Although we knew the likelihood for violence by extremists, no credible threat indicated that tens of thousands would attack the U.S. Capitol, nor did the intelligence received from the FBI or any other law enforcement partner indicate such a threat. Indeed, the Secret Service brought the Vice President to the Capitol that day as they were also unaware of any credible threat of that magnitude.

The department also did not ignore intelligence that we had, which indicated an elevated risk of violence from extremist groups. To the contrary, we heightened our security posture.

There is evidence that some of those who stormed the Capitol were organized, but there is also evidence that a large number were everyday Americans who took on a mob mentality because they were angry and desperate. It is the conduct of this latter group that the department was not prepared for.

The department did face some operational challenges that we are addressing. For example, the Capitol lockdown was not properly executed. Some officers were unsure of when to use lethal force. Our radio communications to officers were not as robust. And we are ensuring that our incident command system protocols are adhered to going forward and re-implementing training in those respective areas.

We are addressing those operational challenges, but I want to make clear that these measures alone would not have stopped the threat we faced. To stop a mob of tens of thousands requires more than a police force; it requires physical infrastructure or a regiment of soldiers.

Since the 6th, we have hardened the complex, and we know that some of those temporary enhancements are not popular, but these are necessary in the short term.

The department is beefing up its flow of information and now holds daily calls with its intelligence partners.

I would like to thank the committee for their continued support in ensuring the department has what it needs. I would also like to thank the chairman for helping the department to ensure that our officers have the mental wellness resources that they and their families need.

As to the USCP officers that proudly serve the congressional community, they fought bravely on January 6. They are heroes.

I am ready to answer your questions. Thank you.

[The information follows:]

**STATEMENT OF ACTING CHIEF OF POLICE YOGANANDA D. PITTMAN
UNITED STATES CAPITOL POLICE**

Thank you for the opportunity to discuss the events of January 6, 2021, and the Department's actions since then to ensure the security of the Capitol Complex.

For the officers of the United States Capitol Police, January 6th, is a date that will live in infamy. Our strength, our determination, and our commitment to the mission of protecting the Democratic process that is the foundation of this country was tested.

Tens of thousands of insurrectionists descended on Capitol Hill causing destruction to property, committing acts of unspeakable violence towards USCP officers and its law enforcement partners, and defiling the U.S. Capitol Building — the symbol of American democracy. It was an ugly battle.

But at the end of the day, the USCP succeeded in its mission. It protected Congressional Leadership. It protected Members. And it protected the Democratic Process. At the end of a battle that lasted for hours, democracy prevailed. It prevailed in part because of the determination and commitment of USCP officers at every level of this Department and the assistance of the Department's law enforcement partners, such as the Metropolitan Police Department (MPD).

On January 6, 2021, I was the Assistant Chief of Police of the Department's Protective & Intelligence Operations. The Protective & Intelligence Operations covers specialty law enforcement activities and includes:

- The Dignitary Protection Division, which provides security details for Congressional Leadership;
- The Department's Intelligence and Interagency Coordination Division (IICD), which partners with security and law enforcement agencies to gather information about potential threats to Congress or Members;
- The Department's Investigations Division, which investigates alleged criminal activity on Capitol Grounds and threats to Members; and
- The Department's Security Services Bureau, which manages and services the physical security systems the Department uses to protect Capitol Grounds.

As Assistant Chief of Protective & Intelligence Operations, I oversaw all of these operations.

In particular, under my leadership, the Protective & Intelligence Operations recruited John Donohue, a former law enforcement officer with over thirty years' experience with the New York Police Department, to head the IICD.

Leading up to January 6th, the IICD gathered information about the anticipated events of that day, which came from law enforcement partners such as the FBI and open sources. The

IICD then released reports called “Special Assessments,” which, in part, analyzed the raw information the Department received from these multiple sources and provided the findings of this analysis.

The IICD issued four Special Assessments about the January 6th event. As the event drew nearer, the intelligence landscape, grew clearer. The final Special Assessment issued on January 3rd indicated among other things that:

- Militia members, white supremacists, and other extremist groups would be participating in the January 6th event;
- These groups planned to be armed;
- Unlike previous post-election protests, the targets of demonstrator would not be other branches of government or counter-protesters, but rather Congress and the Joint Session Certification process; and
- Due to the tense political environment following the 2020 election, the threat of disruptive actions or violence cannot be ruled out. Supporters of the current president see January 6, 2021, as the last opportunity to overturn the results of the presidential election. This sense of desperation and disappointment may lead to more of an incentive to become violent.

Based on the assessment, the Department understood that this demonstration would be unlike the previous demonstrations held by protesters with similar ideologies in November and December 2020. The first and second “MAGA marches” were intended to put public pressure on states where vote counting was ongoing and on the Supreme Court to intervene in the election. This event was different because all judicial remedies for opposing election results had been exhausted and the only way for their candidate to win was for Congress to reject the Electoral College results. Thus the scheduled demonstrations were intended to pressure Congress.

The Department’s January 3rd Special Assessment was shared widely throughout the Department. The Special Assessment was emailed to all officers above the rank of Sergeant. The Sergeants’ and Lieutenants’ responsibility was to ensure the information got to rank and file officers. The IICD held intelligence briefings for officers above the rank of Captain to explain the findings and conclusions of the January 3rd Special Assessment and to provide an opportunity for questions.

The Department provided the January 3rd Special Assessment to the House and Senate Sergeants at Arms via email. The Special Assessment was also discussed on a January 4th multi-agency teleconference hosted by MPD and including the United States Park Police, Washington Metropolitan Area Transit Authority, FBI, Supreme Court Police, United States Secret Service, and DC Fire & Emergency Medical Services.

The Department also discussed its intelligence as to the January 6th event during a virtual teleconference on January 5th hosted by USCP and attended by security agencies and law enforcement partners to discuss preparations for the inauguration including the MPD, DC

National Guard, House and Senate Sergeants at Arms, United States Secret Service, FBI, United States Park Police, Washington Metropolitan Area Transit Authority Police, Amtrak Police, and the U.S. Military District.

Upon the issuance of the January 3rd Special Assessment and briefings on the Special Assessment, the Department made significant changes to its security posture. Bureaus within the Protective & Intelligence, for example, adjusted operations for the week of January 6th in the following ways:

- Increasing the size of Dignitary Protection details for Members with four agents to six agents and extending coverage for Dignitary Protection details to 24/7 coverage;
- Posting Dignitary Protection Agents at the residence of certain Congressional Leaders and mandating that each Dignitary Protection detail include assault weapons;
- Extending coverage for the Investigations Division and IICD to 24/7 operations; and
- Embedding an analyst from the National Capitol Region Threat Intelligence Consortium (NTIC) with USCP intelligence analysts to ensure the real time sharing of information.

On January 6th, Commanders within the Protective & Intelligence Operations also implemented the following measures:

- Deploying counter surveillance agents early in the morning to observe the crowd at the Ellipse, at metro stations, and other gathering locations in DC;
- Deploying Dignitary Protection agents to the Ellipse in case Members of Congress attending the event encountered a security threat;
- Coordinating with the Department's Office of Information Systems to intercept the radio frequency used by some demonstration groups and monitoring the communications of those groups; and
- Posting Dignitary Protection agents to evacuation vehicles for Congressional Leadership.

The Department's Uniformed Operations, led by Assistant Chief Chad Thomas, also adjusted its planning for January 6th in response to the January 3rd Special Assessment. For example, the Department changed its Civil Disturbance Unit (CDU) plan for January 6th in the following ways:

- Increasing the number of CDU platoons for the event from four to seven, including deploying four hard platoons with less lethal munitions such as the pepper ball launcher system and FN-303. The total number of sworn employees assigned to CDU operations increased to 276;
- Changing the scheduled report times for officers within CDU to ensure continuous coverage from 0800 hours on January 6, 2021, through 0400 hours on January 7, 2021;

- Deploying USCP SWAT teams to act as counter-assault ground teams, provide counter-sniper support, and monitor for protesters open carrying or concealing firearms; and
- Enlarging the physical security perimeter to encircle the entire Capitol Square with bike rack manned by officers to keep out unauthorized persons.

The Uniformed Services Bureau, the largest Bureau within Uniformed Operations, which posts uniformed officers in the Capitol Building and the House and Senate office buildings, also revised its operations plans for January 6th. The revised plan included the following enhancements beyond regular operations:

- Placing pre-screener officers at each Member and staff building entrance for House and Senate office buildings;
- Increasing exterior patrols;
- Restricting East Front Plaza access to Members and staff;
- Posting additional officers at the North and South Barricades to facilitate access;
- Posting additional officers at the subways to monitor access to the Capitol;
- Restricting House Wing of the U.S. Capitol building to Members and staff with offices in the Capitol.

Additionally, based on the information in the January 3rd Special Assessment, former USCP Chief of Police Steven Sund requested that the Capitol Police Board declare a state of emergency on January 4th, which would authorize him to request National Guard support for the January 6th event. Chief Sund directed his request to the House and Senate Sergeants at Arms who denied the request, but encouraged Chief Sund to contact the DC National Guard to determine how many Guardsman could be sent to the Capitol on short notice, which he did. Chief Sund was advised by General William Walker that the DC National Guard could quickly repurpose approximately 125 Guardsman from their current mission in DC to deploy to the U.S. Capitol if needed. Chief Sund also coordinated with MPD Acting Chief of Police Robert Contee to guarantee additional support on January 6th.

Despite the adjustment in its operations in response to the January 3rd Special Assessment, the Department was not prepared for the massive groups of violent insurrectionists that descended on the U.S. Capitol's West Front just before 1:00 p.m. on January 6th. While the Department was prepared to neutralize and remove individuals or groups engaging in civil disobedience or violence among the demonstrators, it was quickly overwhelmed by the thousands of insurrectionists (many armed) who immediately and without provocation began attacking officers, bypassing physical barriers, and refusing to comply with lawful orders. The Department's preparations were based on the information it gathered from its law enforcement partners like the FBI and others within the intelligence community, none of which indicated that a mass insurrection of this scale would occur at the U.S. Capitol on January 6th.

The Department, which had just over 1200 officers working on Capitol grounds at the time of the attack, fought to hold the insurrectionists back. It did so while also deploying resources to respond to other significant security threats. Just minutes before the insurrectionists arrived on the West Front, the Department was alerted to a pipe bomb at the RNC Headquarters. While investigating the pipe bomb at that location, USCP officers discovered a vehicle with explosive chemicals and a firearm in plain sight. Shortly thereafter, a second pipe bomb was also discovered at the DNC Headquarters. USCP officers facilitated the evacuation of House office buildings located near the pipe bombs and, with the assistance of law enforcement partners, also evacuated residents and businesses in the area. Once the evacuations were complete, the USCP and its law enforcement partners securely detonated the two bombs.

More than one hour after the attack began, the Department's officers, with the assistance of MPD, continued to hold off insurrectionists on the West Front. However, groups that were on the East Front of the U.S. Capitol began breaking through the barriers on the Plaza. When the East Front Plaza was breached, I directed an immediate lockdown of the U.S. Capitol Building, which means all entrances and exits are sealed, preventing anyone from entering or exiting the building, including police officers. Some of the physical infrastructure of the building, however, gave way to protesters using shields, flag poles, and other objects to break through glass windows and doors.

Once the U.S. Capitol building itself was breached, the Department's priority was evacuating Members. Our Dignitary Protection Division agents immediately evacuated congressional leadership and took them to a secure location to ensure the continuity of government.

Almost simultaneously, I connected with both the House and Senate Sergeants at Arms to arrange the evacuation of Members from the House and Senate Chambers, as well as the extraction of Members from their offices by USCP personnel.

It was while Members were being evacuated that an insurrectionist was shot by a USCP officer outside of the House Floor. This matter is still undergoing investigation by outside law enforcement.

Once Members were safe, the Department began aiding staff barricaded in offices in the Capitol.

Once Members and staff were safely evacuated, that the Department began clearing the U.S. Capitol floor by floor with the assistance of its law enforcement partners. The Department's mission was to ensure that the Joint Session would safely resume that evening.

Following the events of January 6th, it has been suggested that the Department either was ignorant of or ignored critical intelligence that indicated that an attack of the magnitude experienced on January 6th was known and probable. This implication simply is not true.

Although the Department's January 3rd Special Assessment foretold of a significant likelihood for violence on Capitol grounds by extremists groups, it did not identify a specific credible threat indicating that thousands of American citizens would descend upon the U.S. Capitol attacking police officers with the goal of breaking into the U.S. Capitol Building to harm

Members and prevent the certification of Electoral College votes. Nor did the intelligence received from the FBI or any other law enforcement partners include any specific credible threat that thousands of American citizens would attack the U.S. Capitol. Indeed, the United States Secret Service brought the Vice-President to the Capitol for the election certification that day because they were also unaware of any specific credible threat of that magnitude.

Still, once the attack was underway, the Department faced some internal challenges as it concerned our operational response that we have since learned from and are working to correct. For example, we learned that despite the lockdown order simulcast over the radio, a lockdown was not properly executed. Going forward, we will be training on lockdown procedures. We also learned that officers were unsure of when to use lethal force on January 6th. We have provided guidance to officers since January 6th as to when lethal force may be used consistent with the Department's existing Use of Force policy. The Department will also implement significant training to refresh our officers as to the use of lethal force. We also learned that the Department's less lethal munitions were not as successful in dispersing insurrectionists in the attack, and we have already begun to diversify our less lethal capabilities. Additionally, the Department recognized that its training largely focuses on keeping unauthorized persons out of buildings on the Capitol Complex and not scenarios in which a building has been breached. The Department will also be developing and pushing out additional training scenarios for our officers.

Our focus since January 6th has been on ensuring the security of the Capitol Complex, improving the flow of intelligence internally and externally, and making sure our officers are supported. In the short term, the Department has hardened the campus by erecting a global non-scalable fence with razor wire. It also increased its manpower by extending the shifts of USCP officers and also adding support from the National Guard.

In the long term, the Department is completing an assessment of the Capitol's physical securities to ensure any vulnerabilities are identified and addressed. The Department is also working to increase its manpower and ensure that its officers are knowledgeable and fluent in specific security measures.

As it concerns the intelligence it gathers, the Department has already taken steps to facilitate the free flow of information to its law enforcement partners, stakeholders, and its workforce. The Department now holds routine intelligence calls with the FBI and with NTIC. It also has continued to have an NTIC analyst embedded with USCP intelligence analysts. The Department holds daily intelligence briefings with command staff and the House and Senate Sergeants at Arms. The Department also provides routine updates to Congressional leadership and major caucuses, such as the Democratic Caucus, the Republican Caucus, and the Tri-Caucus.

As to the USCP officers that proudly serve the Congressional Community, they fought bravely on January 6th. They held off the attackers long enough for the Department to evacuate the House and Senate Chambers and lead the Members to safety. These officers are heroes.

The attack and the loss of two of our officers in the wake of the attack, Officer Brian Sicknick and Officer Howard Liebengood, may lead to PTSD, low morale, and other stresses. To ensure our officers are supported during this difficult time the Department is providing 24/7

on-site EAP support, including counselors specializing in providing support to law enforcement personnel and their families. We have also made significant progress towards vaccinating all USCP employees.

The attack on the U.S. Capitol on January 6th forever changed how we look at the "People's House." By design, the Capitol campus is open and welcoming to visitors. The Capitol Building, until recently, had not been surrounded by global fencing.

And, because it is an open campus, it is very difficult to fortify. Even before September 11, 2001, security experts, including former USCP chiefs of police, argued that more needed to be done to protect the Capitol campus – although I doubt many would have thought it would be necessary to protect it against our own citizens.

The Department is working with the various offices and agencies tasked with documenting the events as they unfolded that day, as well as conducting our own in depth review of the incident, to ensure that accurate, factual and detailed information is provided.

I believe the multiple reviews, after actions, and investigations currently underway will conclude that the Capitol's security infrastructure must change and that the Department needs access to additional resources – both manpower and physical assets.

We know the eyes of the country and the world are upon us. The U.S. Capitol Police remains steadfast in addressing the new challenges that we face head on. We are committed to protecting and defending this institution that is responsible for safeguarding the freedoms we all hold dear – including the public's right to exercise their First Amendment rights at the U.S. Capitol.

Once again, I'd like to thank this Committee and the entire Congress for their support of our law enforcement officers.

Thank you.

Mr. BLODGETT. Chairwoman DeLauro, Ranking Member Granger, Chairman Ryan, Ranking Member Herrera Beutler, and the members of the Appropriations Subcommittee on Leg. Branch, thank you for the opportunity to testify today on the security failures of January 6.

Before I begin, I want to acknowledge the debt of gratitude we owe to the officers of the United States Capitol Police, Metropolitan Police, and the law enforcement partners who came to the aid of the institution and risked their lives so that our Constitution and democracy could endure. I cannot thank them enough.

I want to thank Congress for helping provide a fitting tribute to Officer Sicknick. We mourn as a community for the loss of his life, but the recognition rightfully bestowed upon him hopefully served as a moment of healing for the Capitol Police and for all law enforcement who make sacrifices on a daily basis to provide for our safety.

And I want to acknowledge the sacrifices of Officer Liebengood and Smith and their families. Their sacrifices will never be forgotten.

And I, finally, want to thank the National Guard who have come from near and far to keep our city on the hill safe. They have left their families amidst a pandemic to work in uncertain environment, and their presence makes us safer.

As I stated in my previous briefing to the Appropriations Committee, the intelligence surrounding January 6 was problematic. Intelligence requires finding needles in a haystack. On January 6, there was a failure to either gather, synthesize, or disseminate intelligence, and there were indications that the intelligence was muddled or contradictory.

For example, the January 3 intelligence assessment from the Capitol Police has been touted to include information that makes it clear that January 6 would become violent. However, the document also states that the protesters' rallies were expected to be similar to the previous Million MAGA March rallies in November and December of 2020, which drew tens of thousands of individuals.

As we know now, the events of January 6 were not like the previous marches or any other rallies that we have had on Capitol Grounds. The intelligence provided to the Capitol Police and other law enforcement did not anticipate a coordinated attack.

Warnings should not be qualified or hidden. Bad information, conflicting information, or missing information leads to poor decisions.

In fact, when the Capitol Police presented this assessment to the Sergeant at Arms, they simultaneously briefed on the plan of action for January 6, and one would think that the plan was developed taking into account the intelligence that they were seeing at the time.

One would also expect the warnings to be reflected in all subsequent intelligence reports. The Office of the Sergeant at Arms received daily intelligence reports from the Capitol Police following the initial assessments referenced on the 3rd. On January 4, 5, and 6, the Capitol Police listed demonstrations and categorized the probability of civil disobedience or arrests as remote, highly im-

probable, or improbable for each of those days and for every single demonstration.

The characterization of the threat posed by these protests only reinforced the notion and thinking that they were similar to the two previous demonstrations and not the violent insurrection that we experienced.

The Office of the Sergeant at Arms is a consumer of intelligence products. We do not independently acquire or analyze intelligence. We are dependent on the Capitol Police and the intelligence community to provide timely, accurate, and succinct intelligence to help guide our decisions.

And it pains me to say it, but the intelligence missteps cascaded into inadequate preparation, which placed the health and lives of frontline officers at risk. While frontline officers did everything they could that day, the Capitol Police was prepared for a First Amendment event but not adequately prepared for the events of January 6.

For example, former Chief Sund noted in his letter to congressional leadership that he had expedited the delivery of approximately 104 helmets to officers. It was a good decision to expedite the delivery of the helmets, but it also raises question as to why the officers did not have the helmets on hand. I support any efforts we can to acquire all gear for our officers to keep them safe and to be able to keep the gear on hand that express the support to the Capitol Police Board.

Proper planning before an event will provide the needed support to the officers on the line and help ensure that the event does not turn into a crisis. We must also prepare for contingencies. The failure to prepare for contingencies can result in greater difficulty in execution.

Security examinations are currently underway to make sure that we are prepared for the next January 6. Lieutenant General Honore and his task force have been working to not only examine the security postures on the Hill but also the security of Members traveling, as well as in their districts. My office has worked in coordination with General Honore and his team to support this critical tasking. This could prove to be the valuable input in how we better align the Office of the Sergeant at Arms to provide security services to Members.

In the aftermath of January 6, I know the Office of the Sergeant at Arms must provide more to Members and staff to keep them safe. These better services will come with an accompanying cost. I have committed to carefully stewarding the funds that the subcommittee provides.

Funding is an important aspect, but just as important, if not more so, is the right organizational structure. A new look and perspective will help inform my own proposals this subcommittee will see. I also support necessary infrastructure improvements, support the changes to the Capitol Police will propose to its FTE structures, equipment upgrades, and, more importantly, the investment in its officers.

The Capitol Police and the Office of the Sergeant at Arms will evolve to better secure Congress. Thank you for the opportunity to testify, and I welcome your questions.

[The information follows:]

**Office of the Sergeant at Arms
Testimony of
Timothy P. Blodgett
Acting Sergeant at Arms
U.S. House of Representatives
Before
The Subcommittee on Legislative Branch
Committee on Appropriations**

Chairman Ryan, Ranking Member Herrera Beutler, and Members of Appropriations Subcommittee on the Legislative Branch,

Thank you for the opportunity to testify today on the security failures of January 6th.

Before I begin, I want to acknowledge the debt of gratitude we owe to the officers of the United States Capitol Police, Metropolitan Police, and other law enforcement partners who came to the aid of the institution and risked their lives so that our Constitution and democracy could endure. I cannot thank them enough. Many bear scars, seen and unseen from that day. Others will face challenges that last a lifetime.

I want to thank Congress for helping provide a fitting tribute for Officer Sicknick. We mourn as a community for the loss of his life but the recognition rightfully bestowed upon him hopefully served as a moment of healing for the USCP, and for all law enforcement who make sacrifices on a daily basis to provide for our safety. I want to acknowledge the sacrifices of the Liebengood and Smith families. Their sacrifices will never be forgotten.

I also want to thank the National Guard, who have come from near and far to keep our city on a Hill safe. They have left their families amidst a pandemic to work in an uncertain environment. Their presence makes us safer. And we thank them for it.

I do have several observations to provide to the Committee regarding our campus security posture in the hopes of providing constructive feedback to assist in building a more secure Capitol complex going forward. The tragedy of January 6th is rooted in missing intelligence and analysis that negatively impacted the decision-making process. As a result of these decisions, many brave women and men of the Capitol Police, the Metropolitan Police, and other law enforcement partners were put at risk but ultimately brought safety back to our Capitol and our democracy. We owe it to them to examine these failures to ensure that nothing like this happens ever again. I would place my observations into four categories: 1) intelligence; 2) preparation; 3) communication; and 4) the path forward. Each of these areas requires thorough review, constructive criticisms, policy, and process changes to better secure the Capitol.

I. Intelligence

As I stated in my previous briefing to the Appropriations Committee, the Intelligence surrounding January 6th was problematic. Intelligence requires finding the needles in a haystack. On January 6th, there was a failure to either gather, synthesize, or disseminate intelligence and there were indications that intelligence was muddled or contradictory. For example, the January 3rd intelligence assessment from the Capitol Police has been touted as including information that makes it clear that January 6th would become violent. Indeed, on page 13 of the document, the assessment states that “[t]his sense of desperation of and disappointment may lead to more of an incentive to become violent. Unlike previous post-election protests, the targets of the pro-Trump supporters are not necessarily the counter-protesters as they were previously, but rather Congress itself is the target on the 6th.” Taken by itself, the language is a warning.

However, the document, also states that “[t]he protestors/rallies are expected to be similar to previous Million MAGA March rallies in November and December 2020, which drew tens of thousands of participants.” While there was arrests and violence between protestors and counter-protestors at the previous events, I believe that these previous events informed the January 6th security plan of action. As we now know, the events of January 6th were not like the previous Million MAGA marches or any other rallies we had ever held on Capitol grounds. The intelligence provided to the Capitol Police and other law enforcement did not anticipate a coordinated attack. Warnings should not be qualified or hidden. Bad information, conflicting information or missing information leads to poor decisions. In fact, when the USCP presented this assessment to the Sergeant at Arms, they simultaneously briefed on the plan of action for January 6. One would think that the plan developed by the USCP took into account the intelligence as they were seeing it at that time.

One would also expect these warning to be reflected in all subsequent intelligence reports. The Office of the Sergeant at Arms received Daily Intelligence Reports from the Capitol Police following the initial assessment referenced on January 3rd. On the Daily Intelligence Reports received on January 4th, 5th, and 6th, the Capitol Police listed demonstrations and categorized the probability of civil disobedience or arrests as “remote, highly improbable, or improbable” for each of those days and for every single demonstration. So, while the January 3rd Assessment notes a possibility of violence against Congress itself, every single subsequent Daily Intelligence Report indicates only “remote, highly improbable, or improbable” chance of civil disobedience or arrests. This characterization of the threat posed by these protests only reinforce the notion and thinking that these were similar to the two previous demonstrations and not the violent insurrection that we experienced. The Office of the Sergeant at Arms is a consumer of intelligence products, we do not independently acquire or analyze intelligence. We are dependent on the Capitol Police to provide timely, accurate, and succinct intelligence to help guide security decisions.

In addition, the intelligence does not appear to be disseminated widely. ProPublica has reported that “intelligence ... was not widely shared within the department.” Furthermore, USCP officers

reportedly stated that “they received no warning whatsoever going into Jan. [sic] 6.” My own anecdotal experience confirms that information is not quickly and widely disseminated across divisions and up and down the chain of command. Again, the differences between the January 3rd assessment and the subsequent Daily Intelligence reports demonstrate a failure to integrate intelligence within the USCP Intelligence Division itself. Finally, as far as I am aware, the Office of the Sergeant at Arms did not receive the information produced by the Norfolk FBI office – perhaps the most vital intelligence – even though the USCP’s own timeline of events noted that the USCP task force agent embedded with the FBI emailed the memorandum up the chain of command. My predecessor testified he did not receive it.

II. Preparation

It pains me to say this today, but the intelligence missteps cascaded into inadequate preparation, which placed the health and lives of front-line officers at risk. While front line officers did everything they could that day, the Capitol Police was prepared for a 1st Amendment event, but not adequately prepared for the events January 6th. For example, former Chief Sund noted in his letter to Congressional leadership that he had expedited the delivery of approximately 104 helmets for officers. It was a good decision to expedite the delivery of helmets, but it also raises questions as to why there were not already helmets on hand for officers. Also, if there was a need to expedite the helmets, why wasn’t there a plan for a more hardened posture for the Complex? I support any efforts we can to acquire all the gear our officers need to keep safe – and to be able to keep the gear on-hand - and have expressed this support to the Capitol Police Board.

The inadequate preparation was also displayed by the original perimeter plan presented by the Capitol Police to the Office of the Sergeant at Arms on January 3rd. The original plan focused barriers on Constitution Avenue and First Street consistent with the two previous rallies and did not focus on securing the East and West Fronts of the Capitol. If the intelligence was adequately synthesized, I am sure that the Capitol Police would have operated on a different posture. However, the perimeters that were established were overrun as we saw that on January 6th. This is just one example of the planning being impacted by a lack of adequate intelligence.

Proper planning before an event will provide the needed support to the officers on the line and help to ensure that the event does not turn into crisis. Intelligence cannot solely dictate the posture against security threats. We must also prepare for contingencies. The failure to prepare for contingencies can result in greater difficulty in execution.

III. Communication

The failure of planning illustrated the necessity for high-quality, flexible, and succinct communications during a crisis. There are two areas that I focused on in the prior Appropriations Briefing: 1) Emergency Messaging, and 2) Personnel Accountability.

Our current communications structure is too rigid to appropriately adapt to the numerous crises that unfolded that day—multiple bombs, a breach of the Capitol, and an insurrection. The different crises strained the ability to communicate fast, accurate, and pertinent information. In addition, the sole reliance on pre-worded, generic messaging is not transparent. Originally designed to avoid disseminating incorrect information during an event, the communications did not convey much needed information in an evolving crisis. We also need to rethink the frequency of communication. In the past, we have been criticized for sending too many messages. This may be a fair point when dealing with day-to-day incidents, but not during an extraordinary situation. I have tasked my staff with developing a better system.

We also need to develop a personnel accountability system. Members, staff, and visitors continually traverse the Capitol and the House Office Buildings and find themselves in unfamiliar and unexpected rooms for important meetings. But, in a crisis we need easy ways for individuals to communicate where they are and that they need assistance. During the insurrection on January 6th, there were Members and staff that were trapped in their offices. When my staff was notified, my staff or the Capitol Police, or both together worked to extract the individuals from where they were trapped, but the system was dependent on my staff being notified. We need an easy system for notification and a comprehensive system for dispatch. Future plans involve a technology solution coupled with a systemic solution. Both require the right tuning to ensure that Members and staff can quickly and easily notify the USCP that they need help and USCP can dispatch help.

IV. Path Forward

Security examinations are currently underway to make sure that we are prepared for the next January 6th. Lt. General Russell Honore and his task force have been working to not only examine the security postures on the Hill, but also the security of Members traveling, as well as in their Districts. My office has worked in coordination with General Honore and his team giving him full access to support his critical tasking. This could prove to be a valuable input in how we can better align the Office of the Sergeant at Arms to provide security services to Members.

In the aftermath of January 6th, I know that the Office of the Sergeant at Arms must provide more to Members and staff. The scenes of Members being harassed at airports and on airplanes is disturbing. We must do more to help protect you while you are traveling. So, I have directed my staff, and Gen. Honore's team is reviewing, ways that we can better provide these services to Members and your staff.

These better services will come with an accompanying cost. I am committed to carefully stewarding the funds this subcommittee provides. Funding is an important aspect, but just as important, if not more so, is the right organizational structure. A new look and perspective will help inform my own proposals that this subcommittee will see. There are short, medium, and long-term changes that must occur for Members and staff to be safer.

In addition, I support the necessary infrastructure improvements that are immediately required to harden the buildings and further secure all who come here. I also support the changes that the Capitol Police will propose to its FTE structure, equipment upgrades and investment in its officers. The Capitol Police and the Office of the Sergeant at Arms will evolve to better secure Congress. It will not only take funding, manpower, and training, but also changing organizational structures to ensure that security needs are met. There will be growing pains in calibrating to a new mission and culture, but it is necessary. Other security changes will also allow us to draw down other security measures that we have, such as the temporary fencing and presence of the National Guard. The subcommittee has supported several security initiatives, such as garage security and the new joint audible warning system, in the past and I hope it can count on its support to complete the work we need to do.

I also ask for your support in developing the security culture that is needed on the Hill. My office is developing emergency training for Members on the House Floor. I ask that you attend them and urge your colleagues to do so. I ask that you mandate that your staff take the training my office provides. Training is not a panacea for the challenges we face, but it can help everyone approach trials with preparation.

I also ask for you and your staff's suggestions. We work to support you and keep you safe and we want to provide you the services you need to do that.

Thank you for the opportunity to testify and I welcome your questions.

Mr. RYAN. Thank you, Chief Pittman and Acting Sergeant at Arms Blodgett. We appreciate it.

Chief Pittman, let me start with you. First, let me say thank you to you for—the lines of communication have improved dramatically over the past weeks, and I want to just say thank you to you and your team, Chief Pittman, for making sure you are staying in contact with the committee and the Congress.

I have a couple questions. So you were talking about increasing the size of the dignitary protection, posting dignitary protection agents, extending coverage of the investigations division.

So, when you said you increased the size of dignitary protection, how many people were increased there? How many law enforcement people were increased?

Acting Chief PITTMAN. Yes, sir. Thank you.

So we went from four-man protection details and increased that to six-man protection details.

Mr. RYAN. Okay. So that is—I mean, that is not a significant increase at all when you are talking about, you know, what we went through.

How about some of the other things you mentioned? So you embedded an analyst, deploying countersurveillance agents. So how many countersurveillance agents did you deploy in the morning of the 6th?

Acting Chief PITTMAN. So we deployed all of our countersurveillance agents that we have available to us. We also increased our open-source operations, if you will, to go from a 16-hour day to—we separated our manpower to ensure that we had open-source operations around the clock.

So all of our PSB operators, if you will, which includes dignitary protection, the investigations division, as well as intelligence, were operating on a 24/7 platform.

Mr. RYAN. No, I understand that. And my main point is that this is not in any way a significant increase in the amount of law enforcement that were out there. Moving a detail from four to six, even if you did that multiple times, is not any significant increase.

And I guess the question I have is that, if you felt like and everybody felt like this was adequate, why was Chief Sund trying to press the Sergeant at Arms for more help?

Acting Chief PITTMAN. So let me just be clear. As it relates to dignitary protection, that is just a small portion of U.S. Capitol Police. So there is a limited number of dignitary protection agents that are specially trained in that area. So increasing from a four-person team to a six-person team essentially is all of the dignitary protection agents that U.S. Capitol Police has available to them.

Mr. RYAN. No, I——

Acting Chief PITTMAN. So there was——

Mr. RYAN. I understand——

Acting Chief PITTMAN. So going from that four-person team to six is every person that we have.

As it relates to the operational side of the house, that is where the bulk of the agency is employed, by the Uniform Services Bureau. So that is where the increase came primarily from, as it relates to forming up those civil disturbance units.

So, prior to that January 3 assessment, the operational plan required for four platoons to be activated for the January 6 event. Uniform operations increased that platoon size to maximize its strength to seven platoons. That is essentially every available officer that we have to form up our CDU units. That is 276 officers, approximately, with 40-person platoons each.

Four of those platoons—excuse me—three of those platoons comprise of hard platoons. Those are the officers that you see in the hard turtle gear. And they have extra, if you will, less-than-lethal options available to them as well as tactical gear, sir.

Mr. RYAN. Okay. And I appreciate that. But my point is that, clearly, Chief Sund didn't think that was enough, because he was going to the Sergeant at Arms, Mr. Irving, and saying, "Hey, we need more help." And so he knew—did you feel that same way?

Acting Chief PITTMAN. Yes, sir. So I have an accurate account of the request that Chief Sund made to lean forward as it relates to the National Guard. And I think that is what you are referring to. My team, since January 6, actively pulled all of the cell phone records from Chief Sund, and they show the following:

On January 6, Chief Sund first reached out for National Guard support to the House Sergeant at Arms at 12:58 p.m. He then spoke to the Senate Sergeant at Arms to make the same request for the National Guard at 1:05 p.m. And he repeated his request to the House Sergeant at Arms at 1:28 p.m., speaking again with them at 1:34, 1:39, and 1:45.

Chief Sund spoke to both Sergeant at Arms to request National Guard support—

Mr. RYAN. Now, Chief Pittman, I don't mean to interrupt you, but we are limited on time here a little bit.

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN. I am talking about prior to January 6.

My main point here is that—we appreciate that you increased dignitary protection and the platoons and all the rest. That is still a limited number. I think it is important that the committee and the Congress knows—

Acting Chief PITTMAN. Yes.

Mr. RYAN [continuing].—That that is a very limited number compared to what the threat was and what we think the threat assessment is.

And my question to you is: Chief Sund clearly was worried, and he called Mr. Irving prior to the 6th—

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN [continuing]. And said, "Hey, we need more help." Mr. Irving said, "No. Go ask the National Guard to lean in."

And, quite frankly, I don't even know what "lean in" means, if that is some kind of term that I don't know. But what does "lean in" mean? It means, you know, shut up and don't ask me for any more help, is how I take that.

And my question is—and we have a lot of questions here, but my question is: Were you in agreement with—because you are now the Acting Chief, and part of this enterprise here that we are into is about moving forward. At that time, were you in agreement with Chief Sund that you needed more support, primarily from the National Guard?

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN. Okay. Thank you.

My time is up. And I just want the committee to know, like yesterday, we are going to take a little bit of liberties with the time to make sure that these questions get answered. We have a smaller committee that allows us to maybe do some of that.

So, with that, I am going to yield to Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Acting Sergeant at Arms Blodgett, if we could, and then maybe scale back.

You know, when I talk about communications failures, I am not necessarily talking about, like, the tweets and the texts that came to Members while this was happening. What you and I discussed on the phone and what I think is really important is, I was standing next to officers, both Sergeant at Arms and Capitol Police officers, as the insurrection was happening on the House floor, getting to the House floor. It was very clear that their headpieces, like, the communications pieces, they were getting no actual real communication. They were getting no leadership. They were getting no direction. There was no coordination. And you could see the fear in their eyes. Like, they literally—the brave men and women who were just kind of left out on their own to defend did the best they could with what they had.

You know, there is a video on YouTube where the woman who was shot—there is a time, you know, with different armed forces and different forces coming in from different angles. And it was very clear that the person who shot didn't know that there was a tactical team coming up the stairs. And they all have earpieces in.

So, when I talk about communications failures, I am literally talking about the leadership, no one owning the frequency and giving direction. And that is the thing I want to know. I want to know if you are fixing that.

I mean, it is great that you guys send out text messages when there are, like, you know, closures and things, and that is helpful. But the big communications failure, from my vantage point and when I have talked to other Members, is—I have talked to Representative Markwayne Mullin, who was on the floor helping barricade the door with those officers who had their firearms drawn, and he said he could hear the shouting and the chaos in the earpieces of the officers who were trying to do the defense. So they were on their own.

Are you fixing that?

And please be brief, because I have a couple more questions.

Acting Sergeant at Arms, are you there?

Mr. BLODGETT. I apologize. I was on mute. I have to remember to unmute.

Yes, that is something we need to fix, and we need to fix it immediately.

I believe the Chief acknowledged in her statement—and I don't want to speak for the Acting Chief—but that communication needs to be enhanced, either out of the command center or the incident command post, wherever that is set up, in terms of that.

In terms of the communications with my staff in the Sergeant at Arms, we don't control the Capitol Police radios. While we have the radios and can hear what is or is not going on, we do not interject

during a crisis. We communicate with our staff via cell phone, text message. And we were in close contact.

That situation you discussed where Officer Byrd (ph) was at the door when Ms. Babbitt was shot, it was our Sergeant at Arms employee who rendered the aid to her at that site.

Ms. HERRERA BEUTLER. Can I jump in there?

Mr. BLODGETT. Sure.

Ms. HERRERA BEUTLER. You guys are in charge, though, of the security on the House floor, or are you just there to make sure that we take our coats off when we are on camera?

Mr. BLODGETT. We are there to enforce the rules of the House, to work in conjunction with the Capitol Police to make sure that it is safe. We had staff on the floor and in the galleries as well.

Ms. HERRERA BEUTLER. So can I ask—so, talking about what happened on the floor, when the Senate was evacuated—and maybe this will be a Chief Pittman question.

When the Senate was evacuated, it was several minutes—and I don't have the timeline in front of me—before the House was evacuated. Why were we locked in and left on the House floor when there were known assailants in the building and the Senate was being evacuated? Did we not have a plan for evacuation?

Mr. BLODGETT. Yes, we had—the Office of the Sergeant at Arms put together a plan for evacuating the House floor. The tactical decision to evacuate would be left to the Capitol Police, because at the command center they can see what is going on throughout the campus. We don't have eyes on that.

Ms. HERRERA BEUTLER. Okay. Let me switch over, then, to Chief Pittman.

Chief Pittman, can you speak to the lack of communication to your officers on their radios? And can you also speak to the reason that there was a decent time delay between when the Senate was evacuated and the House was evacuated?

Acting Chief PITTMAN. Yes, ma'am.

So, as it relates to communications, U.S. Capitol Police has practiced routine drills, if you will, for the incident command system since the September 11 incident. On January 6, our incident command protocols were not adhered to as they should have.

Ms. HERRERA BEUTLER. Why?

Acting Chief PITTMAN. Basically—

Ms. HERRERA BEUTLER. Yeah. Tell me in specific.

Acting Chief PITTMAN. Yes, ma'am.

Within an incident command structure, you have operational order, if you will, and it designates who is in charge of what, from your incident person, incident command structure on the ground, as well as a lot of your leadership folks, to include myself and several other—the other deputy chiefs, are posted within the command center.

So you actually have a 1,000-foot view, if you will, and then a boots-on-the-ground view. Those boots-on-the-ground view, the persons in charge of our civil disturbance unit as well as those operational commanders that are in charge of the Capitol, are responsible for that implementation of that incident command system.

So, when there is a breakdown, you look for those commanders with boots on the ground to provide that instruction. That did not

happen primarily because those operational commanders at the time were so overwhelmed. They started to participate and assist the officers with boots on the ground, versus providing that guidance and direction, if you will.

Ms. HERRERA BEUTLER. Can I ask—so are you talking about the officers who were—when you say “boots on the ground,” the guys and gals who were literally defending us against the attackers, are you saying they were responsible for the communications breakdown amongst themselves?

Acting Chief PITTMAN. No, ma’am.

Ms. HERRERA BEUTLER. So I want to know why yourself and the other leaders did not maintain or regain control of the comms system, because you had a bird’s-eye-view advantage.

Acting Chief PITTMAN. Yes. So the expectation is not that those officers would be in charge of the communication, those commanders would be in charge that were directly responsible, that those officers reported to. Because they have the tactical advantage and strategic lens, if you will, with those officers on the ground.

Ms. HERRERA BEUTLER. But you are saying those commanders then somehow—and this is an honest question.

Acting Chief PITTMAN. Yes, ma’am.

Ms. HERRERA BEUTLER. So the commanders failed to regain control of the comms systems and direct the officers who were on the front lines?

Acting Chief PITTMAN. I think it is a multi-tiered failure, if you will—

Ms. HERRERA BEUTLER. Can I, really quick—

Acting Chief PITTMAN. Yes.

Ms. HERRERA BEUTLER. You just raised—this is something I think is really important.

“The U.S. Capitol police union issued an overwhelming no-confidence vote for the force’s top leaders, including acting Chief Yogananda Pittman ‘—yourself—’and a half-dozen other agency leaders.” “Pittman drew a 92 percent no-confidence vote,” with 657 of the 1,050 union members participating in the vote.

The vote is symbolic, obviously; it is not actionable. But, of note, roughly half of the U.S. Capitol Police sworn officers belong to the union.

So I am frustrated that what I am not hearing is, you know, “Hey, I was sitting there watching this with a bird’s-eye view, and I tried to”—like, some—I am hearing a lot of process and a lot of, like, almost explaining why there is a problem, versus hearing how you are going to make sure that there is a command center who speaks into the earpieces of the officers and provides direction and leadership.

Part of the reason there was chaos was because each and every one of these officers, boots on the ground, commander or not, had to make a decision with no information. Like, there was no incoming help, as far as they knew. They had no idea what you guys were doing.

I mean, my hat is off to these brave men and women. They saved our lives. And I am frustrated that I am not hearing, “This is how we are fixing that right now. This is what we are doing.” And that is what I expect.

And I know, Mr. Chairman, my time is up. I will wait for a next round, so I yield back.

Mr. RYAN. Yep. Thank you, Ms. Herrera Beutler.

Just quickly, as a quick followup before we go to Ms. DeLauro, in line with what Ms. Herrera Beutler was just saying, can you give us an explanation, like, about the preparation for January 6? And was there any special training for the officers to have them prepared for this?

Acting Chief PITTMAN. Yes, sir. So a couple points of clarification.

Explaining the incident command structure was just basically to detail what the system was supposed to do. The executive team here has taken a number of proactive steps to ensure that incident command protocols are adhered to in the future.

As it relates to the command staff that are giving directions in the command center, that was forthcoming. I, myself, directed the Capitol lock-down on the day in question.

With that said, there are many more improvements to be made.

As it relates to the vote of no confidence, the numbers are not totally accurate. Thirty-six percent of our sworn population, less than half of available officers that could have voted, said that they vote "no confidence" for the Capitol Police leadership.

With that being said, I think that one vote is one vote too many. February 11, on the day of that vote, marked 1 month and 3 days since I was sworn in as the Acting Chief. Since then, my team and I have been working around the clock and the entire department has been working around the clock, and I think that we have made some very important changes as well as improvements.

We are working on the communications to improve that. We have streamlined a number of items, to include the joint emergency notification messaging system. We have streamlined communications between U.S. Capitol Police and our law enforcement partners. We have also streamlined communications between the upper management and how that information is delivered to the rank and file.

In addition to that, we have increased our wellness resources and the delivery of vaccines to all of our employees.

Obviously, with that vote, we acknowledge that there is more work to be done. I know that because I talk to the officers. I have been here for 20 years, and I have grown up in this agency. Many of those officers are not just my colleagues; those are my friends. And their personal well-being is personal to me.

As it relates to CDU training, all of our officers that are coming out of the training academy receive 40 hours of training as it relates to CDU.

In addition to that, our officers that have specialized training, what we refer to as the hard gear or turtle gear, receive an additional 27 hours of training—or 24 hours of training for them to be trained on special equipment.

So, to answer your question, Mr. Chairman, there absolutely is additional training for those hard platoon CDU officers.

Mr. RYAN. Well, I don't want to take up too much time, and we are going to come back to that. But there wasn't any special training specifically about January 6, to have them prepared for that. You are talking about the standard training that they get, not in

particular for this moment in time with all of the intelligence and everything else that we had. There was no—

Acting Chief PITTMAN. That specialized training carries over with those officers. Those officers train on a routine basis as it relates to hard gear platoons, that they are prepared for civil disturbance riots. So those officers are trained specially for those types of events, yes, sir.

Mr. RYAN. Okay.

Ms. DeLauro.

The CHAIR. Thank you very much, Mr. Chairman.

I would like to direct my attention here, if you will, to the role, the function, the relevance of the Capitol Police Board.

Can you, either or both—both of you, what does the Capitol Police Board do? What is its mission? What is its authority?

Mr. BLODGETT. Thank you, ma'am.

The CHAIR. Somebody?

Mr. BLODGETT. Yes. Yes, thank you, ma'am.

The Capitol Police Board acts as a policy, kind of, board of directors over the Capitol Police. There are some statutory authorities that they do have with vehicle and traffic, and the Capitol Police enforce those on a day-to-day basis. There is obviously the emergency and request for executive branch assistance, protection of leadership overseas, and deployments are just some of the direct statutory inputs that the Capitol Police Board does have.

I see the role of the Capitol Police Board as to provide the policy guidance to the Chief, support the Chief in the needs that she has to both your committees and then, obviously, on the Senate as well, and then to take your concerns with the police and work with the Capitol Police to correct those concerns that you have, as well as personally providing a House perspective to the policing of the grounds.

The CHAIR. And, Chief, what is your view of the role of the Capitol Police Board?

Acting Chief PITTMAN. I am sorry, ma'am. You were breaking up. Could you repeat your question?

The CHAIR. Oh, sure. Your view of the role of the Capitol Police Board.

Acting Chief PITTMAN. Yes. So the Capitol Police Board, in my view, provides direct oversight to the United States Capitol Police. When there are huge or special events that are occurring on the campus, the United States Capitol Police develops an operational plan, and they share those plans with the Capitol Police Board.

As it relates to an intelligence perspective on any types of events, the Capitol Police Board is kept apprised of any of those things as well.

But the Capitol Police Board works in close collaboration, if you will, with the Members of Congress so that they can make their security needs known. And then that information is kind of like a two-way communication. The Capitol Police Board would then share those requirements with the Capitol Police as it relates to security.

The CHAIR. With regard to January 6, was the Capitol Police Board functioning? Did it function? What operational plans were being reviewed? Is it not the fact that, when there was a request

for National Guard, the Capitol Police Board said that the optics wouldn't be good or we don't need this or the request was denied?

There doesn't appear to be—what is its real role? Does it have a role in oversight of the Capitol Police? I know it does a lot of ceremonial things, and I appreciate that. Everybody has to be taken care of. But this board and its—where was the board, and how did it function prior to January 6 and on January 6?

Acting Chief PITTMAN. So, ma'am, if I could answer that question as it relates to Capitol Police, prior to January 6, I think it is important to note that, by statute, in order for U.S. Capitol Police to have the National Guard on its grounds in a law enforcement capacity, the Capitol Police Board must first declare an emergency. So, in order for us to—

The CHAIR. The Capitol Police, your responsibility was to declare an emergency before the Capitol Police Board could respond?

Acting Chief PITTMAN. No, ma'am.

The CHAIR. No? Okay. Help me.

Acting Chief PITTMAN. So, by statute, in order for the U.S. Capitol Police to have the National Guard on our grounds, the Capitol Police Board must declare an emergency—

The CHAIR. The board has to?

Acting Chief PITTMAN. Yes, ma'am.

The CHAIR. Was there any emergency declared either prior to, with intelligence information that determined that they were coming for the Congress, and, quite frankly, in the midst—what—where were they? Where was this board prior to and during this insurrection?

Acting Chief PITTMAN. Yes, ma'am. So it is my understanding that Chief Sund did make the request to the Capitol Police Board to declare an emergency—

The CHAIR. When?

Acting Chief PITTMAN [continuing]. So that—

The CHAIR. When?

Acting Chief PITTMAN. Prior to January 6.

The CHAIR. Prior to January 6.

Acting Chief PITTMAN. Yes.

The CHAIR. And the response from the Capitol Police Board was—

Acting Chief PITTMAN. Was that this request was denied.

The CHAIR. Right.

And the issue was—and I don't have all of my quotes in front of me here—but that it was the optics of the National Guard being on the complex that was the concern?

Acting Chief PITTMAN. Ma'am, I don't have—I was not privy firsthand to those conversations—

The CHAIR. Okay. Fine. Got you.

Acting Chief PITTMAN [continuing]. To say whether or not they said optics. But I know the request was denied.

The CHAIR. The request was denied. The request was made prior to January 6 that we have National Guard on the premises, and that request was denied by this board.

And it would appear that this board has—I can't get a delineation, and we will find it, of where its authority begins, where it de-

rives from, what it is. And does it rule by fiat? They make a decision and it occurs?

Mr. Blodgett

Mr. BLODGETT. Ma'am, I believe that—

The CHAIR. You are on the board.

Mr. BLODGETT. Yes. I am currently on the board, yes. I was not on the board on January 6.

However, my understanding is it was brought up at the December board meeting—I would have to go back and check—that Chief Sund brought up the National Guard to Mr. Irving on the 4th. Mr. Irving, I believe, testified the other day that he did not take that to be an ask for an emergency declaration. He talked to Mr. Stenger. I do not believe that the Chief ever spoke to the Architect of the Capitol prior to that. I believe that is what Mr. Blanton testified to yesterday, who was also on the board. So the ask would have to come from all three.

The Capitol Police Board issued a verbal declaration of emergency to give authority to National Guard deployment on 2:10 on the 6th.

Mr. RYAN. Rosa, if I could just—

The CHAIR. Please. Go ahead.

Mr. RYAN. Rosa, if I could just follow up here, because I—

The CHAIR. This board seems to be obsolete.

Mr. RYAN. Yes.

The CHAIR. This board seems to be nonfunctioning.

Mr. RYAN. And I think we are getting to the point here.

So, whether it is Tim or Chief Pittman, it sounds like there was an official denial in the December meeting for the emergency order?

Mr. BLODGETT. No, no. I apologize. The demonstrations were discussed. There was no request at that time for an order that I recall.

Mr. RYAN. There was no request [Inaudible]. And there was never a vote by the board. And I think this is what is really important about getting to the bottom of this.

So it sounds like Mr. Irving was taking all of the authority that the board should have had and was basically denying Chief Sund's request without even bringing it to the board.

So that brings up two questions that this committee has, that I think a lot of us have, is that, who the hell gave Mr. Irving the authority to not bring requests by the Chief of the Capitol Police who wants more help?

Mr. Irving makes a decision, a unanimous decision, all by himself, to deny that request, and then to go say, tell the National Guard to lean in. That is problem number one.

And problem number two is, why didn't Chief Sund push back and demand—I think this is a question for all of us—and demand that he brings that to the board for a vote? So now you bring in the Architect of the Capitol. You maybe build an ally to help make this happen.

So it sounds like, Chairwoman DeLauro, that the Sergeant at Arms took the liberty of making this decision without bringing it to the full board.

Mr. BLODGETT. Sir, if I may, I don't think that Mr.—I can't speak for Mr. Irving, but he did testify that he did not take that January

4 conversation with Chief Sund as an ask for an emergency declaration.

But you have hit on a historical tension on the board. There was a report in 2002 from GAO and a subsequent report to Congress by the board at that time in 2003 which talks about, you know, emergencies and the board and how the structures need to be tightened and they need to be forward thinking.

And I am happy to provide that report to the committee as well. But it sums up the tension and it talks about some of the issues that you raised.

Mr. RYAN. Chairwoman DeLauro, do you have any further questions?

The CHAIR [inaudible]. It is critical. Whether it needs to be revamped, what kind of authority does it have. At the moment I view it as a vestigial—it is just there. It doesn't appear to do a hell of a lot nor did it do a hell of a lot to deal with this situation on January 6.

It is like your appendix. It is just there. It doesn't have any real function.

So the question is the photos of—footage of Capitol Police posing for photos with insurrectionists. There are ongoing investigations, is what my understanding is. How many officers are under investigation? What is the rationale? When will the investigation be concluded? When can we get a report?

Acting Chief PITTMAN. Yes, ma'am.

So right now we have 35 officers that are under investigation, and we do have 6 police officers that have been suspended with their police powers being revoked. So those investigations are ongoing at this time.

The CHAIR. What was the rationale—what is the rationale for the investigation? I mean, on what premise are you investigating them?

Acting Chief PITTMAN. Yes, ma'am.

If there is an allegation of misconduct, Capitol Police has what is called a rules of conduct, and it is basically a code of conduct that governs our behavior as police officers. If there is a violation of that rules of conduct based on those violations we make decisions to investigate those officers and proceed accordingly if discipline is warranted.

The CHAIR. When is the investigation going to be concluded? When can we get a report? The investigation is going to be concluded when?

Acting Chief PITTMAN. The investigations are concluded based on typically a 60- to 90-day scale.

The CHAIR. No, no—okay. Okay.

Acting Chief PITTMAN. Yes, ma'am. And as soon as we have that information, we will report it out.

The CHAIR. Okay. Thank you, Mr. Chairman. Thank you for indulging me the time for going over.

Mr. RYAN. Yes, of course.

Ms. Granger.

Ms. GRANGER. Thank you.

What I am seeing is—what I was hoping to hear are important changes and lessons learned and where we go from here.

What I am hearing is the same old stuff and pointing fingers and it looks like protecting jobs. And having faced something as serious as we faced and know that this could happen again, this is very, very disappointing at the least and frightening at the most.

And it seems as if, particularly in the communication in the days leading up to the 6th or whatever, then we have a system that failed at every level.

And even at the time when we were seeing very, very serious, dangerous things happening and we were watching—or participating in the case of Members of Congress—I think that this has to be looked at and go back and have proof of the communication and then why in the world could action not be taken at that time, when there was time to do something.

I would also like, having sat through another meeting where we listened to testimony, I would like the testimony at the other proceedings of the Acting Chief and the testimony today in a comparison of how the explanations have changed.

I think we have got a lot of work to do on this committee, but I think we have to start with looking at the system and saying what should happen and who should have the authority to say, yes, we must have extra help right now, immediately, or, no, can say, no, you can't have that, because that happened all up and down and I think we really need to understand that before we meet again.

Thank you. No more questions.

Mr. BLODGETT. Ma'am, I agree that there needs to be more robust communication, both leading up to an event as well as during an event.

As we move into the communication realm, we tend to send out very short, concise, nontransparent messaging for fear of sending out incorrect messaging. That was something that was obviously apparent on the 6th, and that needs to change.

And I talked about that at the Appropriations briefing and I have asked my staff to work on that, because in a big event like that we have to give you more information, not less.

The canned messaging may be good if there is a barrier that doesn't go down and you need to go in through another entrance, but not when it is a considerable life safety event. You need to have the information available to be able to make the best decision to protect yourself, and I agree with you that that needs to be looked at and corrected.

Ms. GRANGER. In my situation—in some situations the—I know in my situation I was at Hill House and I was quarantining, so we were, of course, under threat of a bomb. So we ran out in the street.

And then what happens out in the street, I had a situation where a police officer recognized me and said, "Where can you go to be safe?" And I couldn't go back to where I lived. So he helped me get to where my office was.

We got inside the building, but the security person said, "No, she is not allowed to go in her own office and be locked in her office to stay safe."

So there is a communication problem from the lowest level to the top level of what is important, what is immediate, and who has the authority.

Acting Chief PITTMAN. Yes, ma'am, I agree.

Capitol Police is acknowledging that there are numerous lessons to be learned from the top down. We are leaning forward. We are actively working with the task force that the Speaker has at the request of Lieutenant General Russel Honore. So we are leaning forward with those recommendations, really conducting several assessments from the Office of the Inspector General, our own internal assessments.

But really acknowledging what can we do in the short term to acknowledge those failures and make sure that those things don't happen again and then leaning forward to say what are those long-term projections that we can implement over time as it relates to training, policies and procedures, equipment, and things of that nature.

We put a number of requests in the fiscal year 2022 budget so that we can ensure that our officers have the proper tools and resources needed so that something like January 6 never happens again.

We are leaning forward to improve our communications, not only internally with our officers and leadership, we have also leaned forward—and I think that Mr. Blodgett and I recognize the failures of the previous Capitol Police Board as it relates to communications and we have a robust communications. Tim and I talk daily, multiple times a day.

So we acknowledge that there are a lot of things that should have been done differently. But this is an opportunity for us to make change, and we are making that happen.

Mr. RYAN. Thanks, Ms. Granger.

I mean, that is the question, Chief Pittman, that I was getting to about the training and particular training.

Now, here you have the ranking member of the Appropriations Committee and the officers weren't properly trained to be able to even know where to take her in that situation, and we find that unacceptable.

Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

And thanks to both of our witnesses and in particular to Acting Chief Pittman.

I want to thank your department and you for the valiant efforts to protect us, the Capitol, and our democracy during the January 6 insurrection and also for the work you do every single day.

And on a personal note, I want to thank you and your department for the recent efforts to bring to justice an individual who threatened me and my staff.

But if we are going to ensure the safety of the Capitol and our democracy going forward, we must get to the truth and a complete understanding of what took place.

My goal is to honor those officers who gave their lives, to honor everyone who was injured, terrorized, and traumatized. And I cannot get past a glaring discrepancy between intelligence received and preparation.

So I want to start with the Special Assessment of January 3.

You testify in writing that the U.S. Capitol Police were aware that there were militia members, White supremacists, and other extremist groups who were coming to DC on January 6, that they were armed, that they were targeting Congress and the joint session certification process, and that they were motivated by seeing this as the last opportunity to, quote, “overturn the election.”

That is some “who, what, when, why” listing. And you testified that this Special Assessment was widely distributed through the U.S. Capitol Police and to the Sergeant at Arms, including that there was responsibility of sergeants and lieutenants to ensure that the rank and file got this vital information. Is that correct?

Acting Chief PITTMAN. Yes. That is correct.

Ms. CLARK. You also testified that this Special Assessment was discussed at the January 4 multi-agency meeting. Is that correct?

Acting Chief PITTMAN. Yes. That is correct.

Ms. CLARK. And, again, it was brought up on January 5. Is that correct?

Acting Chief PITTMAN. Yes. That is correct.

Ms. CLARK. Mr. Blodgett testifies that on January 4, January 5, January 6 the U.S. Capitol Police listed the probability of civil disobedience as, quote, “remote, highly improbable, or improbable.”

Your own testimony today says that that January 3 assessment, quote, “foretold of a significant likelihood for violence on the Capitol Grounds.”

How do you rectify these two polar opposite analyses of the likelihood of violence?

Acting Chief PITTMAN. Yes. So those documents that you are reading from that state that some groups were going to be improbable or less likely to incite violence is not even an assessment. It is a document that is provided by one analyst.

So, for example, there are several, there are hundreds of documents that are combed through by our task force agents. We receive information through open source and from a number of sources, that we have analysts that comb through that information to put together the assessment.

So if I could explain it as being tiered, the Special Assessment is the highest tier of assessment rating. That is the document that you are going—that we are going to use as a department to make operational plans for any type of demonstration.

Ms. CLARK. So let me follow up on that.

So your testimony is that to make operational plans, you were going with this assessment that you had that there were armed militia members coming, targeting Congress, and that was a significant likelihood of violence. That was your position.

Acting Chief PITTMAN. Yes.

Ms. CLARK. Okay. On January 5, the Norfolk FBI sends intelligence that says, in part, comments picked up online that Congress needs to hear glass breaking and doors being kicked in, blood from their BLM and Antifa soldiers being spilled, that there were maps being shared of the Capitol tunnels and facilities, and rallying points for groups traveling to D.C.

It is disputed who saw this report, but you do not dispute that it was received by the U.S. Capitol Police. Is that correct?

Acting Chief PITTMAN. Yes, ma'am. And if I could just follow up with some additional on that Norfolk document.

That document was sent the evening of January 5. We know that it was received by task force agents with U.S. Capitol Police.

But I think that to put it in its proper context, that FBI document also stated that this is an information report, not finally evaluated intelligence. It was being shared for informational purposes but has not been fully evaluated, integrated with other information, interpreted, or analyzed. Receiving agencies are requested not to take action based on this raw reporting.

So I think that I would consider that an additional document that would feed into the assessment that was consistent what Capitol Police already knew. We knew the White supremacist groups and militia groups were coming, and we did anticipate those groups being violent.

Ms. CLARK. In fact, you said there was a significant likelihood and you had already looped that into the fact that this was going to be different and targeted at Congress and at interrupting the electoral college process.

So now we have some disagreement about whether Chief Sund actually asked for a declaration of a state of emergency. Mr. Blodgett says his understanding from the former Sergeant at Arms, Irving, that he says this never happened.

But, boy, does this look like we have a violent situation brewing. And you sent counterintelligence officers to the rally that day. You must have seen the crowds that were gathering. You must have been gathering that intelligence back. That is in your testimony.

Yet still we come down to this failure to be ready, that there is, you know, 140 helmets that are ordered, maybe 126 National Guard might be able to come help, when we are at a significant likelihood of attacks. And however we tier that FBI report, it fed right into what you knew already.

So my question is in the end of this—and I see that I am out of time—we had White supremacy that is fueling the violence, White supremacy that fueled the big lie about our elections.

Do you believe that institutional racism, that a culture of White supremacy—and I am not saying any specific person or one action—do you believe that played a role in the discrepancy between the intelligence received, the assessment of the likelihood of violence, and the preparation that left our officers really at the mercy of the mob?

Acting Chief PITTMAN. So as the first Black and female chief of this department, I take any allegation of inequitable policing extremely seriously. I can assure that you under my command the USCP will continue to police equitably.

With that said, I have no evidence whatsoever that suggests that there was any discrepancy based on our security posture and as it relates to making enhancements or not based upon race.

Ms. CLARK. Do you believe that part of us moving forward on this—there are many things we have to do, technical and otherwise.

But how are you going to plan in this new position, with the morale being so low, and especially for those people of color in, you know, our Capitol community on your force who see all of this

through a very different lens and life experience, how are you going to address this and get to addressing institutional racism that exists in every institution we have here at the Capitol Police to ensure that this does not play a role in the decisions that we make?

Acting Chief PITTMAN. Absolutely.

As the granddaughter of civil rights activists, a proud graduate of an HBCU university, and the mother of two African-American sons, I know all too well about the differences as it relates to policing and institutional racism.

After the Black Lives Matter movement during the summer, I spearheaded townhall meetings for the first time at U.S. Capitol Police where I provided a platform for officers to express their concerns with law enforcement as it relates to race. We brought in speakers, chiefs from all over the country, and we provided an opportunity for officers to speak freely so that we could address some of those morale issues that occurred after the Black Lives Matter movement.

I am proud to say that from those townhalls we were able to identify themes, working with our training services division, as well as the employment assistance program, to ensure that our officers have the tools and resources that they need to address things like institutional racism.

We will be leaning forward with the executive team to continue to ensure that our officers remain trained up on things such as unconscious bias, implicit bias. But we will also be providing new platforms to address those themes that were identified in October of 2020, last year, as it relates to policing and institutional racism.

Mr. RYAN. Thank you, Chief Pittman.

Thank you, Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

Mr. RYAN. Mr. Amodei.

Mr. AMODEI. Hey, Mr. Chairman. Thanks.

I want to start with Tim Blodgett.

Tim, are you there?

Mr. BLODGETT. Yeah, I am here, sir.

Mr. AMODEI. Hey, listen, first things first, before we move into where we are going from here, because there are plenty of people paying attention to the 6th and I get that and I appreciate that, but in the background of your shot you have a Buffalo Bills helmet.

And I am just telling—I am not giving you political advice. I am just saying, quite frankly, the committee chairman is from the State of Ohio and I don't think they play there.

If you need something, try this book that the chairman wrote. It is not a page-turner, but the chairman did write it. So as we go forward, just a thought.

Now let's go to the topic at hand, huh? Hey, I want to concentrate on where we are heading as a result of lessons learned from this. And the first thing I would like to do is, I hope that as we are looking about security examinations and going forward, that we are taking a holistic look.

And so I want your response to this, which is, listen, I know equipment is part of it, I know procedures are part of it.

Chief, this applies to your folks, too.

I know training is part of it. I know communication is part of it. I know standard operating procedures in the future are part of it.

I want your response to, as we decide what role barriers play—and in case anybody is missing it, it is temporary prison fences with razor wire—that we can mold all this stuff together and say, in a holistic way, okay, so barriers play a part of it, but we don't want the maximum barrier, you know, like we are not doing other stuff. It is, like, let's take a look at what our posture is in terms of how we operate, how we train, how we talk with the National Guard, how we whatever.

And so I would like, if it is possible, to have you put something on the record that, as we talk about what the holistic way to go is, that we evaluate all these tools at our disposal in a lessons learned sense and don't just go back to we want to do the maximum of everything.

And the first thing is, it is kind of like working in a minimum security prison right now. And I am not trying to be judgmental on anybody. I am just saying, quite frankly, fences and razor wire are—and by the way, the Architect of the Capitol should be involved. But, I mean, in terms of placements and effectiveness as opposed to stark, visual sadness.

So, holistic approach, what do you think, Mr. Sergeant at Arms?

Mr. BLODGETT. I agree there has to be a holistic approach, sir. The General Honore study, as well as studies that Security Services Bureau is doing, and any that the Architect may do at some point will take into account the security hardening that has to come around the campus, look to a future state. By future state I don't mean looking at necessarily barriers, but what new technology can we implement to keep the openness of the Capitol.

The Chief has a plan for—to attempt to draw down the Guard, the wire, and the fencing. It won't be as fast as some people want and it will be longer than other people want.

But we will be working with the committee and leadership on that, as well as any structural items that have to be done, especially the big-ticket structural items. Your committee is going to be fully engaged and your staff. So, we are going to be looking to you, too.

Mr. AMODEI. And I appreciate that, too. So expect that to be a continuing line of questioning in terms of transitioning away from the penal institution look for the Nation's Capitol campus.

I am not putting that at anybody's doorstep. I am just saying, as we get farther away, we should be able to transition to something that once again is nonpenal.

Chief, a couple of things for you.

First of all, I am going to ask you this question. I don't expect you to have the answer right off the top. So you can just return to us and the other members of the committee.

But I was listening to your testimony and you said tens of thousands. And I am looking at the documents available to me and I know that there were approximately 30,000 at the rally and that DOJ has estimated approximately 800 people entered the building.

I would just like to know what the source for the data, unless I misunderstood you, that the statement that there were tens of thousands of people, and obviously, I am talking about the Capitol.

And so maybe I am wrong, but I was unaware of the fact. When you say tens of thousands of people, that means 20,000 or more to me that were basically outside the Capitol, north, south, east, or west. And so I would just like you to get back with us and give us the authority for that statement.

Along those same lines, when you said you had all of your surveillance people deployed, I want to know what that number was. And so that is fine for online.

For purposes of my limited time today, there are some pedestrian issues that are current. And I will give you an example of the one at I think it is C Street and behind Cannon right there by the Madison Building where the fencing has been deployed in a way that for pedestrian people that are entering that after being screened, they basically put the fence all over the sidewalk. So you either have to traipse through a flower bed or kind of see how you can shimmy through on that.

So I would appreciate it if there is someone our office could contact for purposes of fencing placement and just walk the perimeter so that if it is something where it can be relocated so sidewalks are actually conducive to pedestrian traffic for those who are cleared to enter the campus, that that can actually take place.

Mr. BLODGETT. Sir, I believe we have opened up some pedestrian accesses as of this morning based on some feedback we heard yesterday. So if it hasn't been opened, please let us know and we will look into that.

Mr. AMODEI. Well, don't misunderstand me. It is open. You just have to be able to walk through a flower bed to use the access point. And, by the way, that is the Metro access, which has always been open.

It is unacceptable that you have people queuing up to get through a gate for pedestrian access but the fence has rendered pedestrian access difficult, to be generous.

Mr. BLODGETT. We will take a look at that, sir. Thank you.

Mr. AMODEI. Okay.

And then finally I would like to know—that is not you, that is the Chief and you.

But finally I would like to get a briefing a little later on what the coordination is between both of your offices and the AOC in terms of fence design, evaluating the proper places for whatever those barriers are as we go forward.

And, listen, I am not suggesting an answer. I just want to know that issue is being worked as opposed to, yeah, yeah, we will get that later on.

And the final one that I want offline is this. Who has operational control over the National Guard troops on the Capitol campus right now?

For example, if there is an incident at that area where I told you that the gate where the sidewalk is, it is like so, if something happens there and we have got an incident and stuff is going, who is in charge? How do they handle that, at least in the first 30 minutes?

I am hoping that the communication issues that we have been hearing about are not communications issues in terms of using

those resources in, quite frankly, a coordinated chain of command if something pops up.

And I will take all those offline later on. I am mindful of your time, Mr. Chairman.

Thank you, and I yield back.

Mr. RYAN. Thank you, Mr. Amodei.

I would like to just kind of follow up and ask Chief Pittman if she could answer the question about the tens of thousands of insurrectionists, what that exact number was of people on the Capitol complex that were pushing through to get to the Capitol.

If you could get us that—do you have that number handy, Chief?

Acting Chief PITTMAN. Yes, I do.

So we base that number off the numbers that were screened down at the Ellipse from the Secret Service. We know that they screened over 15,000. I believe that number was closer to 20,000. And there were 15,000, approximately, that were outside of the Ellipse that were unscreened. We know that those groups left there from our camera footage and came to Capitol Hill.

So that is where those numbers are primarily based off of. We know what they were able to screen down at the Ellipse.

And then as it relates, a couple of follow-up, if I may, sir.

First and foremost, there was a question previously as it relates to evacuation routes. So I am willing to provide that. I know that some of that information is sensitive, if not classified, if you will. So I would like to provide a follow-up answer as it relates to why we evacuated some of the Chambers in the manner that we did.

As it relates to infrastructure, we are actively working, as I said, with the task force. And I know that I speak for everyone here in the leadership when it comes to the fencing that is surrounding the campus, as well as the National Guard. We have no intention of keeping the National Guard soldiers or that fencing any longer than what is actually needed.

We are actively working with a scaled-down approach so that we can make sure that we address three primary variables. One is the known threat to the environment. Two is the infrastructure vulnerabilities. And then that third variable being the limitations that U.S. Capitol Police knows that it has as it relates to human capital and technology resources. So we are actively addressing those.

If I may just add one more point. With that said, we know that the insurrectionists that attacked the Capitol weren't only interested in attacking Members of Congress and officers. They wanted to send a symbolic message to the Nation as who was in charge of that legislative process.

We know that members of the militia groups that were present on January 6 have stated their desires that they want to blow up the Capitol and kill as many Members as possible with a direct nexus to the State of the Union, which we know that date has not been identified.

So based on that information, we think that it is prudent that Capitol Police maintain its enhanced and robust security posture until we address those vulnerabilities going forward.

Sir, as it relates to the fencing and the problems with the pedestrian access, I will reach out to your office today and make sure

that I will lean forward by taking action, working with the House Sergeant at Arms, to ensure that pedestrian and staff that need to traverse the grounds are able to do so in a safe and efficient manner.

And one more side note for the chairman. You said that you were from the great State of Ohio, and we gave Mr. Blodgett a hard time about his Bills. I can tell you that my husband is from the great State of Alabama. And we are avid Roll Tide, Crimson Tide, national champions and fans. So I just had to put that plug in there for my Roll Tide fans on the call. Thank you, sir.

Mr. RYAN. Thanks, Chief. That will get you nowhere with me, I will tell you right out of the gate, as an Ohio State Buckeye.

If you could, Chief, again—Mr. Case is next. Just let me slide this in because I think Mr. Amodei's questions were important. What was the number outside the Capitol? We know that it was 15,000 maybe plus at the Ellipse. How many made their way down to the Capitol at the bike fencing right after that?

Acting Chief PITTMAN. We don't have an exact number. Like we didn't implement screening that day like Service. But based on the estimates that we saw from our TV camera, we could tell approximately who was coming from the Ellipse to the Capitol grounds. So we know that there were excess of 10,000 demonstrators that traversed the campus on January 6.

Mr. RYAN. So you think it was 10,000 that came to the Capitol, left the Ellipse, walked down to the Capitol, and then forced their way in.

Acting Chief PITTMAN. I think that we were well in excess of 10,000 that traversed the grounds. But as far as the number that actually came into the building, we estimate that that was approximately 800 demonstrators.

Mr. RYAN. Okay. Well, that brings about a lot of questions around use of force and other things.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

Mr. Blodgett, Chief Pittman, I want to go back to a line of questioning that I pursued yesterday with the Architect of the Capitol. And the gist of that is, how do we best figure out what happened, why it happened, and how to move forward?

The observation that I have is that we need some independent, objective, outside review and advice. I think even the best of us in circumstances such as this are hard-pressed to evaluate ourselves, to evaluate where we ourselves made mistakes.

Chief Pittman, you were there at the time, so you are not objective in that sense. And you may have done everything exactly right, but the issue is that you were part of it. And so, therefore, the question is, how can we get to the right overall answers?

And so in that spirit what I would like to ask is, first of all, just for clarification, exactly what investigations of any kind do you know are underway right now, aside from obviously the oversight function of Congress itself, including this subcommittee?

My understanding is that we basically have at least three that I know of.

The first, of course, is the General Honore study, which is focused on the physical security of the Capitol complex.

The second is the Architect of the Capitol, which is similarly focused on physical security in which he at least has some outside input through the U.S. Army Corps of Engineers and their area of expertise.

I also believe, Chief Pittman, that you have referred to an internal U.S. Capitol Police review. And so I will just go with you, Chief.

First of all, is that correct? Do you have your own review underway?

And are either of you aware of any other, more formal active reviews?

Acting Chief PITTMAN. Yes, sir.

So Capitol Police does house what we call the Security Services Bureau. It is primarily responsible for securing national security documents, as well as our physical security implementation of equipment and/or procedures.

So Security Services Bureau is conducting an internal assessment. The Office of the Inspector General is also conducting an assessment. That would be considered external to Capitol Police.

You already mentioned the task force that is being led by General Honore. They are conducting an assessment primarily as it relates to infrastructure, as well as some of our policies and procedures.

And then, lastly, the GAO is also conducting an assessment of the January 6 event.

Mr. CASE. Okay. So let me just go to those.

So when you refer to the Office of the Inspector General, just for my own clarification, what are you referring to there? That is not the GAO. It is who?

Acting Chief PITTMAN. Yes. So the Office of Inspector General is independent of Capitol Police. They provide oversight typically to the Capitol Police Board and some of our appropriators as to the operations, if you will, to Capitol Police.

They not only do this for incidents like the January 6 event, this is an ongoing independent review that is routinely analyzing Capitol Police's policies and procedures.

And then, once they make those analyzations, they then turn that information over to the board and make recommendations that Capitol Police must adhere to, to ensure that we are adhering to the best practices for a Federal agency.

And I would just turn it over to Mr. Blodgett in case he has any additional as it relates to the OIG.

Mr. BLODGETT. Thank you, Chief.

The inspector general is going through and investigating various points along the January 6 timeframe, the different units, and will be coming out with a series of reports on that.

Other than the reviews that the Chief has spoken of, I am unaware of any other independent review, other than the criminal cases that are going on.

Mr. CASE. Well, there is certainly the overall review by the FBI, which we haven't really made reference to, but, obviously, that is underway.

So going back to the question of adequate independent, objective review and advice, you know, it strikes me that the physical infrastructure side of this, that is a very difficult question with a lot of

difficult decisions to be made at the end of the day. But it is more about a physical structure to protect the Capitol and its inhabitants.

What we are really at in these hearings, I think, far more is the organizational structure of the Capitol, whether that structure worked, which I think we all have concluded it didn't, whether the failures were failures of people under difficult circumstances or failures of systems or exactly where those failures occurred, and how can we correct for those to ensure that they don't get repeated.

And so, Chief Pittman—and I would also observe the Architect of the Capitol yesterday observed the possibility of engaging other parts of our Federal Government who have dealt with similar crisis management situations and have come up with their own best practices. For example, the Architect mentioned the Department of Defense, also the Secret Service.

Chief Pittman, I have got ask you pretty straight, because I am concerned about your objectivity, not you personally, Chief, but somebody in your situation who, again, was, you know, there, have the responsibility and obligation and, as you said, friendship with many of your colleagues.

I am concerned about the ability in that context to develop that kind of independent, objective review that I think any of us would want. I mean, it would be comparable to asking a Member of Congress to investigate and conclude ethics investigations against him or her. So that just doesn't happen, right?

So what do you think? Do you think that we have the right processes in place to get to the bottom of this and to make the corrective judgments that we have to make going forward? Do you see a need for any further review or structure, or what do you think about the possibilities of the DOD and/or the Secret Service or some other structure?

I think I would add to that—excuse me, Chair—I would add to that that Mr. Amodei's line of questioning was resonant with me in terms of looking at a more holistic view of this, meaning an across-the-board review, where we are not thinking in terms of stovepipes.

My observation here is that there is a lot of stovepiping going on and not a whole bunch of communication across the board, and that structure broke down. And in that way it is not all that dissimilar to some of the critical and tragic, in retrospect, mistakes in systems that occurred around 9/11.

So how do we crack through all of this, Chief? What is your thought on it?

Acting Chief PITTMAN. Yes. So I know that there are the three independent after-action reviews, if you will, in addition to U.S. Capitol Police's internal assessment by the groups that I identified.

It is also my understanding that at the Speaker's request there is going to be a 9/11-style commission, if you will, similar to what occurred after the 9/11, September 11, attacks.

So I believe that those groups of independent evaluators will come in and advise things that we can do in addition to what the external evaluators will provide as well.

So I think that is going to be key and prudent going forward, soliciting those from outside of even the organizations that we have

named, that would come in and provide that independent assessment and review to state how we would go forward, particularly in the long term.

Mr. CASE. Thank you, Chair.

Mr. RYAN. Thank you, Chief.

Thanks, Mr. Case.

Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman.

I appreciate both of you being here with us this morning.

Kind of along the same lines as Mr. Case's questions, both of you are members of the Capitol Police Board where—you weren't at the time of January 6, but, as the structure is, your positions are. And you receive information from different agencies about threats to the Capitol, et cetera. We have heard that process.

We learned earlier this week from testimony given in the Senate that the Capitol Police Board did not receive an FBI threat report warning that there were people traveling to Washington to commit acts of violence.

Ms. Pittman, you on January 6 were the Assistant Chief of Police of the Department of Protective and Intelligence Operations. I hope I have that title correct. This morning I believe I heard you say that the Capitol Police did, in fact, receive this said report on January 5.

So, I guess, kind of like I said, along the lines of Mr. Case's questioning, tell me what should have happened or what you did to make sure the police board got that very important information. Or they say they didn't. So why didn't they, and what happened? What broke down to where a critical piece of intelligence was not shared with the decisionmakers that maybe could have allowed a better preparation prior to January 6?

Acting Chief PITTMAN. Yes, sir.

So that FBI document that was shared on the evening of the 5th, it was shared with task force agents that are embedded from Capitol Police with the FBI.

They, in turn, sent that email that they received to a lieutenant within the Protective and Intelligence Operations side of the House. That information was not then forwarded any further up the chain.

So that is a lessons learned for U.S. Capitol Police. And I have put in corrective measures to ensure that going forward information is shared in a timely fashion and it is shared appropriately going up the chain of command.

With that said, we do not believe that based on the information in that document we would have changed our posture per se. The information that was shared was very similar to what U.S. Capitol Police already had in terms of the militia groups, the White supremacist groups, as well as the extremists that were going to participate in acts of violence and potentially be harmed—armed, I should say—on the campus.

So moving forward, we have put in corrective internal controls to ensure that information is shared in a timely fashion, because we understand that that was a breakdown in communication. We own that and we have taken protective—corrective measures to change that going forward.

Mr. NEWHOUSE. But you just said, if I understood you, that even if it had moved up the chain, you wouldn't have done anything different.

Acting Chief PITTMAN. That is correct, sir. We do not believe that that document in and of itself would have changed our posture. We believe it was consistent with the information and intelligence that we already had, that those groups were going to be violent and they were expected to participate in unlawful activity on the campus.

The one thing that we were already leaning forward and asking for was additional resources as it relates to the request for the National Guard. That request at that time had already been denied. And we made that request repeatedly after January 5, to include several more denials before the National Guard were actually on campus. So that would be the request that we did make after the fact.

Mr. NEWHOUSE. Well, I appreciate that.

Mr. Chairman, would it be proper to ask for the committee to be able to see firsthand copies of some of these reports that are being referred to? That would give us better information and context as to what they were seeing.

Mr. RYAN. Yes, absolutely.

Mr. NEWHOUSE. Okay.

One more question. I know my time is running short, but I appreciate your indulgence, Mr. Chairman.

While I was on the floor of the House as the building was being broken into, my staff was in Cannon, in my office in the Cannon Building, and at that time there was a pipe bomb that had been discovered near the Cannon Building. So we received—but let me just try to recount that day as accurately as I can.

My staff received an emergency notification from the Capitol Police about an evacuation of the Madison Building. I believe that was at 1:10 p.m. The next communication that they received from the Capitol Police were officers running down the hallway, banging on doors, and yelling to people to evacuate immediately, not identifying themselves. So there was a little bit of vagueness as who was telling people to come out of their offices.

And then it wasn't until nearly 15 minutes later, after they had evacuated, that they received official notification about the evacuation of the Cannon Building. That was at 1:23.

So, I guess, as an Appropriations Committee, my question has to do with, despite substantial resources that we have appropriated to your department, at the request, obviously, of your predecessors, the emergency notification system seems to continue to have issues.

And so, Madam Pittman, I would just like to ask the question, under your management now, what kind of changes are you looking at to rectify the notification system?

Acting Chief PITTMAN. Sorry. I was having a little trouble with the mute button.

Yes, sir. So we have made a number of changes going forward as it relates to our communications, one primarily being those canned messages that the department refers to in our Joint Emer-

gency Mass Notification System. I believe that Mr. Blodgett referred it to earlier as well.

We understand that those pre-prepared messages, if you will, do not give the congressional community in times of critical incidents enough information to proceed accordingly on the campus. So we are working with our Command Center staff to make sure that they are not just pushing out those pre-prepared messages, but actually providing more accurate, timely information to the community.

We are also leaning forward, working with our law enforcement partners, as well as community partners like D.C. HSEMA, to make sure that our community notifications and improvements are coming from the U.S. Capitol Police's Command Center.

We have also implemented several daily calls as it relates to intelligence and the information that we are able to share in a timely fashion by embedding not only our agents and some of the known law enforcement leaders as it relates to intelligence—for example, the FBI—but we also have the law enforcement intelligence leaders embedded now here at Capitol Police. We believe that that will help to streamline the relaying of that information.

And also to piggyback just on one of your other questions as it relates to the FBI document, and it ties right into how we are streamlining communications, the FBI already has a Joint Terrorism Task Force executive committee, if you will, that is responsible for sharing all important communications with law enforcement leaders.

We believe that that intelligence document, if it had been priority—and as I stated before, it states on the document itself it wasn't for action—we do understand that that executive committee would have streamlined the communication with law enforcement leaders, if you will, not just hearing it at the lowest level.

Thank you, sir.

Mr. NEWHOUSE. Let me just observe about the notifications. The substance of the message, that wasn't the issue. My conjecture is that if there is a 15-minute delay in emergency notifications, then really there is not an emergency notification.

And by the way, those other notifications you are talking about are helpful, but they are kind of like the boy that cried wolf. If we get six or eight notifications for one incident in a building on campus, pretty soon you stop looking at them, just to throw that out there.

And, Mr. Chairman, I know I am over my time, but would you allow me one more question?

Mr. RYAN. Yes, since I love you. Go ahead. Make it quick. And let's have a quick answer, too, from Mr. Blodgett.

Mr. NEWHOUSE. I will make it really quick.

This is to Mr. Blodgett. And I know you have heard this question before, but I didn't hear it this morning so I wanted to bring it up.

You said at a briefing the other day that it is your decision here. But I just want to ask about the magnetometers entering the Chamber of the House.

Tell me what the security rationale there is for placing those there. You know, as Members, we don't have to pass through these devices to enter any other location on campus. So I am just curious

as to what causes the threat to be imminent right there on the House floor.

And then, to your knowledge, is there any exceptions to Members who—whether or not they have to pass through there?

And this is not meant to be a political dig, but this was an observation on the 4th of this month that Speaker Pelosi was observed entering the House Chamber without going through the metal detectors that she, herself, I believe, have ordered to be in place.

So could you reflect on those questions for me?

Mr. BLODGETT. Thank you, sir.

After the briefing, my attorney slapped me in the head and reminded me that the House voted H. Res. 73 and directed fines for complete screening security at the entrances to the Chamber. So the screening at this point is within the House rule and we are there to enforce the rule.

In terms of putting up the magnetometers, we had Members stating that they were carrying on the House floor. 40 U.S.C. 5104 states that firearms aren't allowed in the Capitol.

However, the Capitol Police Board can have regulations to deal with that. There is a 1967 Capitol Police Board regulation that states that firearms are not allowed on the House floor.

So I have to protect all the Members. I have to protect them anywhere. Congress is particularly suited to change that if they don't want me to enforce the statutes that they enact.

And in terms of enforcement, I rely on the Capitol Police, who are the experts in the screening, to tell me if a Member has not adequately gone through security screening.

Once I receive the report from the Capitol Police, that is when I impose the fine, not because someone said, hey, they didn't do it. They are not the experts. The Capitol Police are the experts.

Mr. NEWHOUSE. Are there exceptions to the usage of this—to the requirement to go through?

Mr. BLODGETT. No exceptions. There may be someone with a medical exception card, which will be consistent with the Capitol Police screening. There are methods that the Capitol Police have to deal with that. So, if there is a medical exception, that will be different, but that will be consistent with the Capitol Police policies.

Mr. NEWHOUSE. All right. Thank you.

Thank you, Mr. Chairman.

Mr. RYAN. Thank you.

Chief Pittman, I just want to follow up on something that Mr. Newhouse brought up, and this has been kind of a theme throughout the hearing here. You are saying the FBI document wouldn't change anything. And, you know, the average person sitting in Ohio right now is saying, "Wait a minute. You got this information through the Capitol Police. The FBI was saying the same thing." It is a whole other issue that that didn't make its way up to you or to Chief Sund. That is a whole other issue about communication and all the rest.

But when we are sitting here having this conversation the average person is saying, "You are getting all this information of threats. You know these groups are going to be down there. What is your definition of a credible threat?"

And it is not that you would necessarily have to do something super-, like, proactive and go after anybody, but, knowing all that, knowing the tone and the tenor in the country, knowing the rally was happening, why wouldn't we have been prepared for the worst-case scenario? That is what the average American is sitting home thinking about.

So, in a pointed way, can you tell us very clearly, what is your definition of a credible threat?

Mr. NEWHOUSE. Thank you, Mr. Chairman.

Acting Chief PITTMAN. Absolutely.

So a credible threat is a threat that can be acted upon. What is the intention? Is there an opportunity for the individuals to actively engage in this threat? Do they have access to the means of making that happen?

As it relates to U.S. Capitol Police changing its posture because of that FBI document, I believe that the clarification should be that we were already leaning forward based on that January 3 assessment. So we were already leaning forward to increase those CDU platoons, we changed the security perimeter plan, and all of those things that I mentioned as it relates to how we beefed up what we had.

With that said, I agree with you, Chairman. Hindsight is 20/20. There are numerous lessons to be learned. If we were planning for a level 6, I believe that Chief Sund, if he could get that day back, would have planned for a level 10 security posture. We would have had assets and resources on the ground prior to. We would have changed from bike rack to the global fencing that we have in place now. But all of that is lessons learned.

And we still have a lot more to learn. But I think that it should be acknowledged that we were already preparing for what we knew was going to be violent acts and civil disobedience for that day, bringing in essentially every employee we had available to us and reaching out to our law enforcement partners to make sure that we had some pre-staged, if you will, which is why we had the immediate response from the Metropolitan Police Department. We are so thankful for them, as well as the U.S. Secret Service.

With that said, there were those additional requests for the National Guard. So there were several security enhancements that were requested, but, with that said, it wasn't enough. It was not enough.

Mr. RYAN. I don't understand why Chief Sund and yourself weren't pushing for a full vote at the board. That, to me—if it was such a priority for you, then why wouldn't you say, "I want to force a board vote, let's bring in the Architect of the Capitol, you know, we want to know exactly"—I mean, to me, it is, you know—and you are right, hindsight is 20/20. But, given everything going on, and there are going to be 15,000 people up the street, you know, to me, you adding two more dignitary protection people here or there and a couple people to go into the crowd, that is fine, and that is needed, but the reality of it is, even if you got to the National Guard, it was just a few hundred. We needed the whole thousand at the D.C. and Maryland and Virginia and all of that.

And so, to me, it is—you took the intelligence and I feel like you didn't put it all together and synthesize it in a way and go, "Holy

cow, I mean, something really bad can happen here, and, given everything else going on, we need to be ready for that.”

And I don’t think saying that, well, the Secret Service, you know, didn’t see a threat either—that, to me, doesn’t cut it either, because who cares? So they got it wrong too.

Like, I mean, that is the underlying issue here. And really just trying to understand—moving forward, I think it is going to be important for us to really understand what is a credible threat in this new reality that we are living in.

Ms. Wexton.

Ms. WEXTON. Thank you, Mr. Chairman.

And thank you to the witnesses for appearing today and for everything that you do to keep our community safe.

And I want to thank you also for acknowledging the officers who died as a result of the events of January 6 in your written testimony and in your testimony here today.

Chief Pittman, I just want to be absolutely clear for the record, do you acknowledge that the death of Officer Brian Sicknick was a line-of-duty death?

Acting Chief PITTMAN. Yes, ma’am, I do.

Ms. WEXTON. Do you acknowledge that Officer Howard Liebengood’s death was a line-of-duty death?

Acting Chief PITTMAN. I can’t speak to that at this time, ma’am.

Ms. WEXTON. So you are not going to acknowledge that it was as a result of the events on January 6 that Howard Liebengood is no longer with us?

Acting Chief PITTMAN. I cannot speak to that at this time.

Ms. WEXTON. Why can’t you speak to it at this time?

Acting Chief PITTMAN. Because it is still under active investigation.

Ms. WEXTON. Well, do you acknowledge—I know that he is not your officer, but would you acknowledge that Officer Jeffrey Smith, who was MPD, that his death was a line-of-duty death?

Acting Chief PITTMAN. I am sorry, Officer Jeffrey Smith is not a U.S. Capitol Police officer.

Ms. WEXTON. So you are not going to acknowledge that his death was a line-of-duty death either?

Acting Chief PITTMAN. I am sorry, ma’am. He is not our officer, U.S. Capitol Police.

Ms. WEXTON. So I am kind of concerned—and I know that the ranking member brought up, you know, that there was a vote of no confidence for you in the union. And I am kind of concerned because you are not standing by your officers. I think it is very clear that Officer Liebengood would still be with us today but for the events of January 6. And the fact that you are not willing to stand by him today is very concerning to me.

Now, the Capitol Police does offer death gratuities for survivors of all officers. Is that correct?

Acting Chief PITTMAN. Yes, ma’am. As I stated before, I have been on this organization for over 20 years now. I do stand with my officers, and there is a large number of officers that have expressed that they stand with me—

Ms. WEXTON. Ma’am, the question—Captain, the—Chief, the question was—

Acting Chief PITTMAN. Yes, ma'am.

Ms. WEXTON [continuing]. Does the Capitol Police offer death gratuities to survivors for all officers for any reason that they may have passed away?

Acting Chief PITTMAN. Yes, ma'am, we do.

Ms. WEXTON. And can you confirm whether this has been—at least been processed for the family of Officer Liebengood?

Acting Chief PITTMAN. I am sorry, could you repeat the question?

Ms. WEXTON. Has that death gratuity been processed for the family of Officer Liebengood, that his survivors will receive that payment?

Acting Chief PITTMAN. Yes, ma'am, it has.

Ms. WEXTON. Okay. Thank you.

Acting Chief PITTMAN. You are welcome.

Ms. WEXTON. Now, I want to talk a little bit more about the logistics and the number of officers that were on duty on January 6 and what you did to prepare.

Now, on an average Sunday when Congress is not in session, what would the staffing levels be at the Capitol grounds with Capitol Police? About how many would be on duty?

Acting Chief PITTMAN. So, on an average day, our manpower is driven by whether Congress is in session or out. During the COVID-19 pandemic, Capitol Police lean forward with an aggressive ready reserve posture. So we typically—

Ms. WEXTON. So, I am sorry, the question was, what would the number of officers be on, let's say, an average Sunday when the Congress is not in session?

Acting Chief PITTMAN. Yes. So I would say less than 700.

Ms. WEXTON. And how about on an average Wednesday when Congress is in session?

Acting Chief PITTMAN. So those numbers, upward—pass 1,000.

Ms. WEXTON. So that is just an average Wednesday when—

Acting Chief PITTMAN. It depends on a lot of—I am sorry. It depends on a lot of factors, but that is kind of average.

Ms. WEXTON. So over a thousand?

Acting Chief PITTMAN. Yes.

Ms. WEXTON. Okay. And how many would be on duty for some sort of special dignitary event like a State of the Union? How many officers would you have on duty for that?

Acting Chief PITTMAN. That would pretty much be our full complement, with the exception, we would adjust shifts even for our midnight officers; they would come in early.

So it is not as cut-and-dry as “we have X number of people.” It just depends on the timing of the event. But that is typically a full-hands-on-deck, if you will, for lack of a better term.

Ms. WEXTON. And can you give us some sort of ballpark number of about what all-hands-on-deck would entail in terms of numbers?

Acting Chief PITTMAN. U.S. Capitol Police's full strength right now is over 1,800 officers.

Ms. WEXTON. Okay.

Acting Chief PITTMAN. But, with that said, there is a complement of officers that would come and relieve those who had worked, let's just say, a 16-hour shift, because we are a 24/7 operation.

Ms. WEXTON. And how many did you plan to have on duty prior to the January 3 assessment? So, prior to getting that assessment and making the adjustments that you outline in your testimony, how many did you plan to have on duty?

Acting Chief PITTMAN. So the adjustments were made primarily to our civil disturbance units. A civil disturbance unit is comprised of what we—

Ms. WEXTON. I am just asking you for numbers, Chief Pittman. I am just asking you for numbers. So—

Acting Chief PITTMAN. Yes, I am just—

Ms. WEXTON [continuing]. How many did you plan to have on duty?

Acting Chief PITTMAN [continuing]. Giving it context. We went from approximately four platoons to seven.

Ms. WEXTON. Okay. And what do those—

Acting Chief PITTMAN. A platoon is—

Ms. WEXTON [continuing]. Numbers mean?

Acting Chief PITTMAN [continuing]. 40 officers.

Ms. WEXTON. I am sorry?

Acting Chief PITTMAN. We went up to 276 officers for civil disturbance units.

Ms. WEXTON. Okay. But the other officers stayed the same.

Acting Chief PITTMAN. No, ma'am. We also—we were prepared for a 24-hour session, if you will, based on the number of challenges that would be allowed as it relates to the electoral votes being counted. We knew that there were a number of hours that each State could contest those electoral votes, so we prepared for going over 24 hours with our officers. So our officers were strategically positioned so that we would have coverage from 0800 hours on the 6th all the way through January 7, so over a 24-hour period.

Ms. WEXTON. So between 1,000 officers on an average day and 1,800 officers on a State of the Union-type day, how many officers were you expecting to have present for January 6?

Acting Chief PITTMAN. So we had 1,200 officers at approximately 12:00 p.m. On that day.

Ms. WEXTON. Okay.

Acting Chief PITTMAN. And then by 1600 hours we had 1,400 officers on the campus on January 6. But the full—

Ms. WEXTON. But even before you got that intelligence, you knew that you were going to have the first, second, and third officials in line for the Presidency all in the same place at the same time, correct?

Acting Chief PITTMAN. Yes.

Ms. WEXTON. Okay. So you would think that you would make it more of a security—more along the lines of a State of the Union than, you know, an average day. And it sounds like, even with the threat assessment, it was kind of still treated like an average day.

Acting Chief PITTMAN. No, ma'am. There—

Ms. WEXTON. Now, there was—I am sorry. My time is—

Acting Chief PITTMAN. Okay.

Ms. WEXTON. I don't want to waste my time.

There has been some talk about this January 3 Special Assessment from your office, which went out on that Sunday. Is that correct? Sunday, January 3, right?

Acting Chief PITTMAN. I am sorry?

Ms. WEXTON. That Special Assessment from January 3, that came out on a Sunday and was disseminated to staff within the Capitol Police, right?

Acting Chief PITTMAN. That was widely distributed within the department, yes, ma'am.

Ms. WEXTON. Okay. Now, in your written testimony, you said it was emailed to all officers above the rank of sergeant.

Acting Chief PITTMAN. Yes.

Ms. WEXTON. Does that mean sergeant and above or lieutenants and above?

Acting Chief PITTMAN. Above the—lieutenants and above.

Ms. WEXTON. So isn't it the sergeants who handle the roll call and have the most contact with the day-to-day officers on the street?

Acting Chief PITTMAN. Yes, ma'am. Ms. Wexton, I apologize; that is sergeant and above.

Ms. WEXTON. Okay. So it did include sergeant.

Acting Chief PITTMAN. Yes, ma'am.

Ms. WEXTON. Good.

And then there was some discussion from Representative Clark and Representative Newhouse about these daily intelligence reports that came out in the days following. Is that right? You acknowledge that those exist, right?

Acting Chief PITTMAN. Yes.

Ms. WEXTON. And that they were disseminated to the Sergeant at Arms, the Architect of the Capitol, the various folks within the Capitol Police as well?

Acting Chief PITTMAN. Yes, that is correct.

Ms. WEXTON. And you acknowledge that the threat assessments in those were down to remote, highly improbable, or improbable. Is that right?

Acting Chief PITTMAN. That is a separate assessment from the report that was issued on January 3, but that is correct.

Ms. WEXTON. Right. But they were subsequent reports that went out and were disseminated by the Capitol Police. Is that right?

Acting Chief PITTMAN. Yes, that is correct.

Ms. WEXTON. Okay. And you are going to provide those to this committee. Is that right?

Acting Chief PITTMAN. Yes. Absolutely. Yes, ma'am, I will.

Ms. WEXTON. Okay. Very good.

I want to follow up very briefly on a question from the ranking member about the command and the communications.

Who made the call for the commanders to leave the incident command center and assist officers under assault? Is that a protocol? Is that a fail-safe? I mean, what do you do when that happens?

Acting Chief PITTMAN. Leave the command center?

Ms. WEXTON. You were talking about the communications center and that is why the officers on the ground were left to fend for themselves when it came to communications.

Acting Chief PITTMAN. No, it is referred to as the incident command system, not the command center itself.

Ms. WEXTON. Okay, the incident command system.

Acting Chief PITTMAN. Yes.

Ms. WEXTON. Who made the decision for that center to be abandoned, that incident command system to be abandoned?

Acting Chief PITTMAN. No, it is not a physical place. It is a policy and procedure that we have, that we train to for critical incidents, if you will.

Ms. WEXTON. Okay. So that you will have one line of communication coming from the top down to all the officers on the ground? Is that what the purpose of it is?

Acting Chief PITTMAN. It doesn't align one communication down from the top. It is a structured system. It is tiered. The person with boots on the ground has certain responsibilities. And then it defines each of those persons in the incident command structure, what their role and responsibility is.

Ms. WEXTON. So is it safe to say that that structure failed on January 6?

Acting Chief PITTMAN. Yes.

Ms. WEXTON. Okay. Thank you.

Now, the United States Capitol Police is notoriously opaque. You guys have had zero public press conferences in your department in the nearly 2 months since the attack.

Now, having this kind of a news vacuum creates a community where conspiracy theories and misinformation can spread easily. That is obviously something that is very concerning to all of us.

Why haven't you had any public press briefings?

Acting Chief PITTMAN. Yes, ma'am. So U.S. Capitol Police has issued a number of press releases. But, with that said, we felt like the primary responsibility after an attack like January 6 was really to focus on our employees, their health and well-being, as well as providing the necessary information to our oversight committees.

So we have streamlined those communications, set up regular calls with oversight and core leadership. So we make sure that we communicate with them on a regular basis.

Ms. WEXTON. But it has been almost 2 months. Will you commit to having public press briefings in the future, from this point going forward?

Acting Chief PITTMAN. No, ma'am, not at this time.

Ms. WEXTON. Okay. And I know that you are Acting Chief right now. If you become the full-on Chief and you are confirmed as Chief, would you agree to have them at that point? Or is it just this is not something that you are interested in doing ever?

Acting Chief PITTMAN. My priorities would still be my employees, first and foremost. And I know that I am to respond appropriately and timely to the oversight committees that govern not only the U.S. Capitol Police but the Capitol Police Board.

Ms. WEXTON. All right. So you will answer our questions but not those of the press. Is that what I am getting from you?

Acting Chief PITTMAN. No, ma'am, I am not saying that I would not answer questions of the press. But leaning forward, as we go forward, my priorities still would remain with the workforce and to the committees that provide oversight, as well as our appropriators.

Ms. WEXTON. Okay. Thank you.

And I just have one final question. As a Member who represents a chunk of the national capital metro region, you know, looking at

all these fences and having these fences around what really is a beautiful public park on any other day is disturbing and not sustainable, in my mind.

Chief Pittman and Mr. Blodgett—because I don't want you to feel left out, Mr. Blodgett—can you reassure us that the fencing around the Capitol is not permanent?

Mr. Blodgett, we will start with you.

Mr. BLODGETT. In my mind, it is not permanent, no.

Ms. WEXTON. Okay. Thank you.

How about you, Chief Pittman?

Acting Chief PITTMAN. No. The temporary infrastructure is only to address the vulnerabilities after the attack of January 6. Our priority is to make sure that the Members of Congress are safe and that democratic process is protected.

Once we have appropriate infrastructure and human assets in place, we will lean forward with the removal of the fencing.

Ms. WEXTON. Thank you very much.

And, Mr. Chairman, I am confident that my time has expired. I didn't see the timer going off, but thank you so much for your indulgence, and I will yield back.

Mr. RYAN. Yeah. Appreciate it. Great questions.

And let me just say, Chief, I think, you know, we can do both. We appreciate your communications with us, and that has improved dramatically, but we also think the American people and the press need to hear directly from you.

So I would just encourage you to take some time, you know, in making sure that—the residents of Capitol Hill, Washington, D.C., the people around the country, after having watched what happened, would benefit from hearing from you directly.

With that, our final member, Mr. Espaillat.

Mr. ESPAILLAT. Thank you, Chairman. Thank you.

Right now, I am sort of like the Mariano Rivera of this committee. A lot of the questions have been asked. But, Chief, I want to thank you, and, Sergeant at Arms, I want to thank you for coming forward today.

I want to ask you, Chief, was there any sweep of the Capitol or the premises around the Capitol ordered for explosives during the days leading up to January 6?

I ask that question because, as I came to my office that morning, early in the morning, I was walking on the sidewalk by Rayburn with some of the protesters. So, obviously, they were in the vicinity of the Capitol and around the compound, perhaps, of the Capitol much before the actual insurrection occurred or the breaching of the Capitol occurred.

So I wanted to know whether you had ordered the sweep of the office buildings and the Capitol compound for any potential explosives.

Acting Chief PITTMAN. Yes, sir. So U.S. Capitol Police does daily sweeps of the congressional campus. But, specifically on large events that are planned for the day, we have K-9 detection dogs as well as additional bomb, HDS units, hazardous device section. But those officers go out and conduct sweeps, and they do what we call "button up the premises" when we implement what is restricted to Members and staff.

But to answer your question, yes, sir.

Mr. ESPAILLAT. Yeah, but I am referring—for example, I am on Rayburn, and as I was coming up Rayburn by the horseshoe area—are you familiar with that area?

Acting Chief PITTMAN. Yes, sir, very familiar.

Mr. ESPAILLAT. Okay. So you know the area. And there are green areas there. And, of course, it is a drive-through horseshoe-shaped entrance to that part of Rayburn. And there are green areas all around Longworth and, of course, Cannon as well. And people were just—members of this insurrectionist group were walking around there very early in the morning.

Was there any sweep whatsoever of those areas for any potential explosives?

Acting Chief PITTMAN. So the Capitol itself is what was closed off. Of course, we had the inaugural platform that had been closed for a period of time on the west side of the Capitol Building and then the east front. But the areas that you are referring to outside of the Longworth and Cannon were actually open to the public. But those sweeps [inaudible] At the Capitol Building.

Sorry, I think my system cut off.

Mr. ESPAILLAT. Yeah. So no sweeps occurred around Cannon, Longworth, or Rayburn, where most of the Members obviously were before the protest, the insurrection came to the Capitol Building.

Or nothing occurred, also, the day before, in preparation for the assault on Congress?

Acting Chief PITTMAN. Yes. So U.S. Capitol Police—and probably I just was a little confused as it relates to your question. Specifically for the Capitol Building and/or for the congressional office buildings, House or Senate side, U.S. Capitol Police conducts daily sweeps, not just for this major event. But for the event itself, we closed off a portion of the grounds over at the Capitol.

But, to answer your question, that is daily that we conduct K-9 sweeps. We have specialized trained dogs, if you will, that do a sweep of the premises, and that is on a regular basis.

Mr. ESPAILLAT. So that was done on the day and the prior days?

Acting Chief PITTMAN. Yes.

Mr. ESPAILLAT. How extensive was that, given that you were expecting some level of protests in front of the Capitol and the surrounding areas? How extensive was the sweep effort that you conducted? Was it as you always do it on a regular basis, or did you intensify it?

Acting Chief PITTMAN. We sweep our grounds, yes, sir, like I said, on a daily basis. So we use a number of deployments of K-9 capabilities. But I think that if we want to go into more granular details we probably should talk more in a classified setting.

Mr. ESPAILLAT. Okay.

Now, you also, obviously, coordinate with local law enforcement and the FBI and other law enforcement agencies. And the RNC offices and the DNC offices are relatively close to the Capitol area. In fact, you know, I walk to the DNC offices. It is a two-block walk from where I am right now. And there have been reports that pipe bombs were found near those offices, near the RNC and the DNC offices.

Were there any sweeps for explosives in those areas prior or during January 6?

Acting Chief PITTMAN. No, sir, no sweeps were done at the RNC/DNC prior to January 6. Those areas are off our Capitol Grounds proper. It is not in line with our primary jurisdiction, if you will.

Mr. ESPAILLAT. So was there any communication with local law enforcement? And since you conduct sweeps on a regular basis here, as you testify, in Longworth, Cannon, and Rayburn, was there any conversation with law enforcement about potential sweeps for explosives in those two sites?

Acting Chief PITTMAN. So, no, sir. We conduct daily intelligence briefs with our law enforcement partners. Right before the 6th, there was a call with all the law enforcement in the region. But as it relates to them doing sweeps of the extended jurisdiction, there was no conversation specific to that.

Mr. ESPAILLAT. I mean, it may be an extended jurisdiction, but this is just a block away, basically. So it is within eye view of the Capitol, of Rayburn and Longworth.

The reason why I ask this, Chief, is because a potential next attack may not necessarily be the way it occurred on January 6. And so I am concerned that your sweeping operations for explosives may have to be improved and increased dramatically to keep us all safe.

I think that it is important that you come back to us at another point with more detailed information about your capability to do this and whether or not, in fact—how extensive was it done on January 6 or the days before the seditious insurrection. I think it is important that we have that information and that you have the capability to do that kind of work.

Mr. Chairman, I yield back.

Acting Chief PITTMAN. Thank you, sir. Yes, we—

Mr. RYAN. Go ahead. Go ahead, Chief.

Acting Chief PITTMAN. I am sorry, sir.

Yes, we will evaluate that. I know that the task force that has been assigned has already leaned forward in making recommendations in that area.

With that said, while there were no sweeps done of the RNC/DNC prior to the 6th, we have coordinated routine patrols, posting officers in a marked unit outside of those areas, to ensure the safety of the community.

But as it relates to K-9 specifically, we will lean forward with those recommendations and look forward to hearing what those assessments suggest and, you know, proceed accordingly.

Mr. RYAN. Thank you, Mr. Espailat, for doing that.

So just a couple quick followups, Chief.

My understanding was that the K-9 units weren't sweeping. Are you clear on that?

Acting Chief PITTMAN. We are not sweeping—

Mr. RYAN. You were saying, we were leaning in, all hands on deck. My understanding was that there were a lot of dogs in the K-9 unit that weren't being used. Is that true?

Acting Chief PITTMAN. I will follow up on the number of dogs being used, but I can tell you right now that we did conduct sweeps of the campus on January 6. There is no doubt about that.

Mr. RYAN. Okay. But it was, like——

Acting Chief PITTMAN. As to the number of dogs that were used to participate in the sweeps, I would follow up on the specific number. But as far as the sweep of the campus, those happen daily.

Mr. RYAN. Yeah. No, I am just saying, the previous answers that you gave were “all hands on deck,” “leaning in,” all of that, and if there were not enough sweeps happening, not enough dogs happening—because the pipe bombs, were they called in or were they the spotted? How did you find that information out?

Acting Chief PITTMAN. The RNC owner notified us.

But going back to what you said about the sweeps, no, we are very clear on that, as far as them sweeping the campus.

Mr. RYAN. Okay.

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN. You are saying that—I just want to be very clear, because your position has been throughout the last 2½ hours—and we thank you for all your time—that it was all hands on deck. And I remember yesterday, I think it was Captain Mendoza was saying she was on her way home and had to get called back. So what does that mean? I mean, that, to me, doesn’t seem like all hands on deck if people were——

Acting Chief PITTMAN. Absolutely, and thank you, Chairman Ryan, for providing us the opportunity to clarify.

“All hands on deck” doesn’t mean that they are all here at the same time. “All hands on deck” means that we were preparing for an operational period that would exceed 24 hours. So we bring in the bulk of the workforce during the heightened periods that we expect demonstrations, but we do understand that our workforce is human. They can’t just continually work——

Mr. RYAN. Sure.

Acting Chief PITTMAN [continuing]. Exceedingly past 24 hours. So there is a contingent of the workforce that comes in to provide relief for those that have been here in excess of 20 hours, sir.

Mr. RYAN. I gotcha.

We have gotten a lot of information here. I want to ask one final question. I will just say—and I want to thank all of the committee members for great questions on both sides of the aisle.

You know, a lot of disappointments here with the information flow not getting to where it needs to be, but also the response. Again, what is a credible threat? Many of us would think that that information that was being presented was a credible threat.

The lack of pushing from you guys, on your side, both Chief Sund and yourself, to push the board to have a vote, to push harder and harder, because, you know, the end result is the rank-and-file men and women ended up, you know, being put in a situation that we believe they shouldn’t have been in. The lack of equipment.

Clearly, there wasn’t a review of the training. I mean, I was here years ago when the Governor of Kentucky’s plane started flying in the airspace coming towards the Capitol, and the evacuation from us was, “Run like hell,” you know? We were all just running out. So that was, I can’t remember, 10-plus years ago, if not more.

So there are all these issues that we absolutely need to deal with moving forward.

The one question that I get most when I am home in northeast Ohio is the issue around the use of force. Because it was clear that the men and women on the front lines weren't sure what to do as far as how to respond to what was happening.

And, again, that tells me that there wasn't the level of training beforehand or clarity coming from command throughout the incidents, which we have heard on multiple occasions from many of the rank-and-file members.

So what was the use-of-force rules-of-engagement policy for the rank-and-file members on January 6?

Acting Chief PITTMAN. So the U.S. Capitol Police use-of-force policy has not changed. Based on the type of event that we are responding to, our officers are required to use the amount of force that is necessary in any given situation. However, as it relates to lethal force, our officers are only permitted to engage in lethal force for the protection of life, either their own or to protect another person's life. As it relates to the protection of property, our officers did use less-than-lethal force, which is what they are permitted to do.

Based on that, though, I acknowledge that there are additional resources that this department needs. There is additional training that is needed for our officers. I, too, have been posed those same questions as it relates to use of force.

So, at this point, I have directed specific commanders, those persons in charge of the training services bureau, to work along with the CAO, as well as our general counsel, to provide that specific guidance to our officers.

So we are leaning forward with the direction that those persons in charge of those areas of responsibility will lead the charge in making sure our officers have the training that they need going forward.

Mr. RYAN. Well, I hope you understand our frustration. And you weren't in charge, but you were one of the leaders at the Capitol Police on that day and the days leading up. And it is really frustrating for us, who have become friends with so many of these rank-and-file members who take care of us every single day here, to watch them be put in a position where they are not told clearly what they can do to protect themselves. And they have kids, and they have spouses. And, as you said, they are your friends too.

But, you know, we have to make sure that the leadership of Capitol Police is operating and functioning at a very, very high level, especially in this current environment. And I know you can tell from the committee here and rank-and-file Members of Congress who don't sit on this committee are extremely disappointed, extremely concerned that these guys, men and women that we love, were put in this position.

And you look at the lack of communication, you look at the lack of—you guys didn't even see the FBI threat assessment. You know, so it is one thing to say, "Look, I mean, you know, we didn't see it, but even if we did, it wouldn't have changed things." Well, that is fine, but you need to see that stuff. I mean, what is the information flow over there? And how does it not make its way—because you said you didn't even see it, right, that you didn't see the FBI report, and nor did Chief Sund. That is mind-boggling to us, how, given everything going on, the FBI issues some kind of report that

confirms your intelligence, and it never makes its way to the Chief of Police or never made its way to you? I mean, what is going on?

You know, I mean, these are legitimate questions. And I know you are doing daily calls and all of that, but I think, at some level, it is about judgment. And it speaks to being able to run an efficient operation that allows for the kind of information flow in this day and age where we are picking up an enormous amount of intelligence, making sure that the right intelligence gets to the right people in a timely manner and then the response is appropriate.

That is the key there, is to get the intelligence and have the guts to tell Paul Irving or the Sergeant at Arms, like, you know, "I am not leaning in. I am leaning in to you to have a vote with the police board."

And, look, it takes a lot of nerve to be in a leadership position today like the one you are in. And we commend you for your service and your leadership and, you know, everything you bring to bear. But this is—you know, minute by minute, things can go sideways here. And we have to be pushing you and the Department to run and function at a very, very high level, because mistakes made at your level lead to what happened here on the 6th.

And, you know, we are here to support you. That is our job on the Appropriations Committee, is making sure you have the resources that you need. But, you know, you have to be clear with us; you have to make sure you are executing. I mean, these issues around equipment, it is hard to believe that the men and women of the Capitol Police didn't have the equipment that they need.

And so I have made my point. We have taken up a lot of your time today. You know, please know that we appreciate your work and we know how difficult it is. But we have to expect the best, and that is what the American people tell us that we have to do, and that is our mission here.

As I said in my opening statement, we are just caretakers here. You know, we come in and we come out. And, you know, your position, too, people come in and out of. We are caretakers. And so we have to make sure that, in this moment, with everything going on, we have to rise to the occasion. And the American people deserve that.

So I want to thank you, Chief Pittman. I want to thank Tim. Thank you so much. We are going to continue to be in dialogue.

Again, I encourage you, Chief, to make sure you are trying to communicate to the press the best you can.

I want to thank our staff on the committee and all the members of this committee for a good hearing.

And we will continue to be in very, very close touch.

With that, this hearing is adjourned.

TUESDAY, MARCH 2, 2021.

OPEN WORLD LEADERSHIP CENTER

WITNESS

JANE SARGUS, EXECUTIVE DIRECTOR, OPEN WORLD LEADERSHIP CENTER

Mr. RYAN. The committee will come to order.

This hearing is fully virtual, so we need to address a few house-keeping matters first for today's meeting.

The chair or staff designated by the chair may mute participants' microphones when they are not under recognition for the purposes of eliminating inadvertent background noise.

Second, members are responsible for muting and unmuting themselves. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

Third, you will notice a clock on your screen that will show how much of the 5-minute clock is remaining. If there is a technology issue, we will move to the next member until the issue is resolved and you will retain the balance of your time.

Fourth, we will be beginning with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority.

Finally, the House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings. That email address has been provided in advance to your staff.

So let's begin. Today we have Ms. Jane Sargus, the executive director of the Open World Leadership Center.

Ms. Sargus, thank you for being here today to discuss the budget request for the Open World Leadership Center. I also understand that you are also requesting to be called the Congressional Office for International Leadership and that this name change is intended to reflect the mission and the congressional affiliation of the agency more accurately.

This year you are requesting \$6 million in fiscal year 2022. This is the same as the fiscal year of 2021 funding.

Although the budget for your organization is small as compared to the rest of our legislative branch agencies, it has had a real impact in increasing understanding of and appreciation for United States democratic values and democratic institutions in an area of the world where Russia's malign influence stands firmly opposed to our democratic principles and national security interests.

Your small but influential organization does this by facilitating visits to the United States on a geographically and professionally

broad cross-section of emerging leaders from Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kosovo, Kyrgyzstan, Moldova, Mongolia, North Macedonia, Russia, Serbia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, who might not otherwise have the opportunity to visit the United States.

And I think that was an opportunity for my staff to try to get me to screw up one of these countries' names. They tried but failed miserably.

I understand the center continues to use the strength and expertise of local volunteer organizations in cost-sharing and grant proposals to maximize savings. This is a benefit to the taxpayer, visiting countries, and local communities, a win-win for everyone involved.

International exchange programs are a proven and cost-effective way for the United States to remain internationally competitive, develop leaders friendly to our American interests, and promote American values worldwide. These programs support global engagement that is critical to our prosperity and national security.

We are thankful for your leadership of the center, its staff, and the many volunteers across the United States who have worked hard to ensure the success of Open World, or the Congressional Office for International Leadership. And I like the new name.

I look forward to your testimony today and working with you to continue building global relationships.

At this point, I would like to yield to my friend and colleague from the great Northwest, Ranking Member Jaime Herrera Beutler, for any opening comments she would like to make.

Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr.—can you hear me? Yes. Mr. RYAN. Yes, you are fine.

Ms. HERRERA BEUTLER. Thank you, Chairman Ryan. I am really happy to begin the fiscal 2020 budget hearing process for the leg branch agencies. And due, obviously, to the ongoing pandemic, all 10 of our hearings are going to be virtual this year, which is unfortunate, but that is what we are dealing with.

I am really looking forward to working with you, Chairman Ryan, to put together a bill that includes member priorities while exercising the fiscal restraint that we can, and that also means we are going to get this job done.

Ms. Sargus, it is really good to see you again. Now I am going to screw up and say the old name that is supposed to be the new name, so please excuse me. But the Open World Leadership Center has requested \$6 million for fiscal 2020, the same as the fiscal 2021 enacted amount.

So the center provides the opportunity for Congress to foster diplomatic relationships with leaders throughout Eurasia and Europe, and in a typical year the center will be conducting several exchange programs, bringing leaders to the United States to engage and interact with Members in their districts in person.

Obviously, the COVID pandemic has forced a bit of a change, but it is not a permanent one. And despite the pandemic, the center has successfully adjusted its operations to allow foreign leaders to connect virtually with Members and their staff.

In fact, a delegation of national park and national reserve officials, which were obviously supposed to visit my neck of the woods to experience the natural beauty of southwest Washington—and it is unparalleled—but, obviously, this has been a year of curve ball.

I would like to note that the center's Board of Trustees have chosen the name of the Open World, to change it from, as Chairman Ryan said, the Open World Leadership Center to the Congressional Office of International Leadership—you are not going to call it COIL, right? I will get good at that—to better reflect the mission and congressional affiliation of the agency.

The new name solidifies the vision—I think it is really an appropriate name—among Members of Congress and clearly represents what your mission accomplishes.

Finally, I am pleased to see that the center has already hired a grant writer—whoo—we have talked about that a few times in the past, to help the agency secure nonappropriated funds for its mission.

So with that, I look forward to hearing more about the agency and what you are doing and how you are going to continue to adapt and grow.

And I yield back. Thank you, Mr. Chairman.

Mr. RYAN [inaudible]. DeLauro is here or Ranking Member Granger? Is that correct?

STAFF. They are not present, sir.

Mr. RYAN. All right. Thank you.

So without objection, Ms. Sargus, your written testimony will be made part of the record. Please summarize your statement for the members of the committee. Once you have finished your statement we will move to the question-and-answer period. Please begin.

Ms. SARGUS. Thank you.

Chairman Ryan, Ranking Member Herrera Beutler, and distinguished members of the subcommittee, thank you for the opportunity to testify on the Open World Leadership Center's fiscal year 2022 budget.

The budget request, as you say, is for level funding in 2022 that will continue to provide support for operating expenses of the center.

There is an additional item of note in the budget. As you say, the Board of Trustees did vote to change the name of the center to the Congressional Office for International Leadership, a name that more accurately reflects the mission and congressional affiliation of the agency.

As a unique congressional center and resource, is a dynamic catalyst for hundreds of international projects and partnerships that constituents have developed with emerging leaders throughout the countries of Eurasia and Europe.

More than 8,000 volunteer American families in all 50 States have hosted more than 29,000 young professionals. Our dedicated hosts immerse these professionals in American life, values, and practices, while contributing an estimated \$1.5 to \$2 million in cost shares and in-kind contributions annually.

Americans from all walks of life have had to adjust the way they conduct business because of the global pandemic. The Center began

by asking the question: How does an exchange program reinvent itself in the time of COVID when there is no international travel?

The program came to a complete halt and sent us all home on March 18, 2020. However, the challenges brought on by the pandemic created opportunities to bring delegates into the homes of Americans across the country virtually.

As we settled into teleworking, the staff rallied to create a vibrant and extensive virtual Open World program. Using Zoom, because of its unique ability to accommodate simultaneous interpretation, each tele-delegation was introduced to their future program organizers and their local families that would host them.

In less than a year, staff designed, developed, and implemented more than 120 virtual programs with nearly 8,000 people participating from all Open World countries. This programming engaged Members of Congress and their staff, as well as hundreds of American host families and program speakers and presenters.

Unexpected benefits emerged from our virtual programming as our efforts to utilize teleconferencing revealed the strength of the relationships Open World has helped to form. From every country, every region, every walk of life, our alumni from all Open World countries joined in virtual reunions.

The impact of congressional participation in all these virtual events was significant and memorable, especially for the many American hosts who joined in.

Constituents throughout the country are proud to be a part of the Open World brand of citizen diplomacy. They know that they are building bridges between Main Street America and countries in transition.

In fiscal year 2022, we plan to increase the number of visiting delegations substantially. New delegations will follow the pre-existing groups delayed by the pandemic. To the extent that circumstances permit, we plan to increase the depth and breadth of our programs, including pilot programs in Poland, Hungary, Romania, and Bulgaria.

And, finally, in our efforts to stay up to date technologically, the center embarked on a project that involves the digitization of our records.

A digital archive will allow the center to demonstrate its effectiveness and tell its success story. With advanced analytics, the Center will leverage data to make a more modern and effective agency.

The archive will not only showcase this unique example of cooperation between the Congress, that branch of government closest to its citizens, and the countless American communities that have partnered with the center, but also to document the Center's nimble, peer-to-peer approach to exchanges.

Thank you for this opportunity to testify before you today. Your interest in and support of the Open World Leadership Center is paramount for our continued success.

[The information follows:]

Cost Per Participant

There is a substantial cost difference between Open World and similar executive branch programs, with Open Worlds cost being somewhere between \$8,000 to \$9,200 compared to \$19,000 per person in the executive branch. How are you able to keep your costs so low?

The Center works closely with all its stakeholders to help establish and then maintain an economic level of hosting for an Open World delegation that falls within the range above. We also operate on the principle that each employee is a potential backup for one other employee. In this way, all our bases are covered in exceptional circumstances. In addition, in an effort to develop each employee's portfolio of expertise, experience, and skills, any staff member can rotate into another position as the opportunity arises. Finally, some positions are not filled after a vacancy – for example, when I became Deputy Director of the Center, I continued to fill the role of Budget Officer. This is still true since I became Director.

- **Will COVID-19 change the costs per participant this year and in the years to come?**

There is no doubt that the pandemic will impact participant costs in the first months of our hosting delegations in the United States. How it will impact depends on a number of factors: First, will airfare increase significantly to make up for lost revenue during lockdowns? Second, will hotels (for the DC orientation portion) also increase? This will have smaller impact than airfare, but we should consider it a possibility. Third, grantees who use their clubs as local hosting organizations have also lost a significant source of their income and may need to increase hosting fees, at least initially. All three of these costs are part of the \$8,000-\$9,200 cost per person estimates that we currently use. I expect that, while some of the impact will be permanent (hosting fees, for example), others will follow an economic course that adheres to what the market will bear (such as airfare and hotel).

In summary, the answer is that Covid will change some of the costs permanently while others may be only temporary. We will watch this closely when travel resumes and are happy to report our findings to the Subcommittee.

- **Is Open World's cost a reflection of its budget, or have you genuinely found a more efficient way participant cost?**

This is a good question because it requires a certain amount of introspection and analysis to come up with the explanation.

Between 2009 and 2019, the Center's appropriation was reduced from \$13.9m to \$5.6m – a 60% reduction. In 2009, the Center hosted 1,392 participants and in 2019, the Center hosted 1,020 participants – only a 27% reduction between years. Therefore, the answer is that we truly have found a more efficient way to reduce per person costs.

- **Please detail how you achieve your cost savings.**

The Center has been building on prior savings methods for over 10 years. To achieve the level of hosting in 2019, the Center had already begun working closely with its grantees and local hosting organizations and with our other stakeholders to find savings wherever possible. The first rule the Center applies is that we do not ask of our grantees what we do not ask of ourselves. As a strategy, this has been very successful because it emphasizes the partner relationships that we have. We purposely keep our own indirect costs low (approximately 7% annually) and we provide cost-sharing opportunities whenever possible. By extensive analysis, the Center was able to calculate what reasonable per person costs for hosting should be. We found that there is a base cost to each delegate's participation in the Open World program. That is, it does not cost twice as much to bring a second person. It costs about one-and-a-half as much. Working from that, we consulted our grantees for their input on where costs could be trimmed. The first change we made was to increase the size of each delegation from four (plus one facilitator) to five (plus one facilitator.) This decision was the first of many the Center made in tandem with our stakeholders to become more efficient and *just as effective*. Understanding that lowering per person costs could create more hosting opportunities, the grantees quickly came on board with our approach.

In another example, we renegotiated our logistics contract to include a per-traveler fee rather than a percentage of all travel expenses. This is indeed a significant savings since we could show that the amount of labor expended for the traveler was relatively stable while the costs of airfare and accommodations were not. So instead of paying a percentage of the budget line for travel, the Center pays a per person cost. We also began to look at other opportunities for savings. Notably, the Center learned that using the Library of Congress for our DC Orientation program (this includes event space and food/beverage costs), we saved the 17% overhead charged by the logistical contractor.

Added Cost for Name Change

The Committee is supportive of OWLC changing its name this year and look forward to including it in our Appropriations package this year. We are curious is there is any cost related to changing the name.

- **How much do you intend to spend on marketing materials?**

Prior to the FY 2022 bill passing, we have conducted a "soft" roll-out of the name change with our closest stakeholders, which includes our Board of Trustees, our national grantees, our local

hosts, and our partners in U.S. embassies across the globe. We will refrain from a widespread roll out until the bill passes.

While a website is a crucial part of an agency's marketing, the redevelopment of www.openworld.gov was already in planning stages and budgeted for prior to the name change. Therefore, website updates are not a part of the following estimate of marketing expenses.

Our estimated costs for marketing materials relating to the roll out of the new Congressional Office for International Leadership (COIL) will be approximately \$20,000, which includes a \$5,000 contingency line.

- **What other added costs are associated with the name change?**

None. COIL staff have expertise in videography, social media management, and publications design. We do the bulk of our marketing and outreach in-house.

Mr. RYAN. Thank you, Ms. Sargus. We appreciate it.

I always get excited hearing about the programs and all the great work that you are doing. And given everything that has happened in the country and the world in the last year plus, these kind of programs and relationships are really essential. So thank you for that.

We are going to go to question and answer, and I am going to yield to my distinguished ranking member, Ms. Herrera Beutler, for the first questions.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And I am interested, Ms. Sargus, to hear about the grant writer and how that is starting and what you see happening.

But I also kind of wanted to understand a little bit better how in the world you adapted an exchange program in the middle of a pandemic—I can't believe it has been a year that we have all been kind of fighting through this—and what challenges that may have presented in garnering private support, because that is obviously something we have encouraged you in.

Additionally, I would love to hear about the kind of changes in the—you were talking about the data—the only word that is coming to mind is archiving, but digital archiving in order to better share and expose—I mean, people from southwest Washington don't always get to come to the Capitol to see and hear what is happening. But having access to that digitally is really important.

So those are some of the things I would like to hear about. And I will turn it back over to you.

Ms. SARGUS. Great questions.

We appreciated the language and have taken steps that I believe will please the subcommittee. Our legislation does permit us to receive extra budgetary resources. We are doing this already with the funding we receive from the Department of State for programs that we have deemed appropriate to undertake at their request.

We recently hired a staff member who is investigating what grant money is available to us and will explore, when the pandemic is over, in a more open fashion ways to make those connections.

The pandemic did set us back a bit on that effort, but we are drafting a strategic plan for fundraising and development, as well as a strategic plan for the future of the Center.

The pandemic's impact on our program was fairly obvious, and we tried very hard to adapt quickly. But it took us a few weeks to understand what hurdles existed. We like to call them challenges, not problems. It did not take long for staff to figure out that the virtual platform was the only way to go.

We did that by immediately setting up tele-delegations, such as they are, with the ability to meet their future hosts and perhaps become engaged with some of the presenters. We invite the relevant Member of Congress to participate or a staff member often will participate in these tele-delegations, and it is a very meaningful experience for the delegates.

We also tried to enhance and grow our alumni program, and that is where the Zoom platform worked really well, and we have been able to engage so many of our alumni in all of our countries. In fact, it has gotten to the point where our alumni are asking us for engagement.

Our staff has been very busy working on that and hoping to grow our alumni engagement.

The interest in follow-up is very strong, and when our alumni are meeting again with their host families it is like a family reunion. It is very warm. I wish you could see how happy they are to see each other again. Many of our delegates refer to their American hosts as their American parents. It is that kind of relationship. It is very well received and very many people are happy to have that opportunity.

Thank you.

Ms. HERRERA BEUTLER. I yield back. Thank you, Mr. Chair.

Mr. RYAN. Great. Thank you.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

Ms. Sargus, let me talk to you about the Indo-Pacific.

You have been so successful in kind of looking to the east of where we are today, and your mission statement does include Asia. But the Asia that you really encompass today is really those countries that Chair Ryan mispronounced, didn't really include North-east Asia or Southeast Asia or the countries of the Indo-Pacific.

I think we talked about this in some prior hearings, about some further extension of your success to the Indo-Pacific, the broad Indo-Pacific. I think the other half of the world deserves that attention as well.

So I know that in the fiscal year 2021 approps bill we did include language really discussing an orientation towards Australia as just kind of a foothold perhaps in that area, putting in the potential of a reverse exchange program. I certainly would like to see that extended to other critical countries where we might have the same means and have the same effect.

Some of the ones that would occur to me would be India, the Philippines, Malaysia, some other countries that certainly we could stand some strengthening of ties with and in the spirit of what you have pursued for over two decades.

Do you have thoughts of whether that is on your agenda? And do the resources that you have permit you to do that?

Ms. SARGUS. Thank you for that question.

The Center considers new countries by a process, via the Board of Trustees, which is made up of Members of Congress and other ex-officio Members, who has to consider the capacity and the resources available to the Center in order to approve the additional countries.

We prefer to receive requests that are bipartisan and bicameral, if possible, because the board then considers that an interest from Congress that permeates both sides, and that is an important part of their ability to consider any new country.

Australia came up last year because of a request from the Senate, but it was not bipartisan, and it didn't exactly fill the needs of the board who wanted to see a bipartisan request.

Also, when we consider adding countries, we need to consider funding. It is, and we have some countries of Eastern Europe now in our wheelhouse, and we can do those countries, but in the course of a year, in a normal non-COVID year, we can bring a thousand people.

In that planning, which we do many months out, there is a certain level of attrition. So when we get the attrition and we fall below the 1,000, we try to supplement it with pilot programs in the countries that we have been asked to do.

We have managed to keep the numbers at around a thousand, but it is generally through the course of the year when we are able to accommodate additional requests and additional countries.

Mr. CASE. Okay. So I think what I am hearing you saying is, in order to consider some of the countries in the Indo-Pacific, you would want a bipartisan, bicameral request to you, number one. And, number two, you would have to find some extra resources in the current allocated resources for the current countries. Is that about right?

Ms. SARGUS. That is correct.

Mr. CASE. Okay. And specifically as to Australia, since that seems to be where you are farther along, is that now one of your countries? Are you still taking a look at it? And what about the possibility of a reverse exchange program?

Ms. SARGUS. That is a good question. The Australia case has been tabled for now, but we are developing an idea for a reverse program.

A reverse program would cement relationships between the professionals in the United States who are meeting with their peers from Open World countries.

We are also drafting a whole program outline for that. I would be happy to share that with you when we finish.

There are lots of things to consider with a reverse program, and I would say the most important one to consider is how are individuals in the United States nominated to travel.

It is tricky, and Open World does not want to be a travel agency, so we don't necessarily want to be a part of the logistical effort. But we are exploring some options about that because we feel it is important that we manage the outcomes and not so much the process and logistics of bringing—of taking people abroad.

Mr. CASE. Okay. Thank you very much.

Mr. RYAN. Mr. Amodei. Mark.

All right. Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman. Good morning.

Ms. Sargus, I appreciate you being with us this morning. Thank you for taking time to share with us your plans for the coming year.

Let me, first of all, compliment you for not asking for an increase in your appropriation. We have gone through a difficult year as a country, obviously, and a lot of unanticipated challenges. And I just wanted to say it has not gone unnoticed that you are managing and being able to do so with the same level, budget level.

And just to expand on that a little bit, could you share with us the process that you went through? I am not sure whether to call you Open World or the Center, I think, yet. But could you share with us how—the process you went through to reprogram funds from the way you used to do things until how you do them now? Could you enlighten us on that?

Ms. SARGUS. Sure.

In a typical year, we provide grants to a number of independent NGOs around the country, and the grants are the mechanism by which delegates are brought to the U.S., with the programs are written for them or set up for them.

Under COVID, of course, without travel, we had to think about how to implement the program within the parameters of the existing grant amount, and we encouraged our grantees to come to us and offer suggestions and proposals for engaging with delegations.

It was a remarkable response from all the grantees. It got to the point where the local hosting organizations were also very interested in participating in the Open World program.

We had a number of requests just for the alumni to meet with their host families, but we decided that we wanted to have professional programs, not just open world program alumni reunions. So we engaged speakers and presenters, and with the help of our logistical contractor we were able to manage these events on a Zoom platform.

We are able to do multilingual programs now. In fact, we had one this last week that had four languages. So Zoom creates an interpretation channel, which is really important.

We provide full interpretation and all kinds of other support for these tele-delegations. We participate in them. I greet every group and let them know how much we appreciate their participation and their coming back to join us. We get a lot of questions about: When can we come? When is travel going to resume? Nobody knows that.

My challenge is not only will we start implementing programs again when international travel starts, but understanding that many of our host families are empty-nesters, there will be a bit of a reluctance to host again for a while.

We are watching all the moving parts carefully, and we hope to have programs resume certainly by next January, but possibly in the fall. It depends on each country's vaccination program and all kinds of things going on. But we hope very much to have groups on the ground again in the fall, late fall, maybe October.

Mr. NEWHOUSE. Okay. Thank you.

And with new challenges come new opportunities sometimes.

Ms. SARGUS. Well, exactly.

Mr. NEWHOUSE. So you have had operations in my district in Washington State, but, frankly, not unlike a lot of rural areas in the country, some of my constituents lack adequate broadband to conduct video calls.

Have you had any issues with people who want to participate but just have had difficulty because they don't have a good connectivity? Or how do you deal with that?

Ms. SARGUS. We do have that problem, especially when we are talking about Russian participants from the Far East, for example. There are some connectivity issues. People will fade in and out occasionally.

But generally the people that choose to participate have managed to overcome those hurdles generally. We don't have many dropped participants. And because we have the account that we have, we are able to accommodate large, large alumni gatherings.

We do multicountry programs, which are very interesting, especially if we decide to use a theme like conservation or national

parks, and we will bring alumni from several countries who traveled on that theme to discuss it together. And the result is that they are beginning to form their own network in Eurasia of Open World participants who come from different countries.

That is another unexpected benefit of these Zoom calls, we can invite anybody and everybody.

Mr. NEWHOUSE. I am guessing some of these new ways of doing things may become more permanent.

My time is up, but I do appreciate you being here this morning. Thank you, Mr. Chairman. Thanks for that.

Mr. RYAN. Thanks, Mr. Newhouse. Always thoughtful questions. Ms. Wexton.

Ms. WEXTON. Thank you, Mr. Chairman.

And thank you, Ms. Sargus, for joining us this morning.

So I also serve on the State and Foreign Ops Subcommittee, and so we hear a lot about the executive branch democracy-building programs. So it is good to hear we have some within the legislative branch as well.

And it sounds like you guys were able to transition to a virtual program pretty seamlessly and well. But how are you measuring success metrics with a virtual curriculum?

Ms. SARGUS. That is being developed as we speak, not having any past experience with measuring a virtual program.

I would say that one of the main things is we are able to learn more about what people are doing as a result of their Open World experience. Somebody would open up a shelter for abused women, victims of domestic violence. That might be a result that we consider very important. Another will hold a conference on forest management or conservation or something like that.

We hear about them, especially during COVID, because we have so many interactions with our alumni now in person virtually that we learn quite a bit about what they are doing and what they are up to. And they are committed, very committed. I mean, we even had a Russian delegate who traveled outside her village to a library to have access to internet. That was how strong the interest in staying in touch is.

It is very important that the network of alumni that we have—in Russia alone we have more than 20,000 alums—it is important that we stay in touch with them and they tell us what is going on. It has been very refreshing.

Ms. WEXTON. So that actually segues nicely into my other question, my next question, which is, what happens when a participant finishes a program? Like, how do you develop your alumni programs, and how do you find alumni to help with those?

Ms. SARGUS. Well, we have in our logistical contractor the ability to conduct alumni programs. We work with the American embassies in our countries, and they often will host an alumni event where people will gather at the ambassador's residence. It is a very nice way for the group to see each other again and also to meet new participants on the program.

That network will continue once the pandemic is over, but we are going to continue with the alumni virtual program because the outreach capacity on the virtual platform is phenomenal, and we will continue to use that.

Ms. WEXTON. And one of the things I was pleased to see was that my hometown of Leesburg, Virginia, is a host city or host town.

Ms. SARGUS. Yes, it is a host city.

Ms. WEXTON. And I was kind of surprised actually because it is a little town, but it was very nice to see.

So how do you ensure a diversity of participating towns and localities?

Ms. SARGUS. Well, there are two ways—the grantees themselves have a network of hosting clubs around the country. For example, Rotary International is one of our grantees, and, of course, they have Rotary Clubs in every State. But there are also sister city relationships that want to host, and Friendship Force, which is another service club of sorts. We rely on them to expand the network and change up sometimes.

It is a matter of capacity for some of the local hosting organizations, but we are able to host in all 50 States, maybe not every single year, but almost every year we have 47, 48, to 50 States.

Ms. WEXTON. A mixture of urban and suburban and rural as well?

Ms. SARGUS. Absolutely. One of the favorite spots in the United States is Big Canoe, Georgia. Go figure. But it is a very popular destination for our delegates.

Ms. WEXTON. Great.

And then my final question is, I saw that you have some pilot programs slated for 2021–2022 in Bulgaria, Hungary, Poland, and Romania. Can you talk a little bit about those, what the pilot programs are going to be?

Ms. SARGUS. Well, I believe that in Poland and Hungary the focus will be on civil society or perhaps local legislators, like mayors or council members. And in Bulgaria and Romania, it will be a rule of law program.

Ms. WEXTON. Very good. Thank you so much.

I see my time is up, so I will yield back.

Thanks for all you are doing.

Mr. RYAN. Thanks, Ms. Wexton.

Mr. AMODEI. Yeah. Mark, you are up.

Mr. Amodei.

Mr. AMODEI. Hey, Mr. Chairman. Thank you. Sorry you had to double clutch on that.

I think that you are doing such a great job that I am going to yield back my time in the interest of moving right along. Thank you.

Mr. RYAN. Thank you, Mr. Amodei.

Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

And thank you, Director Sargus, for joining us today.

I am so impressed with your transition to virtual programming. And I wonder if you have thought about, when it is safe for international travel again, are you going to incorporate the virtual programming into your ongoing programming?

Ms. SARGUS. Great question. We talk about this quite a bit, and we plan to definitely keep the virtual platform as part of our program.

In our countries the normal procedure has been to have a pre-departure orientation. The delegates arrive at the U.S. Embassy in order to receive their visas, and then our people organize an orientation for them to explain to them what is going to happen, how this will be, where you will go, and what you will do.

We decided to use the virtual platform so that that pre-departure orientation will include the host families and the local organizing host. That way people will be meeting who they are staying with and there will be perhaps a settling down of nerves when they know who they are meeting and who they are staying with.

The virtual platform will not disappear from Open World. It has been a real boon to making and keeping connections.

Ms. CLARK. That is what you are all about.

Ms. SARGUS. Exactly.

Ms. CLARK. Are there any other challenges that you have had arise during the pandemic that we should be aware of on the Leg Branch Committee or can assist with?

Ms. SARGUS. Thank you for that question.

I believe that we worked out most of the hurdles. We think we have all our bases covered at this point. We don't have too much left to explore, except how do we resume a normal program again.

At this point we feel very confident in implementing our virtual program., but as we segue into real travel again, there will be parts of what we are doing now that will remain part of the future programs and the delegations.

In fact, we plan to bring not double, but maybe one and a half times the number of people we normally bring. We are thinking 1,400 to 1,600 people in the 12 months of travel as soon as it is resumed, and that is to make up a little bit for the lost time of travel.

By the time we shut down last year, we had already brought 166 people on the program, and we had 1,020 on our agenda. So we have a lot of backup plans we need to work on.

Some people will not be able to travel anymore, but others will. We are going to work it out. I talked to the staff, the program staff in particular, and they are very confident they could manage 1,500 in a 12-month period.

Ms. CLARK. That is great.

I was also pleased to see that one of the national grantees is a sister city association with Cambridge in my district and Armenia's capital city.

Many Armenian Americans have expressed concern about Azerbaijan's military actions against Armenians in Artsakh last year. Have these recent hostilities between two Open World countries had an impact on your programming? And how do you address the situations where there are geopolitical considerations between participating countries?

Ms. SARGUS. Well, that is a great question. Considering that there is always that tension between Russia and Ukraine and also Georgia, this is not a new thing for us.

We address each country uniquely, and we intend to make available to them the ability and the opportunity to talk about what concerns them. And if an Armenian delegation wants to talk about Azerbaijan, we are able to do that.

We allow those conversations to take place because one of the things that happens when our delegations meet with Members is that their concerns are brought up. Those are the things they tell you about. Those are the things they want help with.

It is important that we still do virtual programs with both countries, no problem, but we certainly don't have them traveling together at the same time, obviously, we wouldn't be in the future.

Ms. CLARK. Thank you so much.

I yield back, Mr. Chairman.

Mr. RYAN. Thank you, Ms. Clark.

Ms. Sargus, thank you so much. You are always so impressive, and we love having you before the committee every year. And especially thankful for your ability to navigate the tumultuous waters of 2020 and now 2021.

As you mentioned to Ms. Herrera Beutler's question with regard to the grant writer, we are sorry you had a little bit of a setback here, and, obviously, no fault of your own. But we just want to continue to encourage you to pursue that. We think that you make such a compelling case, especially in the world we are living in, that I think there are going to be ample resources out there for you once you are able to articulate and tell the story to those other NGOs and foundations.

And, of course, we think expanding this program is in the best interests of the country, and we think we could maybe do that with some private funds.

So we are very, very thankful for you continuing to do that.

Ms. Clark stole my question about the virtual. I figured you had some plans to keep and amplify the virtual opportunities that you discovered this year, which I think says a lot about your organization.

You know, we see it in telehealth and telework and telemedicine and tele-education and everything else, that everybody is saying, okay, you know, maybe we don't want to do this all the time, but there are some opportunities here for us to take advantage of. And I think that speaks to your leadership in being so adaptable.

I just have a couple of quick questions.

The expansion into Hungary, which I find very interesting, I just want to know what kind of reception. You are talking about Poland and Hungary. In Hungary it is obviously a very complicated political situation there. I am just interested in the response you are getting there and how the rollout is happening there.

Ms. SARGUS. That is a great question.

We start on a pilot program, we start by working being with our embassy partners in that country, because they know what and who and how to form a program with a delegation that would be able to travel. It is tricky sometimes.

We work very closely with them because we don't want to upset their apple cart, but we need to do an Open World program that, in fact, still represents what we consider our core values. It will be homestays. It will be looking at rule of law or the legislative process, which is something that we talk about quite a bit with every delegation. Understanding how laws are made is part of what we show.

We work with embassy personnel, particularly the public affairs and political officers usually at the Embassy to help us craft that program.

It is tricky. But we plan to have a virtual program as soon as travel resumes and a regular program. We are going to try, and I think we will be successful.

Mr. RYAN. Great.

Final question. We know you were talking about another full-time employee in the request. Can you just tell us what that full-time employee's responsibilities will be?

Ms. SARGUS. Yes. Well, nobody in Open World wears one hat. So not only will this person be tasked with proposal writing and pursuing grant opportunities, but also be part of our strategic planning initiative and our congressional relations, which we consider to be very important.

Mr. RYAN. Great.

Ms. SARGUS. I am still the budget officer, but I am also the director. Everybody has to wear more than one hat. That is why we are so good with money. We make everybody do many things.

Mr. RYAN. Yeah, that is great.

Well, we can't thank you enough. We appreciate your time. Keep up the great work. We will continue to work with you. And if there is something you may need along the way, we are here to help.

Ms. SARGUS. That is great to hear. Thank you so much.

I want to give a shout-out to my outstanding staff. They are simply the best. I don't think we could have done this year without their wits, coming to the table with good ideas and the ability to implement like that. They did a great job, and I don't think I could ever express my appreciation enough.

And also I want to say hi to all my relatives in Ohio and West Virginia who are watching today. I appreciate that, too.

Mr. RYAN. All right. Where in Ohio are they?

Ms. SARGUS. Belmont County, and also in the Columbus area, and Akron and Canton. I actually have family in a lot of different places in Ohio, Groveport, Bellaire, which is where I am from. So the eastern part mostly.

Mr. RYAN. Gotcha, gotcha.

Well, we can't thank you enough. Thank your staff.

And I thank all of the members of the committee for great questions.

With that, the committee is adjourned.

Ms. SARGUS. Thank you.

[Questions and answers submitted for the record follow:]

Chairman Ryan, Ranking Member Herrera-Beutler, distinguished Members of the Subcommittee.

Thank you for the opportunity to testify today on the Open World Leadership Center's fiscal year 2022 budget request. The budget request is for level funding in 2022 that will continue to provide support for operating expenses of the Center. There is an additional item of note in the budget request: the Board of Trustees' vote to change the name of the Center to the Congressional Office for International Leadership, a name that more accurately reflects the mission and Congressional affiliation of the agency.

As a unique congressional center and resource, Open World is the dynamic catalyst for hundreds of international projects and partnerships that constituents have developed with emerging leaders throughout the countries of Eurasia and Europe.

More than 8,000 volunteer American families in all 50 states have hosted more than 29,000 young professionals. Our dedicated hosts immersed these professionals in American life, values and practices, while contributing an estimated \$1.5 to \$2.0 million in cost shares annually.

Americans from all walks of life have had to adjust the way they conduct business because of the global pandemic. The Center began by

asking the question: how does an exchange program re-invent itself in the time of COVID when there is no international travel?

The program came to a complete halt and sent us all home on March 18, 2020. However, the challenges brought on by the pandemic, created an opportunity to bring delegates into the homes of Americans across the country *virtually*.

As we settled into teleworking, the staff rallied to create a vibrant and extensive virtual Open World program. Using Zoom because of its unique ability to accommodate simultaneous interpretation, each tele-delegation was introduced to their future program organizers and the local families that would host them.

In less than a year, staff designed, developed, and implemented 120 virtual programs with nearly 8,000 people participating from all OW countries. This programming engaged Members of Congress and their staff as well as hundreds of American host families and program speakers/presenters.

Unexpected benefits emerged from our virtual programming as our efforts to utilize teleconferencing revealed the strength of the relationships Open World has helped to form. From every country, every region, every walk of life, our alumni from all OW countries joined in virtual reunions. The impact of Congressional participation in all these virtual events was significant and memorable, especially for the

many American hosts who joined in. Constituents throughout the country are proud to be part of the Open World brand of citizen diplomacy. They know that they are building bridges between Main Street America and countries in transition.

In Fiscal Year 22 we plan to increase the number of visiting delegations substantially. New delegations will follow the pre-existing groups delayed by the pandemic. To the extent circumstances permit, we plan to increase the depth and breadth of our programs including pilot programs in Poland, Hungary, Romania, and Bulgaria.

And, finally, in our efforts to stay up to date organizationally, the Center embarked on a project that involves the digitization of our records. A digital archive will allow the Center to demonstrate its effectiveness and tell its success story. With advanced analytics, the Center will leverage data to make a more modern and effective agency.

The archive will not only showcase this unique example of cooperation between the Congress—the branch of government closest to its citizens—and the countless American communities that have partnered with the Center, but also document the Center’s nimble, peer-to-peer approach to exchanges.

Thank you for this opportunity to testify before you today. Your interest in and support of the OWLC is paramount for our continued success.

TUESDAY, MARCH 2, 2021.

CONGRESSIONAL BUDGET OFFICE

WITNESS

PHILLIP SWAGEL, DIRECTOR, CONGRESSIONAL BUDGET OFFICE

Mr. RYAN. The committee will come to order.

This hearing is fully virtual, so we need to address a few house-keeping matters.

First, for today's meeting, the chair or staff designated by the chair may mute participants' microphones, when they are not under recognition, for the purposes of eliminating inadvertent background noise.

Second, members are responsible for muting and unmuting themselves. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

Third, you will notice a clock on your screen that will show how much of the 5-minute clock is remaining. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Fourth, we will be beginning with the chair and ranking member, then members present at the time the hearing is called to order will be recognized in order of seniority.

And, finally, House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings. That email address has been provided in advance to your staff.

Dr. Swagel, thank you for joining us this afternoon to discuss the \$61 million budget request for the Congressional Budget Office.

Phillip, we spoke a little over a week ago where you briefed me on your fiscal year 2022 request and what the 3.7 million, or the 6.4 increase, would be for. Specifically, the increase is mostly intended for salaries and benefits to increase for your full-time equivalents by 11 positions to 275.

Plus, the increase is intended for software and information technology to make CBO even more responsive to the analytical needs of all the Congress.

CBO is a nonpartisan office that plays a vital role in helping Congress effectively exercise our duties enshrined in Article I, section 9, clause 7 of the Constitution, known colloquially as the power of the purse.

You have become such a part of this institution that we may take it for granted. CBO's role remains vital for the legislative branch to have our own independent economic analysis and cost estimate

of proposed legislation so we do not have to rely solely on the Office of Management and Budget within the executive branch.

I should note that the Appropriations Committee are the source of some of CBO's heaviest workload. We employ CBO's help in making sure our bills add up to what they are supposed to, and we need CBO cost estimates at each stage of legislative action.

The committee appreciates all that the staff of CBO does, as I am certain other committees similarly appreciate CBO and all the work you do for them.

Even though we are one of your biggest customers, we understand that all of Congress are your clients and that, last year, you had increased workload because of legislation surrounding expanded healthcare coverage, drug pricing, and the COVID crisis.

Additionally, I know that this year you are preparing for an increase in legislation involving infrastructure, climate, as well as the continued focus on healthcare, as well as reconciliation, regular and potential supplemental appropriation measures.

We do keep you busy, and we are thankful for all of the work that you do. I look forward to your testimony today.

And at this point, I would like to yield to my friend and colleague from the State that produces more apples than any other State in the Union, Ranking Member Jaime Herrera Beutler.

Ms. HERRERA BEUTLER. More potatoes, more potatoes, too, than Idaho, Mr. Chairman, but less well-known.

Mr. RYAN. We will bring that up at tomorrow's hearing.

Ms. HERRERA BEUTLER. Okay.

Mr. RYAN. That will be your new introduction tomorrow.

Ms. HERRERA BEUTLER. Potato lady?

Thank you for that.

And welcome to our witness, Director Swagel, Director of the Congressional Budget Office.

The CBO's fiscal year 2020 budget request is 60.953 million, which represents a 6.4 percent increase from last year's enacted level. I am looking forward to hearing a little bit more about the needs there.

The Congressional Budget Office obviously provides incredibly important information. I do like having our own independent budget analysis separate from the executive branch, and even from private entities, just because it allows us that direct access.

And I recognize you do preliminary cost estimates on a lot more than you even are able to put out, and you provide direct assistance, technical assistance, to Members, committees and staff, ad nauseam. So we are really grateful. The tireless work of and your staff is really appreciated and incredibly necessary.

So ensuring that all offices have equal access to the information that CBO produces continues to be a top priority for me. I recognize that big pieces of legislation put in place by leadership are obviously going to take time and attention, but I think it is incredibly critical that, once things are made public in any way, that the CBO produces that information to all of Congress, because we are all your constituents, as it were.

Congress has appropriated additional funds in the past funding bills to allow CBO to implement a plan to improve your responsiveness and transparency, and I encourage your office to continue this

focus, especially on those big, major pieces of legislation that we all are working on.

So I look forward to hearing more from you on your agency's work and your ideas on how to help CBO improve.

With that, I yield back, Mr. Chairman.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

Mr. Swagel, without objection, your written testimony will be made part of the record. Please summarize your statement for the members of the committee. Once you have finished your statement, we will move to the Q&A period.

So please begin, Mr. Swagel.

Mr. SWAGEL. Thank you very much. Thank you, Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee. Thank you for the opportunity to present the CBO's budget request.

I am privileged to work with my colleagues at CBO as we support the Congress in these challenging times. Our chief administrative officer, Joe Evans, and chief financial officer, Mark Smith, they are both on the Webex as well, and they lead an outstanding group of financial professionals who handle the CBO budget.

So as you said, the purpose of my testimony today is to request an appropriation of \$61 million for 2022. And as you said, that is an increase of \$3.7 million, or 6.4 percent, from the amount provided in 2021. And I thank the entire committee for your continued support of our agency.

CBO's proposed increase reflects the expectation of continued intense interest in our analysis. So let me first briefly explain how our budget request would support that goal to be even more responsive to the needs of the Congress, and then I will explain, again briefly, what it would mean for CBO's outlook.

So with the request, CBO would maintain its staffing level and then hire four new staff to address issues for which we anticipate significant legislative initiatives. So, since 2019, before I was Director, the Congress has increased CBO's budget to bolster our capacity to make our work more responsive and transparent.

We have been working hard to accomplish those objectives. For example, expanding staff in high-demand areas, such as healthcare, but organizing staff to work on broader shared portfolios.

Now, about half of the requested \$3.7 million increase for next year would be for added staffing. So this would cover a full year's worth of salary and benefits for the seven new staff members hired in 2021, who will come on board later this year.

And then the increase would allow us to hire four new staff members, focused on analysis of infrastructure and energy and climate change, as you said, and these are the areas in which we are already making investments and we expect heightened legislative activity.

I think we all understand infrastructure spending is coming, and we want to be ready to analyze that, including the effects of infrastructure on the economy, the broader economic effects.

CBO is also working to improve our capability to analyze the effects of legislation on people in different demographic groups and different income groups.

Now, the remainder of the increase would largely cover the normal increases in personnel costs, and also IT enhancements.

Let me very briefly highlight our work over the past year, and then how CBO's budget would support the high volume of output we expect in the coming year.

Well, 2020 involved extraordinary circumstances, and we continued to analyze the economic and budgetary developments for the Congress, analyzing the legislation that responded to the pandemic under tight timetables and with our staff working from home at all hours also. I am thinking back to the work on the CARES Act last March. It was just routine to have conference calls after midnight. And of course supporting the Congress as the Congress developed the legislation.

In response, we provided more frequent updates of our budget and economic projections to make sure that the Congress had timely information on the impacts of the pandemic.

And at the same time, we produced reports on a wide range of topics, so about people who lacked health insurance even before the pandemic, what mechanisms to reach universal health insurance coverage. We had a report on single-payer healthcare as one way to reach universal coverage.

We had a variety of defense-related issues covering all of the armed services. We had reports on student loans, on veterans' income, and other topics.

And, importantly, we incorporated the impacts of climate change in the budget baseline for the first time and published a report explaining how we did it.

So looking ahead briefly, the requested funding would allow us to provide about 700 cost estimates, mostly to the authorizing committees; fulfill thousands of requests for technical assistance from committees and Members of Congress, including before they introduce legislation; produce about a hundred scorekeeping reports and estimates supporting the appropriations process; and then produce about 70 analytic reports and papers, some required by law, some in response to requests from chairs and the members; and then provide a variety of other products.

So in summary, to achieve our goal to be as responsive as possible, CBO requests an increase of \$3.7 million. And with your support, we look forward to providing timely and high-quality analysis to the Congress.

Thank you again. I am happy to take questions.

[The information follows:]

Congressional Budget Office
Nonpartisan Analysis for the U.S. Congress



This document is embargoed until it is delivered at 2:00 p.m. (EST) on Tuesday, March 2, 2021. The contents may not be published, transmitted, or otherwise communicated by any print, broadcast, or electronic media before that time.

TESTIMONY:

**CBO's Appropriation Request
for Fiscal Year 2022**

Phillip L. Swagel
Director

Before the Subcommittee on the Legislative Branch
Committee on Appropriations
U.S. House of Representatives

MARCH 2 | 2021

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, thank you for the opportunity to present the Congressional Budget Office's budget request. CBO is asking for appropriations of \$61 million for fiscal year 2022. That amount represents an increase of \$3.7 million, or 6.4 percent, from the \$57.3 million provided to CBO for 2021. Of the total amount, nearly 91 percent would be used for personnel costs.

The proposed budget reflects strong interest from Congressional leadership, committees, and Members in CBO's estimates, analysis, and technical assistance—interest that will strain the agency's resources in many areas. The need to rapidly assess the economic effects of the 2020–2021 coronavirus pandemic and the impact of major pieces of related legislation has added to the normal heavy workload, and significant legislative initiatives prompted by the new Administration will require additional resources. CBO is also working to improve its capability to analyze the effects of legislation on people in different demographic and income groups. The budgetary increase that CBO is requesting would enable the agency to remain responsive to Congressional needs by fully funding the staffing increase that it is undertaking this year and by providing for four new staff members to deliver more analysis of infrastructure, energy, and climate-change issues—areas in which CBO anticipates additional legislative activity.

Reasons for the Requested Increase in Funding

The requested increase would pay for current staffing and for hiring four new staff members in 2022. It would also enable various improvements in information technology (IT).

Personnel Costs

CBO requests an increase of \$3.1 million for personnel costs. Of that amount, \$1.4 million would cover salaries and benefits to fully fund seven new staff members hired in 2021 and to fund the early replacement of staff members who plan to depart in 2022 (nine full-time-equivalent positions, or FTEs). An additional \$0.4 million would fund salaries and benefits for the four new staff members (two FTEs) who would provide the Congress with more analysis of infrastructure, energy, and climate-change issues. (Those employees would be hired halfway through the year, so the amount requested is half the cost of employing them for a full year.)

The remainder—\$1.3 million—would provide for normal increases in personnel costs. It would fully fund

increases in personnel costs that began this fiscal year, as well as provide for performance-based salary increases for current staff in 2022 and an across-the-board increase of 2.6 percent for employees earning less than \$100,000. (That group of employees would also be eligible for performance-based increases, whereas employees earning \$100,000 or more would be eligible to receive only performance-based increases.) Furthermore, the amount would fund increases in performance bonuses and anticipated increases in leave buyout costs. And it would cover an increase in the cost of federal benefits.

Nonpersonnel Costs

CBO requests an increase of \$0.6 million for nonpersonnel costs. That funding would enable such enhancements as improving CBO's ability to assess, detect, and recover from internal and external cyber threats; continuing to improve computing capabilities for many staff by shifting their workstations into cloud-based systems; and enhancing users' ability to conduct remote teleconferences.

CBO's Budget Request and Its Consequences for Staffing and Output

In fiscal year 2022, CBO will continue its mission of providing objective, insightful, clearly presented, and timely budgetary and economic information to the Congress. The \$61 million requested would be used mostly for salaries and benefits for personnel.

Funding Request for Personnel Costs and Consequences for Staffing

CBO requests \$55.2 million for salary and benefits to support 275 FTEs. That amount represents an increase of \$3.1 million, or 5.9 percent, from the \$52.1 million provided to CBO for fiscal year 2021.

Of the total requested amount:

- \$39.6 million would cover salaries—an increase of \$2.6 million, or 7 percent, from the amount provided for 2021.
- \$15.6 million would fund benefits—an increase of \$0.5 million, or 3.6 percent, from the amount provided for 2021.

Funding Request for Nonpersonnel Costs

CBO requests \$5.8 million for costs other than personnel. Those funds would cover current IT operations—such as software and hardware maintenance, software development, communications, and purchases of commercial data and equipment—and would pay for

training, expert consultants, office supplies, travel, interagency agreements, facilities support, printing and editorial support, financial management operations (including auditing the agency's financial statements), subscriptions to library services, and other items. The requested amount is \$0.6 million, or 11 percent, larger than the amount provided for 2021.

Consequences for Output

The requested amount of funding would allow CBO to do the following for the Congress:

- Provide roughly 700 formal cost estimates, most of which would include both estimates of federal costs and assessments of the cost of mandates imposed on state, local, and tribal governments or the private sector;
- Fulfill thousands of requests for technical assistance, typically from committees and Members of Congress seeking a clear picture of the potential budgetary impact of proposals and variants of proposals before they introduce or formally consider legislation;
- Produce about 100 scorekeeping reports and estimates, including account-level estimates for individual appropriation acts at all stages of the legislative process, as well as summary tables showing the status of discretionary appropriations (by appropriations subcommittee) and running totals on a year-to-date basis;
- Publish about 70 analytic reports and papers—generally required by law or prepared in response to requests from the Chairs and Ranking Members of key committees—about the outlook for the budget and the economy, major issues affecting that outlook under current law, the budgetary effects of policy proposals that could change the outlook, the details of the federal budget process, and a broad range of related budgetary and economic topics in such areas as health care, defense policy, Social Security, and climate change; and
- Publish blog posts, chart books, interactive tools, presentations, slide decks, testimonies, and questions for the record to bring CBO's work to a wide audience and to increase the transparency of CBO's analysis and methods.

The demands on the agency remain intense and strain its resources in many areas. For example, the workload associated with analyzing appropriation bills and related amendments continues to be heavy. Also, over

the past year, CBO devoted extensive resources to analyzing legislation that responded to the pandemic and to sudden changes in the economy. In addition to those extraordinary efforts, CBO devoted resources to producing important reports about the budgetary effects of a single-payer health care system, a variety of defense-related issues, student loans, transparency at CBO, the effects of recapitalizing Fannie Mae and Freddie Mac, veterans' income, and other topics. CBO regularly consults with committees and the Congressional leadership to ensure that its resources are focused on the work that is of highest priority to the Congress. Even with high productivity by a dedicated staff, CBO expects that it will not be able to produce as many estimates and other analyses as committees, leadership, and individual Members request.

Responsiveness

CBO seeks to provide information at the time when it is most useful to the Congress. Depending on its purpose, that information takes a variety of forms, such as cost estimates, background information, and technical assistance. Whenever it is practicable, CBO completes formal cost estimates before legislation comes to a floor vote. In addition, the agency works to provide technical assistance, reports, and other information to policymakers and their staff during earlier stages of the legislative process.

Beginning in fiscal year 2019, the Congress increased CBO's budget in part to allow the agency to implement a plan to strengthen its responsiveness to the Congress. To carry out that plan, CBO has expanded staffing in high-demand areas, such as health care and immigration. It has increased its use of assistant analysts, who can move from one topic to another to support more senior analysts when demand surges for analysis of a particular topic or when additional assistance is needed for a complicated estimate. In addition, CBO is engaging expert consultants in complex areas, such as health policy, economic forecasting, and climate-related research. Finally, the agency is continuing to expand its use of team approaches for large and complicated projects. That approach has been particularly effective in enabling CBO to produce timely analysis of legislation involving health care.

CBO's goal is to increase the number of staff with overlapping skills within and across teams. In some cases, those skills will consist of expertise related to particular topics, such as defense or transportation. In other cases,

they will be more technical, such as the ability to design and improve simulation models. In a similar vein, CBO plans to invest additional resources in bolstering analysts' ability to coordinate work that requires expertise from across the agency. Another of CBO's goals is to dedicate more senior analysts to being responsible for projects that span multiple subject areas.

The budgetary increase that CBO is requesting would allow it to maintain its efforts to be responsive, particularly in three important areas of analysis. In 2021 and 2022, CBO plans to hire additional staff who will increase the agency's expertise and modeling capability in the areas of infrastructure, energy, and climate change—areas in which CBO expects the Congress to show increased interest.

Transparency

CBO works hard to make its analysis transparent and plans to strengthen those efforts, building on the increased emphasis that it has placed on transparency over the past several years. In 2021 and 2022, many of CBO's employees will spend part of their time on efforts to make the agency's analysis transparent.

Testifying and Publishing Answers to Questions

In 2021 and 2022, CBO expects to testify about its baseline projections and other topics as requested by the Congress. That work will involve presenting oral remarks, answering questions at hearings, and presenting written statements, as well as publishing answers to Members' questions for the record. CBO will continue to address issues raised as part of the oversight provided by the budget committees and the Congress generally.

Explaining Analytical Methods

CBO plans to publish reports providing general information to help Members of Congress, their staff, and others better understand its work. For example, a report will explain the important issues surrounding CBO's long-term economic and budget forecasts. And CBO will continue to provide technical information about several methods used to analyze the macroeconomic effects of federal policies. That technical information will include working papers and, in some cases, the computer code used in models.

Releasing Data

In 2021 and 2022, CBO will maintain its practice of publishing extensive sets of data to accompany its major

recurring reports, including detailed information about 10-year budget projections, historical budget outcomes, 10-year projections for federal trust funds, revenue projections by category, spending projections by budget account, tax parameters, effective marginal tax rates on labor and capital, and 10-year projections of economic variables, including the economy's potential (or sustainable) output.

The agency will also provide details about its baseline projections for the Pell grant program, student loan programs, Medicare, the military retirement program, the pension benefit guarantee program, the Social Security Disability Insurance program, the Social Security Old-Age and Survivors Insurance program, the trust funds for Social Security, child nutrition programs, child support enforcement and collections, foster care and adoption assistance programs, the Supplemental Nutrition Assistance Program, the Supplemental Security Income program, the Temporary Assistance for Needy Families program, the unemployment compensation program, the Department of Agriculture's mandatory farm programs, federal programs that guarantee mortgages, programs funded by the Highway Trust Fund, benefits for veterans and military personnel stemming from the Post-9/11 GI Bill, and veterans' disability compensation and pension programs.

Other data will provide details about long-term budget projections, projections underlying Social Security estimates, more than a thousand expired or expiring authorizations of appropriations, and dozens of federal credit programs. When CBO analyzes the President's budget request, it will post a set of files providing estimates of the budgetary effects of specific proposals. Throughout 2021 and 2022, the agency will post the data from various reports' charts and tables.

Analyzing the Accuracy of CBO's Estimates

In 2021 and 2022, CBO will continue to release reports analyzing the accuracy of its past projections of outlays, revenues, deficits, and debt. CBO will also reexamine the accuracy of its previous cost estimates in certain cases when the actual outcome of legislation can be determined; in other cases, the agency will explore whether new information sheds light on the original estimates. CBO will release a report on the accuracy of its economic forecasts. And the agency will compare its projections of federal subsidies for health insurance with actual amounts.

Comparing Current Estimates With Previous Ones

In several of its recurring publications—reports about the budget and economic outlook, federal subsidies for health insurance, and the long-term budget outlook—CBO will continue to explain the differences between the current year's projections and those produced in the previous year. In its cost estimates, CBO will continue to identify related legislative provisions for which it has provided estimates in the recent past and explain the extent to which the provisions and estimates at hand are similar or different.

Comparing CBO's Estimates With Those of Other Organizations

CBO will compare its budget projections with the Administration's and its economic projections with those of private forecasters and other government agencies when possible. And in various reports, the agency will include comparisons of its estimates with estimates made by other organizations. In addition, when time does not allow for publication but interest is high, analysts will discuss such comparisons with Congressional staff.

Estimating the Effects of Policy Alternatives

In 2021 and 2022, CBO will release new interactive products to help users understand the effects of potential changes to federal policies. Reports will also illustrate the potential effects of various policy proposals.

Characterizing Uncertainty Surrounding Estimates

CBO will update an interactive workbook showing its estimates of how changes in economic conditions affect the federal budget. The agency's reports about the 10-year outlook for the budget and the economy, the long-term outlook for the budget, and federal subsidies for health insurance will contain substantial discussions of the uncertainty surrounding CBO's projections. In addition, in any cost estimates in which uncertainty is significant, CBO will include a discussion of the topic.

Creating Data Visualizations

In 2021 and 2022, CBO will provide information about its budget and economic projections in slide decks and create infographics about actual outlays and revenues. And the agency will look for opportunities to include graphics to enhance the explanations in some cost estimates.

Conducting Outreach

CBO will continue to communicate every day with Congressional staff and others outside the agency to explain its findings and methods, respond to questions, and obtain feedback. The agency's Director will meet regularly with Members of Congress to do the same. After each set of baseline projections is published, CBO's staff will meet with Congressional staff to discuss the projections and answer questions.

CBO will obtain input from its Panel of Economic Advisers, its Panel of Health Advisers, and other experts. Many reports will benefit from written comments by outside experts on preliminary versions. For some recurring reports produced on compressed timetables, such as the one about CBO's long-term budget projections, the agency will solicit comments on previous publications and selected technical issues to incorporate improvements in future editions.

CBO's staff will give presentations on Capitol Hill—some in collaboration with the Congressional Research Service—on CBO's budget and economic projections and on other topics. Those presentations will allow CBO to explain its work and answer questions. The agency will also give presentations about its findings and about work in progress in a variety of venues to offer explanations and gather feedback. In addition, CBO will use blog posts to summarize and highlight various issues.

This testimony summarizes information in CBO's budget request for fiscal year 2022, which was prepared by Mark Smith, with contributions from Leigh Angres, Joseph E. Evans Jr., Theresa Gullo, Deborah Kilroe, Leo Lex, Benjamin Plotinsky, and Stephanie Ruiz.

Mark Doms, Mark Hadley, Jeffrey Kling, and Robert Sunshine reviewed the testimony. Benjamin Plotinsky was the editor, and Robert Rebach was the graphics editor. It is available on CBO's website at www.cbo.gov/publication/56995.



Phillip L. Swagel
Director



Mr. RYAN. Thank you, sir. Appreciate that. Thank you for your testimony.

We are going to go into the question and answer period now, and I will yield to the ranking member, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

In your written testimony, you mentioned that CBO devoted extensive resources to analyzing legislation that responded to the pandemic, and you have also highlighted things that are upcoming, transportation and others, that are going to continue to take a lot of analysis.

These pieces of legislation, like the CARES Act, more specifically on the healthcare side, have huge effects on our economy. Would you be able to elaborate more on the challenges you and staff faced in analyzing those—and they were fast-moving as well—large pieces of legislation and how you addressed those challenges?

Mr. SWAGEL. No, that is right. I mean, the dollar figures were large, and then the economic effects were large.

The provisions that are mainly appropriations, we have to figure out—such as the spending of outlays—sort of how much money is available, how quickly can the money go out for the purposes described by the Congress.

As you said, the economic analysis is, in some sense, harder. So as an example, the legislation enacted last year to respond to the pandemic broadened and extended the unemployment insurance system. And so we knew that had multiple effects. It meant money for people to support their spending and support the economy.

On the other hand, that meant that some people—it would have different effects for working, different incentives for working. And we had to do that analysis, balancing the increased demand and increased spending and the positive effects that would have on the economy, and try to figure out, well, what would it mean on the incentive effects for the labor supply, people to take jobs.

And our views changed as the economy progressed, as the virus progressed. When the economy was locked down the incentives to work were just not, you know, sort of not there, but as the recovery proceeded and the economy opened, that changed, and we had to do analysis along those lines.

So this is just one illustration of the sorts of complicated analysis resulting from the pandemic.

Ms. HERRERA BEUTLER. Thank you. You know, it brings to mind just your—even the ability to kind of update, because that is such a dynamic situation, based on opening and closing again.

Are you providing updates on that, more of like a dynamic analysis or an ongoing, or is it just you did the bill and you are done?

Mr. SWAGEL. So within CBO, we have a group that is continuing to track this. So we have a virus team that is looking at what is happening with the virus and the effects and the interactions with the economy.

We did an analysis in September of the effects of the CARES Act on the economy, and looking at the different provisions of the CARES Act. And I expect we will do the same thing with the CAA that was enacted in December. And then, if legislation is enacted in the next couple of weeks, I expect we will do the same thing, analyze that, analyze that as well.

Ms. HERRERA BEUTLER. Last year, one of the difficulties CBO had in completing reports and analysis in a timely fashion was the delay in receiving data from the Federal executive agencies.

Do you still believe this is an issue? Is there something that we need to do to help speed that process up to ensure CBO is getting the information it needs in a timely manner?

Mr. SWAGEL. On the whole, we have good working relationships with the agencies that provide us data. This year was especially challenging as we moved essentially into the cloud.

On the whole, the agencies were incredibly helpful as we get data on healthcare and for Social Security, a long-term analysis from the IRS. And they were incredibly constructive with us in moving to a secure environment in the cloud. The Joint Committee on Taxation also provides us with some data, and they also were constructive.

So the past year the delays have been mostly understandable, mostly working on security.

We also get a lot of data from OMB, for example, on the budget execution, and that comes with the President's budget. And obviously, with the transition this year, the President's budget is delayed. So we are waiting for those data.

But, again, we work well with OMB on the staff level. We will get it when it is ready. So it is not a complaint. It is not a problem. It is just saying, look, there is a natural delay there.

Ms. HERRERA BEUTLER. And you have mentioned working in the cloud—and I will make this quick—but that is part of what your increase is for, for nonpersonnel costs that include improving your ability to detect cyber threats and continue to shift staff to workstations on the cloud.

Have you encountered actual, like, significant cyber threats in recent years?

Mr. SWAGEL. You know, I mean, just like everyone, we have intrusion attempts and surveillance activities. I think all of the staff, including me, there is attempted phishing attempts and things like that.

We have not had a particular attack on us or particularly something targeted, that we know of, that is specifically at us, but of course we are still enhancing our ability to detect and respond.

Ms. HERRERA BEUTLER. Thank you.

Yield back, Mr. Chairman.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

I am proudly coming to you from the State that produces more macadamia nuts than Ohio, Washington, New York, Virginia, and Nevada combined. I know this because none of you produce macadamia nuts.

Mr. RYAN. Mr. Case, you are muted.

Mr. CASE. Doctor, is that increase enough for you given—you know, I am just thinking back over the past year and what is in front of us. I mean 2.2 trillion, CARES Act; 900 billion in December; 1.9 trillion in front of us; probably more bills, more complexity, infrastructure, healthcare reform. I could go down the list.

Most of the increase that you are asking for is actually an increase in salary and benefits for existing staff. The number of new positions is minimal compared to the scope of all of that, it seems to me. And at the same time, we have asked you to be kind of more responsive.

And, as I recall, responsiveness, really, if you look at the priorities of committees first and kind of Members last, individual Member requests still, unless they are linked to some committee request, don't get done. I think that is effectively the answer there.

Is it enough? I mean, I don't want to be penny-wise and pound-foolish about this.

Mr. SWAGEL. Right. No, no, it is a good question. And maybe I should start at the end and just acknowledge what you said, that one of our challenges is that individual Member requests, we just don't have the ability to do those. And it is, generally, if a Member wants something from us, they will go to the chair or ranking member, and the chair will tell us to move it up the priority stack. So for sure that is a challenge.

The request this year, there is four new positions. There is the seven that we are hiring this year. Those people will come on board starting in the middle of this year and then through the end of next—through the end of this year. So there is a sense in which the request would support all 11 of those.

So it is—I am not—I don't think I am asking for too much, or at least we are not trying to, but also not for too little, in a sense, since we are trying to make sure we fund this entire—the seven this year, and then the four we hope to add next year.

And then, in terms of the kind of is it enough, the principle here is that we are trying to look ahead and see where Congress is going and just be ready, and that is when we are at our best. And, here, that is like infrastructure and energy and climate, and I know that is where the Congress is going, and Members have told me, and that is where we are building expertise.

We are pretty good on health. We have ramped up. We are ready. And so things like a public option and expansion of coverage, we have been working on those for the last year, and some of that is in the reconciliation legislation that the Congress is considering now.

So I think we are in good shape for health, for immigration, macro. And building on energy and climate, I think, is the right approach for us.

Mr. CASE. And given that, what about the responsiveness, which has been a concern with the workload? And we have asked you formally and informally to respond to and get on top of the responsiveness. I mean, do you think that, with that addition, you can—are you going to be slipping on responsiveness, or getting ahead of the game, or just treading water?

Mr. SWAGEL. Yeah. I think we will maintain the responsiveness in the areas that we have been busy on this year. And so I just think of the reconciliation bill. It is on health, it is on income security, unemployment insurance, on pensions, where we have worked especially intensively with the committees of jurisdiction—it was the Ways and Means, E&L, the Finance Committee in the Sen-

ate—and providing technical assistance to them while the committees are developing the legislation.

I think we have succeeded in doing what we need to do to support them with their legislation. And we will continue that and those sort of requests. We will continue in that.

And so I think we will—in some sense, it is not—treading water, I guess, is technically right—but continue, I would say, at a high level in those areas.

Mr. CASE. Okay. And then expert consultants. I notice you really don't utilize all that many. It looks like you do much of it in-house. Not that many expert consultants, not that big a part of your budget. And it seems to be confined to just a few of the specialty areas.

Is that just highly specialized analysis, or are those areas where you have difficulty competing with other sectors of our economy to get folks into CBO?

Mr. SWAGEL. Okay. No, no, thank you. It is an important issue for us.

So we have essentially two different types of expert consultants. One is we have two groups of advisers, one on the overall economy, both macro and micro, and then a specialized group of health advisers. And so we pay them very modestly. This is, I don't know, \$500 a year, each of them. So this is just a token for most of them. Mostly they are academics, some from industry. And we rely on them pretty intensively, and this year, pretty intensively, we have.

The other one is the more expensive one, as you said, and that is on, as you said, on specialized knowledge, you know, on some legal, some environmental expertise especially, where there it is more expensive. And so that is the second half of it.

Mr. CASE. Okay. Thank you very much.

Mr. SWAGEL. Okay. Thank you.

Mr. RYAN. Thank you, Mr. Case.

Mr. Amodei.

Mr. AMODEI. Thanks, Mr. Chairman.

Mr. RYAN. It is the button that says "mute" on it. When you hit it, it will turn green, and then you talk. And, when you are done, you hit it, it will go red, which means stop, and then you can't be heard anymore.

Mr. AMODEI. Well, I cannot thank you enough for reaching out to me on a personal technical basis, because, as you know, I need all the help I can get.

Mr. RYAN. The gentleman has 5 minutes.

Mr. AMODEI. So under the category of let's walk before we run with my technical ability, I would only say this, that from the State that produces more silver and gold than Hawaii and every other State, I yield back.

Mr. RYAN. I thank the gentleman.

Ms. Wexton.

Ms. WEXTON. Thank you, Mr. Chairman.

And thank you, Dr. Swagel, for coming to testify before us today.

So I saw in your request that you asked for some nonpersonnel costs, and a part of that is to help CBO's ability to mitigate cyber threats and improve remote work capabilities. So I want to follow up on some of that.

How many employees does CBO currently have working remotely, and what proportion of your workforce is that?

Mr. SWAGEL. Right now everyone is working remotely. We have a couple of people at the Ford Office Building. Two in particular are there regularly, one supervising some of the renovation of our conference rooms to facilitate hybrid operation and one a computer engineer.

The rest of us are remote, and you can see my office turns back into my dining room on Friday nights.

Ms. WEXTON. So you are working remotely. Basically your entire workforce is working remotely full-time. Is that right?

Mr. SWAGEL. That is correct, yes.

Ms. WEXTON. Okay. Now, did CBO update any of its network infrastructure to support this remote work, or are you just able to rely on the network infrastructure that you already had?

Mr. SWAGEL. No. We had the ability at the beginning. And so, when the pandemic made us go remote, actually our information tech people had already licensed some of the remote access software. So we were in good shape, and about 30 percent of our staff were already working in the cloud with workstations that were virtualized. The rest of us shifted right away.

And then we have put more resources into it, making some of the data that was only available inside the Ford Building, pushing that out to the cloud and making sure it was secure.

So we have put more resources into it. I think we were basically effective from day one, but now we are doing better. It is smoother in a sense.

Ms. WEXTON. And have you trained your workforce about avoiding those phishing attacks and other sort of cybersecurity training, how to log into their VPNs, keep it secure, those kinds of things?

Mr. SWAGEL. We have. I mean, I guess CBO, we are an agency of, in a good way, of rule followers. That is the way we work. We go by guidelines and rules. And so we have a pretty good approach, I think, in keeping us safe.

Ms. WEXTON. And is that mandated, that training mandated to be taken by 100 percent of your workforce?

Mr. SWAGEL. It is, yes. We have computer security training, we have ethics training, and we have diversity training that is required as well.

Ms. WEXTON. Okay. Very good. And what is your current assessment of your capabilities right now with hardening against cyber attacks?

Mr. SWAGEL. I think we are doing pretty well. Again, the move to the cloud, I think, has helped us on the whole, just because the individual workstations—the more we move away from individual workstations, we are reducing sort of the number of aspects in which we are vulnerable.

Of course we are vulnerable to something going wrong in the cloud. We had a fiber optic cable that was sliced at our data center, and we were down for a couple hours. So things like that.

But in terms of security—things like that happen—but on security, I think the move to the cloud on the whole has been beneficial for us.

Ms. WEXTON. Good. And do you think you will maintain that sort of option for your workforce even after the pandemic is over?

Mr. SWAGEL. It is exactly the question we are trying to think about now. We are serving the staff and what people, in some sense, want. And of course there are some people who just want to go back to the Ford Building as soon as possible. Some people envision working remotely more.

I suspect we will have a mix of it, and we are going to try to figure that out. We will try to make sure—of course we will make sure we are effective. I think we have been effective now. I sure would like to be back in person to meet with people in person. So I look forward to that.

And obviously a large number of our staff are your constituents, and I know they are really looking forward to summer camps and schools and all the—those sort of—that part of life reopening.

Ms. WEXTON. Yeah. I am sure that some proportion of them really are eager to come back, and some proportion are like, “I am very delighted not to have this commute.” So, as long as you have that flexibility, I think that everybody will be happy.

Great. Well, that is all the questions I had. Thank you so much.

Mr. SWAGEL. Okay.

Ms. WEXTON. Yield back.

Mr. RYAN. Thank you, Ms. Wexton.

Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chair. I appreciate the opportunity.

And in the spirit of competition, just wanted to say that the State of Washington produces more hops, more cherries, more blueberries, almost 300 other crops that we produce in our State. And who knows, with climate change, we may be coming after macadamias soon, too. So just wanted to get that out there.

Mr. Swagel, thank you very much for your presentation today. Always a pleasure to see you. You are a very important part of the work that we do around here.

Several of the members have talked about your efforts to decrease response times. And you may have answered this and I just didn't hear it. I understand it is not an easy yes-or-no type of answer. But, overall, talk about the—I guess tell me just quickly the progress that you feel you have made in decreasing those times with the increased appropriations that we have given and now you would like a little more as well.

Mr. SWAGEL. Okay. No, absolutely. And I can give an example on the health side, which is where we have built up our capacity over the last several years with the appropriations that you have provided us. And there, in a sense, I think we have decreased our response time by preparing.

And so the legislation that the Congress is considering now in reconciliation has provisions that expand and extend the subsidies in the Affordable Care Act. Everyone calls them the Underwood provisions.

And we have been working on those provisions for months, probably more than a year, since even before the pandemic. And as the Congress adjusts and changes those provisions, we are ready, and

we are sort of instant—not instantly, but we are ready to work with Congress.

So that is the sort of progress that we have made.

Mr. NEWHOUSE. Okay.

Last March Congress came together and, as you recall, we were able to pass an unprecedented spending bill. I think it was the largest ever. I could be wrong about that. But Americans and small business needed support during the COVID shutdowns.

The bill was signed into law on the 27th of March. Congress didn't receive a CBO cost estimate, I think, it was until the middle of April.

And so you talked about what goes into creating that kind of an analysis. But would you care to comment and discuss the potential ramifications of Congress passing large spending bills, such as what we did last year, without the critical CBO analysis?

Mr. SWAGEL. Right. Thank you. It is an important question. It is something we think about.

And so, with the CARES Act, we were essentially focused on the technical assistance, knowing that that meant that the cost estimate would be delayed. And so the committees were working on the UI provisions, the healthcare provisions, and others, and we were providing technical assistance, PPP and others, knowing that, whatever was enacted, we would then have to take a step back and analyze it, and that would just take some time after.

And so that was a—I mean, it was a decision by me and by the senior CBO management, just knowing that the cost estimate would come a little bit later as a result, just to respond to the needs of the Congress.

Mr. NEWHOUSE. Yeah. Okay. Okay. Well, that is something that we all have to think about, I think, how do we best deal with that kind of a scenario, because most of us want to know the potential results of what we do.

Mr. SWAGEL. Congressman, can I just—I am sorry—can I add one more thing? That, in a sense, with the reconciliation legislation now, we were able to provide the cost estimates—I mean, there was over, I don't know, 100 pages of cost estimates—so before the House voted on the reconciliation bill.

Mr. NEWHOUSE. I see.

Mr. SWAGEL. So you are right. For the CARES Act, we couldn't do it. And this time we were able to do it.

Mr. NEWHOUSE. Okay. Good. Good. Well, I appreciate that, and appreciate your testimony. Thank you very much for keeping us up to date on what you are doing, and always look forward to your reports.

Thank you, Mr. Chairman. I will yield back.

Mr. RYAN. Thank you, Mr. Newhouse.

Mr. Espaillat.

Mr. ESPAILLAT. Thank you, Chairman.

Thank you, Mr. Swagel.

I believe you said that the CBO's IT security system has not been breached or hacked. Is that correct, Mr. Swagel?

Mr. SWAGEL. No. Well, I was—well, I have been Director since June. I know, in the past, before my time, there was a very serious

attack on CBO. I actually don't know offhand when it was. I just know there was in the past.

2000. I am sorry. One of my colleagues just sent me a message. It was in 2004. So it was 17 years ago.

Mr. ESPAILLAT. And so are you working on ways to address instances where CBO will have to fulfill its duties to Congress in a situation where they cannot operate in the Capitol compound, for example, the campus?

Mr. SWAGEL. Yes, sir.

Mr. ESPAILLAT. You have the ability to do that, right?

Mr. SWAGEL. Yes, sir, we have. And right after we went remote when the pandemic took hold in the U.S., we still had some people who had to go into the Ford House Office Building, because there was certain data that we could only access physically on the site for confidentiality reasons, and that is some of the work we have been doing over the past several months.

And by—I guess it was by December is when we had the ability for everyone to work fully remotely.

Mr. ESPAILLAT. Okay. And what measures are you taking to prevent any potential breach of your IT infrastructure?

Mr. SWAGEL. So we have worked very closely with the data providers. And so on the confidential data, the IRS has an important—actually, it is very involved in a good way—information security regime that we adhere to and that they monitor us, and it is a whole process that, every year, we certify. And so that is on the tax data side.

On the individual workstation side, we have training for our staff. And then we have taken steps essentially to virtualize our computer systems, so that the individual workstations our staff don't have the control over, those are actually operated in the cloud, and so we have central control over them.

And about 30 percent of the workstations are in that situation now, and we are going to move, I don't know if we will get to 100 percent, but mostly in the cloud, so we can maintain that kind of data security.

Mr. ESPAILLAT. I know that in your increased funding request for new staff you tried to address some of the issues that are relevant, that are important to Congress, or that we may be taking up, such as some of the health-related challenges that we have.

I know that we will be taking up an immigration reform effort, and I was wondering whether you are requesting—you are requesting additional staff for that area.

And would that lead for your—the increased capacity to evaluate, for example, the impact of any proposal that may come up regarding immigration reform? How would that translate into some real life numbers or analysis of how it would impact the economy or how it would impact our States?

Mr. SWAGEL. Okay. No, no, good. I can talk to that.

And some of the investment we have made over the past several years that I talked about in healthcare, the second area has been immigration. And I didn't say it just for reasons of time, but that actually is the second area in which we have built up.

We have also realigned the internal structure of CBO, just slightly, but in a way that allows us to focus—one group is focused on

healthcare. There is one group focused on energy, infrastructure, climate, other, you know, microeconomic issues. And then there is a new group focused on labor issues, including immigration, including inequality.

And so the buildup that we have done over the last several years has put us in position to do this quick—to be responsive.

And then just the last thing on this I will add, that we will do the analysis, as you have said. A major immigration reform would have an important effect on the economy. The labor supply would be larger. Our society would be larger, more innovative. And that will affect the economy, and that, in turn, will have fiscal consequences.

And that is work that CBO has done in the past. When Doug Elmendorf was Director, the CBO did that work as well, and we will do that again.

Mr. ESPAILLAT. Thank you.

Mr. Chairman, I yield back.

Mr. RYAN. Thanks, Mr. Espailat.

So my colleagues have covered, I think, a large swath of the questions that I had personally, Mr. Swagel, so I want to say, first, thank you to all of them and to you for your answers.

I do have one question that I just wanted to ask you about. We have the Office of Employee Assistance, which serves the staff at the CBO. And I know just you talking about the—sounds like a level of exhaustion within your own ranks over the last year and all the hard work that you have done and late nights and early mornings and a lot of time put in for the cause here.

Are you guys accessing and using the Office of Employee Assistance, the Wellness office, the office of well-being, that we have stood up a couple years ago? Are you interfacing with them at all?

Mr. SWAGEL. Yes. Yes, sir, we are. Just to try to maintain the sense of connection and community, we have been holding regular online townhalls. And the Office of Employee Assistance and Wellness, twice they have sent really excellent staff to talk to CBO employees just sort of broadly, but then also specifically about the programs that are available. And so that has been very helpful.

The kind of burnout, it is a challenge. And, look, we have—we know we have a couple more weeks of sprinting, and then hopefully we will do that, and then maybe have a slightly—a period to regroup, in a sense.

Mr. RYAN. Yeah. I appreciate that. I mean, we are consistently on calls. Those of us, especially in the Appropriations Committee, we talk about staffing. We talk about salaries and benefits and retirement and really us trying to compete across the board with the private sector in which many positions pay more on the outside, as you know. They potentially could be in areas of the country that are less expensive than Washington, D.C., less stress that comes with a job like working at the CBO.

So one of the things we have been committed to doing is really trying to create an environment and a culture here on the Capitol that addresses some of those needs, that maybe provide some of those benefits around quality of life, and we hope that you all take advantage of that.

But, again, we just want to say thank you for your service. Please thank your entire team. It doesn't go unnoticed. We know we can be pains in the butt a lot of the time, and we just appreciate you being there for us. And we look forward to supporting you the best we can in the budget cycle here, in the appropriations cycle here.

But thank you so much.

And with that, this committee hearing is adjourned.

Mr. SWAGEL. Thank you.

[Questions and answers submitted for the record follow:]



**ANSWERS TO QUESTIONS
FOR THE RECORD**

Following a Hearing on
**CBO's Appropriation Request
for Fiscal Year 2022**

Conducted by the
Subcommittee on the Legislative Branch
Committee on Appropriations
U.S. House of Representatives

MAY 11 | 2021

On March 2, 2021, the Subcommittee on the Legislative Branch of the House Committee on Appropriations convened a hearing at which Phillip L. Swagel, the Congressional Budget Office's Director, testified about the agency's appropriation request for fiscal year 2022.¹ After the hearing, Chairman Ryan submitted questions for the record. This document provides CBO's answers. It is available at www.cbo.gov/publication/57151.

Chairman Ryan's Questions About CBO's Work on Pandemic-Related Legislation

Question. Since March of 2020, in response to the ongoing COVID-19 pandemic, the Congress passed some of the largest spending bills in history. These bills have been prominent pieces of legislation, widely reported on, and a primary subject of Congressional attention. As of March 11, 2021, the Congress had enacted six major bills in response to the pandemic and had considered many more in each chamber.

What information has CBO provided to the Congress to inform the chambers' consideration of COVID-19 legislation, and when has the information been provided relative to the legislation's consideration?

Answer. CBO has focused intensely on supporting the legislative process of the Congress as it has responded to the 2020–2021 coronavirus pandemic. Most recently, for H.R. 1319, the American Rescue Plan Act of 2021 (Public Law 117-2), CBO provided assistance and estimates at every stage of the legislative process—with the goal of providing information when it was most useful to the Congress. Specifically, the agency provided the following:

- Technical assistance, including preliminary estimates, to various House and Senate committee staff as they developed legislative proposals, so that the committees would have the necessary information to prepare reconciliation recommendations;
- Formal cost estimates in advance of the House Budget Committee's markup of the American Rescue

Plan Act of 2021 on February 22, 2021, for eight bills providing reconciliation recommendations that had been ordered reported by various committees;²

- A table summarizing the budgetary effects of the bill on February 20, 2021, before it was considered by the House Rules Committee on February 26, 2021;³
- Additional summary tables at other stages of the legislative process in the House and Senate;⁴
- Preliminary estimates for each title of the legislation considered in the Senate, and feedback on hundreds of amendments before their consideration on the Senate floor; and
- A table summarizing the budgetary effects of the bill, as passed by the Senate, on March 10, 2021, before the House voted on final passage of the bill on the same day.⁵

1. See Testimony of Phillip L. Swagel, Director, Congressional Budget Office, before the Subcommittee on the Legislative Branch of the House Committee on Appropriations, *CBO's Appropriation Request for Fiscal Year 2022* (March 2, 2021), www.cbo.gov/publication/56995.

2. See Congressional Budget Office, cost estimate for reconciliation recommendations of the House Committee on Education and Labor (February 15, 2021), www.cbo.gov/publication/57006; cost estimate for reconciliation recommendations of the House Committee on Ways and Means (February 15, 2021), www.cbo.gov/publication/57005; cost estimate for reconciliation recommendations of the House Committee on Oversight and Reform (February 15, 2021), www.cbo.gov/publication/57004; cost estimate for reconciliation recommendations of the House Committee on Financial Services (February 13, 2021), www.cbo.gov/publication/57001; cost estimate for reconciliation recommendations of the House Committee on Agriculture (February 13, 2021), www.cbo.gov/publication/57000; cost estimate for reconciliation recommendations of the House Committee on Transportation and Infrastructure (February 12, 2021), www.cbo.gov/publication/56999; cost estimate for reconciliation recommendations of the House Committee on Small Business (February 12, 2021), www.cbo.gov/publication/56998; and cost estimate for reconciliation recommendations of the House Committee on Veterans' Affairs (February 12, 2021), www.cbo.gov/publication/56992.

3. See Congressional Budget Office, "Estimated Budget Effects of the American Rescue Plan Act of 2021" (February 20, 2021), www.cbo.gov/publication/57012. CBO did not have time to complete an estimate of the total costs of the bill between the time final legislative language was available to the agency and the time the House voted on the legislation.

4. See Congressional Budget Office, "Estimated Budgetary Effects of the Amendment in the Nature of a Substitute to the American Rescue Plan Act of 2021 (KIN21174)" (March 4, 2021), www.cbo.gov/publication/57045; and "Estimated Budget Effects of H.R. 1319, the American Rescue Plan Act of 2021" (March 3, 2021), www.cbo.gov/publication/57037.

5. See Congressional Budget Office, "Estimated Budgetary Effects of H.R. 1319, American Rescue Plan Act of 2021" (March 10, 2021), www.cbo.gov/publication/57056.

CBO prepared estimates of the budgetary effects of the major pandemic-related legislation enacted in 2020, but because of the magnitude and complexity of the legislation and the rapid pace at which the bills were developed and considered, CBO usually did not have enough time to complete estimates of the total costs between the time final legislative language was available to the agency and the time the Congress voted on the legislation. Nevertheless, CBO provided extensive technical assistance—a critical part of helping the Congress draft large legislative packages. All told, the agency responded to several thousand requests for technical assistance in 2020—including providing preliminary estimates of the effects of specific provisions and answering questions about various potential effects—and much of that assistance was provided for pandemic-related legislation. For example, CBO provided feedback on hundreds of versions of proposals to significantly expand eligibility for unemployment compensation benefits and to provide funding to guarantee loans to small businesses and other eligible entities, among many other provisions.

The completed estimates were as follows:

- The cost estimate for H.R. 6074, the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, was published on March 4, 2020, for the legislation enacted on March 6, 2020.⁶
- CBO provided extensive technical assistance to the Congress as it considered H.R. 6201, the Families First Coronavirus Response Act (enacted on March 18), and H.R. 748, the CARES Act (enacted on March 27); CBO published an estimate for H.R. 6201 on April 2 and an estimate for H.R. 748 on April 16.⁷
- H.R. 266, the Paycheck Protection Program and Health Care Enhancement Act, passed the Senate on April 21; CBO provided an estimate on April 22.⁸

6. See Congressional Budget Office, cost estimate for H.R. 6074, the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (March 4, 2020), www.cbo.gov/publication/56227.

7. See Congressional Budget Office, cost estimate for H.R. 6201, the Families First Coronavirus Response Act (April 2, 2020), www.cbo.gov/publication/56316; and cost estimate for H.R. 748, the CARES Act, Public Law 116-136 (April 16, 2020), www.cbo.gov/publication/56334.

8. See Congressional Budget Office, cost estimate for H.R. 266, the Paycheck Protection Program and Health Care Enhancement Act (April 22, 2020), www.cbo.gov/publication/56338.

- CBO published an estimate on June 1 for H.R. 6800, the HEROES Act. The House voted on the legislation on May 15.⁹

- For H.R. 133, the Consolidated Appropriations Act, 2021, CBO published a table for the appropriations divisions (A through L) before passage on December 21; estimates for other parts of the bill were provided later.¹⁰

Question. Since the first COVID-19 legislation was considered in February of last year, what adjustments has CBO made to respond to Congress's pace of consideration, and need for analysis, of COVID-19 legislation?

Answer. The agency published updates of its budget and economic projections more frequently than usual so that it could provide the Congress timely information in the midst of rapidly changing events. Specifically, after publishing baseline projections in January and March, as it usually does, CBO released updated economic projections in April that reflected the severe consequences of the pandemic. Those projections also included preliminary estimates of the near-term budget outlook. Then CBO updated its economic projections again in May. Finally, in the summer, the agency published a full set of budget and economic projections, keeping to its regular schedule. To inform its cost estimates and economic forecasts, CBO established a cross-agency working group devoted to understanding the path of the pandemic and consulted members of its Panel of Economic Advisers on its effects.

To produce the frequent economic updates and to provide cost estimates to support the rapid pace of legislative activity, many members of CBO's staff worked extraordinary hours. CBO quickly shifted to a remote work environment so that its staff could continue providing the Congress with analysis despite the pandemic. The agency streamlined some of its processes to do so, for example by changing to an entirely paperless process for publishing cost estimates. Moreover, CBO implemented

9. See Congressional Budget Office, cost estimate for H.R. 6800, the HEROES Act (June 1, 2020), www.cbo.gov/publication/56383.

10. See Congressional Budget Office, cost estimate for divisions A through L of the House amendment to the Senate amendment to H.R. 133, the Consolidated Appropriations Act, 2021 (Rules Committee Print 116-68) (December 21, 2020), www.cbo.gov/publication/56913.

numerous improvements to its information technology infrastructure and practices. Among other advances, the agency took the following steps:

- Moved CBO's most intensive computing operations to the cloud, making them faster;
- Enhanced its ability to access data remotely; and
- Enabled employees to use Microsoft 365 applications with heightened security.

Question. How will CBO's fiscal year 2022 request improve the agency's ability to provide more of the agency's information in time for Congressional consideration?

Answer. CBO's request would enable the agency to be even more responsive to the Congress's needs. Most of the proposed increase is for personnel costs, much of which would go toward covering the full-year costs of this year's staffing increase along with allowing CBO to hire four new staff members in 2022 to provide more analysis of infrastructure, energy, and climate change issues—areas in which CBO expects heightened legislative activity.

With an increase in the agency's expertise and modeling capability in those areas, analysts could more readily provide preliminary estimates as committees developed legislative proposals and prepared detailed formal cost estimates ahead of floor consideration. With the larger staff, CBO would also have a number of people with overlapping skills within and across teams to handle surges in demand for analysis of a particular topic or when additional assistance was needed for a complicated estimate. In some cases, those skills would consist of expertise related to particular topics, and in other cases, they would be more technical, such as the ability to design and improve simulation models.

Chairman Ryan's Questions About the Prioritization of CBO's Work

Question. A lot of legislation debated by the Congress has been considered outside of the formal committee markup process or has undergone substantial revision in the form of floor amendments before adoption. This demands a much more rapid pace of legislative analysis to inform budgetary evaluation.

How has CBO balanced the competing goals of providing information quickly, versus including robust, contextualized, and easily digestible information?

Answer. CBO balances those competing goals by aiming to provide information when it is most useful to the Congress. Whenever it is practicable, CBO completes detailed cost estimates before legislation comes to a floor vote. But when time is limited, cost estimates may consist only of tables that list the projected effects on direct spending, revenues, and the deficit. In those cases, CBO prioritizes providing just the budgetary effects, with little accompanying explanation, so that the Budget Committees can carry out their responsibilities and the Congress is informed of a bill's effects before a floor vote. As always, members of CBO's staff are available to Members and Congressional staff who have questions.

Documenting and fully explaining its analysis remains an important goal, however. CBO's most recent economic projections are an example of an effort to both provide information quickly *and* explain it thoroughly. To support the Congress in its deliberations about steps to sustain the economy, CBO published its new economic forecast on February 1, 2021, in the form of a short report consisting mostly of tables.¹¹ About three weeks later, CBO followed up with a lengthier, more detailed description and explanation of that forecast.¹² Similarly, CBO released a short report summarizing its new budget projections on February 11, followed by additional information published on March 5.¹³

In some instances, CBO provides information about its analysis and models in working papers and other publications. If CBO does not have time to produce accompanying explanation for a cost estimate, such publications may provide context for the agency's analysis. For example, when CBO began using its new health insurance simulation model in 2019, it provided detail about how the new model operates in working papers and slide decks.

11. See Congressional Budget Office, *An Overview of the Economic Outlook: 2021 to 2031* (February 2021), www.cbo.gov/publication/56965.

12. See Congressional Budget Office, *Additional Information About the Economic Outlook: 2021 to 2031* (February 2021), www.cbo.gov/publication/56989.

13. See Congressional Budget Office, *The Budget and Economic Outlook: 2021 to 2031* (February 2021), www.cbo.gov/publication/56970, and *Additional Information About the Budget Outlook: 2021 to 2031* (March 2021), www.cbo.gov/publication/56996.

Question. In the report accompanying CBO's 2021 appropriation, the Committee emphasized the importance of CBO prioritizing its assistance to those committees whose work is most closely related to the budget process—specifically, Budget, Appropriations, Ways and Means, and Finance—as was contemplated in the Congressional Budget Act of 1974. How is CBO working to prioritize its responsiveness to those Congressional Committees?

Answer. CBO takes its responsibilities under the Budget Act seriously and has always sought to provide the highest level of service to those committees. Specifically:

- The Scorekeeping Unit in the Budget Analysis Division is in regular contact with the Appropriations Committees' staff to ensure that the agency knows what estimates they need and when they need them; CBO provides numerous estimates, usually on a rapid-turnaround basis, for appropriation bills at various points in the legislative process.
- CBO's staff is in frequent contact with the Budget Committees' staff to ensure that the agency has a clear understanding of their needs and priorities, and to keep them informed about CBO's progress in meeting those needs. Much of CBO's work is devoted to providing the Budget Committees with the information they need, in a timely fashion, to develop budget policies and enforce budget rules.
- As with the Appropriations and Budget Committees, members of CBO's staff work hand in hand with the Ways and Means and Finance Committees, providing extensive feedback on legislative proposals and helping committee staff to understand the probable budgetary effects of those proposals.

For example, as the Congress considered the American Rescue Plan Act of 2021, CBO prioritized work for those committees in the following ways:

- By providing information to help the Budget Committees draft their budget resolutions and reconciliation instructions;
- By preparing eight formal cost estimates—as required by the Budget Act—for the committee bills providing reconciliation recommendations in advance of the House Budget Committee's markup;
- By responding to hundreds of requests from the Ways and Means and Finance Committees for

preliminary estimates as the committees developed their proposals related to health care, unemployment insurance, pensions, and other issues, so that the staff of those committees would be able to prepare reconciliation recommendations;

- By providing summary tables showing the budgetary effects of authorizing committees' reconciliation proposals to help the Budget Committees know whether the authorizing committees were within the allocations specified in the reconciliation instructions; and
- By providing provision-by-provision tables to support the Budget, Appropriations, Ways and Means, and Finance Committees.

Looking ahead, CBO expects to prioritize work for those committees in the following ways:

- By producing about 100 scorekeeping reports and estimates this year, including account-level estimates for individual appropriation acts at all stages of the legislative process, as well as summary tables showing the status of discretionary appropriations (by appropriations subcommittee) and running totals on a year-to-date basis. CBO will aim to be particularly responsive to specific questions from Appropriations Committee staff, providing feedback when it is most helpful;
- By providing roughly 700 formal cost estimates to support the Budget Committees in their budget enforcement duties;
- By updating its baseline budget and economic projections; and
- By providing technical assistance and, when appropriate, formal cost estimates for bills considered by the Ways and Means and Finance Committees.

Question. How will the agency's budget request for fiscal year 2022 help the agency fulfill this direction?

Answer. CBO's request aims to enhance the agency's responsiveness to the Congress's needs in the face of strong interest from those committees, Congressional leadership, and other Members. That interest in CBO's estimates, analysis, and technical assistance is straining the agency's resources in many areas. As noted in the response to the previous question, CBO's output for the

Budget, Appropriations, Ways and Means, and Finance Committees will be extensive, and timely responses, as always, will be important. With added staff, CBO would have a number of people with overlapping skills to handle surges in demand for analysis of a particular topic, such as health care, or when additional assistance was needed for a complicated estimate. The increase

would also allow CBO to hire four new staff members to support analysis of infrastructure, energy, and climate change issues. With an increase in the agency's expertise and modeling capability in those areas, analysts would be able to more readily answer questions about budgetary effects and to prepare detailed formal cost estimates before floor consideration.

WEDNESDAY, MARCH 3, 2021.

U.S. CAPITOL POLICE

WITNESS

YOGANANDA D. PITTMAN, ACTING CHIEF OF POLICE

Mr. RYAN. The committee will come to order. This hearing is fully virtual so we need to address a few housekeeping matters. First, for today's meeting, the chair and staff designated by the chair may mute participant's microphones when they are not under recognition for the purposes of eliminating inadvertent background noise.

Second, members are responsible for muting and unmuting themselves. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

Third, you will notice a clock on your screen that will show you how much time is left on the 5-minute clock. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Fourth, we will be beginning with the chair and ranking member, and then members present at the time of the hearing is called to order will be recognized in the order of seniority.

Finally, House rules require me to remind you that we have set up an email address to which members can send anything they wish to submit in writing at any of our hearings. That email address has been provided in advance to your staff.

Acting Chief Pittman, thank you for joining us this morning. Before we get started talking about your budget needs for fiscal year 2022, I want to say thank you to you and to all the officers and civilians of the Capitol Police who work tirelessly to ensure the safety and security of the Members, employees, visitors, and facilities, both here and within our districts. The Capitol Police have a unique role as the only law enforcement agency responsible for protecting the Congress and the U.S. Capitol complex. The Capitol Police is an essential agency of the legislative branch. The men and women of the Capitol Police put their lives on the line each day to ensure Congress can operate efficiently.

You do your jobs so that we can do ours.

Threats to the Members and to the facilities are not new. We saw that on January 6, and last year, your predecessor, Chief Sund, testified before this subcommittee that, since calendar year 2017, the number of threats the U.S. Capitol Police has investigated has increased by more than 75 percent.

We have already had three hearings on the events of January 6. And while this is the budget hearing, I hope you will address how

this increased budget request reflects the Capitol Police's response to the attack on the Capitol and the Members of Congress, and how the more resources will positively impact the security planning, policies, and procedures that were lacking on that day.

As you know, safety, security, and wellness remain the subcommittee's top priorities. Currently, resources for Capitol Police are almost 10 percent of the entire legislative branch budget, totaling \$515 million. For fiscal year 2022, the Department has requested \$619.2 million, which is a 20-percent increase, or \$103.7 million, over the fiscal year 2021 enacted total. I think January 6 made clear that increases are needed, but we need to understand what the increases will be and what they will be used to accomplish. We need to understand the plan for this year and the next year and how the increases provided will be regularized.

I hope you can address how the requests will impact command, control, and communication. You are seeking a 91-percent increase in screening technologies, 131 percent-increase in security systems, a 43-percent increase in training services. I hope you can explain to the members of the committee the rationale for these increases. I look forward to your testimony today.

And, at this point, I would like to yield to the ranking member, my friend and colleague from Washington State, a State that has more glaciers than the other 47 contiguous States combined, Jaime Herrera Beutler, for any opening comments she would like to make.

Ms. HERRERA BEUTLER. Thank you for that, Mr. Chairman. And now I am going to have something for you in the next hearing if you just give me a minute.

Acting Chief Pittman, thank you so much for joining us today. And welcome to your first actual regular budget Appropriations hearing.

The Capitol Police force and your fiscal requests this year for fiscal year 2022 is, as the chairman noted, a 20.96-percent increase over the fiscal year 2021 enacted level. The U.S. Capitol Police's mission to protect the Congress, its Members, its visitors, employees, and the facilities, it is just crucial, and you do it so that we can fulfill our constitutional role and our legislative responsibilities. And we are really grateful to you and to the force for being willing to do that, especially, I think, more than ever now.

As you know, the Capitol Police's core mission is now really front and center. Your success and the success of those that you command means that Congress can conduct their business in an open and secure and acceptable manner.

As we discussed last week, January 6 should serve as a wakeup call that the Capitol Police must make major changes in the leadership organizations and operations to refocus the mission. Intelligence gathering practices, I believe, need to improve. Lines of communication between the Capitol Police and other law enforcement agencies need to be strengthened. Training programs must adjust to prepare officers for the new threats that they face, and officer wellness programs must adapt to the increased stress on rank-and-file members. And, at some point hopefully soon, the fence surrounding the Capitol complex will come down, and the National Guardsmen will return home. And, over the coming months,

the reviews by the U.S. Capitol Police inspector general, third parties, congressional oversight committees will provide recommendations to improve the U.S. Capitol Police operation. But it is up to you and to your leadership to start preparing now, to strengthen your operations so that your officers feel like the changes that need to be made are being made and they feel supported and strengthened and empowered to do their jobs. I want to make sure that they are adequately prepared to protect the Capitol as we move forward.

I greatly appreciate the sacrifices of the men and women of the Capitol Police force, that they make to keep us safe. I look forward to hearing detailed testimony on how you plan to accomplish your mission this year.

With that, I yield back. Thank you Mr. Chairman.

Mr. RYAN. Chief Pittman, at the beginning of your testimony, please introduce any colleagues who will be joining you for the presentation today.

Without objection, your written testimony will be made part of the record.

Chief, please summarize your statement for the members of the committee. And once you have finished your statement, we will move to the question-and-answer period. Thanks again, Chief Pittman, and the floor is yours.

Acting Chief PITTMAN. Thank you and good morning. Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee, thank you for the opportunity to present the U.S. Capitol Police budget request for fiscal year 2022. The department greatly appreciates the subcommittee's continued support, as well as Congress providing the resources needed to support our mission.

Joining me today is the department's executive team: Acting Assistant Chief Sean Gallagher, Chief Administrative Officer Richard Braddock, and General Counsel Thomas DiBiase, as well as members of the USCP Executive Management Team. As you said, USCP has a unique role in policing. We are the only law enforcement agency responsible for protecting Congress and the U.S. Capitol. We detect, investigate, and prevent threats made against Congress and Washington, D.C., and around the Nation. The department's personnel are resilient, highly trained in specialized fields, and deeply committed to our critical mission. Our mission, however, has become more difficult.

In the first 2 months of 2021, there has been over a 93-percent increase in the threats to Members compared to the same period last year. And from 2017 to 2020, there has been over a 118-percent increase in the total threats and directions of interest with overwhelmingly a majority of those suspects residing outside of Washington, D.C.

On the Capitol complex, the level and complexity of those threats to the Capitol are increasing as well. This was abundantly clear on January 6 when insurrectionists tried to stop Congress from certifying the 2020 electoral college. But due to the heroic actions of USCP officers with the assistance of MPD, the National Guard, and many of our law enforcement partners, the violent rioters were prevented from accomplishing their goal. We do realize that the possibility of a similar incident occurring in the current environ-

ment is a very clear and present danger. The events of January 6 demonstrate that USCP must quickly assess and adjust to successfully carry out our mission. And this will require a significant investment in staffing, training, tools, and information gathering resources needed to meet the ever-changing security challenges, including the threat of domestic terrorism.

USCP employees are our greatest assets. Therefore, our budget request focuses on our employees and on meeting mandatory salary requirements, overtime for critical training, and securing capabilities within the general expenses to increase resources available to our personnel. Salaries and general expenses combined for the fiscal year 2022 annual budget request is \$619.22 million, which is an increase of 20.96 percent over the fiscal year 2021 enacted levels.

The fiscal year 2022 salary budget request includes the budgetary authority and resources to fund 2,112 sworn and 453 civilians. This includes funding for 212 new sworn officers for mission-critical requirements, such as a quick standby force, threat assessment agents, and dignitary protection agents. The main drivers of these costs are for the mandatory increases and benefit rates that were not reflected in the fiscal year 2021 enacted levels, as well as overtime, COLA adjustments, and within-grade increases.

USCP is also requesting \$2.5 million for its student loan repayment program. This is a critical component for employee recruitment and retention. The fiscal year 2022 general expenses portion of this budget request places an emphasis on providing mandatory and specialized training, investing in tools, equipment, technology, as well as wellness initiatives we need to maintain our workforce at the highest levels of readiness. It also includes protective items, such as travel, support, hiring, outfitting, and training new sworn personnel, making sure that they have security equipment, and providing uniforms, and weapons, in addition to our wellness programs.

Again, I want to reiterate that our officers who are on the job 24 hours a day, 365 days a year, are our greatest asset in helping preventing and responding to threats.

The 1998 shooting and the 9/11 and anthrax attacks have all been historic pivotal moments that have forced the department to evolve rapidly. January 6 will no doubt be another pivotal moment in time in history.

Again, I appreciate the opportunity to discuss our fiscal year 2022 budget request, and I would be pleased to answer any questions that you have at this time.

[The information follows:]

**Testimony of
Yogananda D. Pittman, Acting Chief of Police
United States Capitol Police**

**For the U.S. House of Representatives
Subcommittee on the Legislative Branch, Committee on Appropriations**

March 3, 2021

Chairman Ryan, Ranking Member Herrera-Beutler, and Members of the Subcommittee, thank you for the opportunity to present the United States Capitol Police (USCP) budget request for Fiscal Year 2022. The Department greatly appreciates the Subcommittee's continued support of the women and men of the Department as well as Congress' generosity in providing the resources needed to support our crucial mission to protect the Congress and the U.S. Capitol.

Joining me today is the Department's Executive Team – Assistant Chief Chad Thomas, Acting Assistant Chief Sean Gallagher, Chief Administrative Officer Richard Braddock, and General Counsel Thomas DiBiase – as well as members of the USCP Executive Management Team.

Throughout its history, the USCP has held a unique role in policing. We are the only law enforcement agency responsible for protecting the Congress in DC and abroad and the U.S. Capitol Complex. We detect, investigate, and prevent threats made against Members of Congress and the U.S. Capitol. We provide a steady, watchful presence throughout the Capitol Complex, and we are responsible for protecting elected officials to ensure the continuity of government.

The type of policing that we engage in is highly specialized to focus on the unique requirements of protecting our nation's legislative process as well as ensure that citizens may participate in lawful First Amendment activities on the Capitol Grounds. All the while, the Department is expected to maintain the security of an open campus so that visitors may witness representative democracy in action.

The USCP is a full-service agency. We conduct investigations with our law enforcement partners both in Washington, D.C. and across the country, to include working with the Federal Bureau of Investigation, U.S. Secret Service, U.S. Park Police, Metropolitan Police Department, Bureau of Alcohol, Tobacco, Firearms and Explosives, and many others.

The Department's personnel are resilient, highly trained in specialized fields, and deeply committed to our critical mission to protect and secure the U.S. Capitol and the Congress. Under my leadership, I intend to focus on four key elements to further strengthen and support the USCP workforce: Member protection; health and wellness programs; training; and obtaining the equipment and facilities to meet the needs of the workforce of the future.

In the Department's efforts to address new and emerging threats, we work closely with the House and Senate Sergeants at Arms to augment and strengthen off-campus security and Member protection. We routinely collaborate to assess Members' district and state office security, and we provide recommendations on ways to improve and enhance security measures and practices inside and outside of the National Capital Region (NCR). We also work closely with the Architect of the Capitol (AOC) to address the physical security of the Capitol Complex, in addition to facility and support needs for the USCP workforce.

In the first two months of 2021, there has been a 93.54 percent increase in threats to Members compared to the same period in 2020. And from 2017 to 2020, there has been a 118.66 percent increase in total threats and directions of interests, with the overwhelming majority of suspects residing outside of the NCR.

Therefore, a significant focus of the Department in FY 2022 is centered on Member security outside of the NCR. The direct impact to the Department not only includes our current protective services' increased posture around the country, but includes increasing the resources available for our Protective and Intelligence Operations through the expansion of the USCP's protective, intelligence and investigatory capabilities both on the Capitol Complex and throughout the United States. While we have complemented our increased posture with the leveraging of federal, state and local law enforcement partnerships with the collective goal of protecting the

Congress away from the Capitol Grounds, the number of agents required to provide an appropriate level of analysis, protection and enforcement necessitates a significant increase in personnel based on the threats trends year-over-year.

On the Capitol Complex, the level of existential threats to the U.S. Capitol and Grounds are increasing as well. This was abundantly clear on January 6, 2021, when insurrectionists attempted to prevent the Congress from certifying the 2020 Electoral College results by storming the U.S. Capitol. Due to the heroic actions of USCP officers, with the assistance of the Metropolitan Police Department, the National Guard, and many other of our law enforcement partners, the violent rioters were prevented from accomplishing their goal.

The USCP is steadfast in ensuring that an incident of this nature will never occur again, especially with the realization that the possibility of a similar incident occurring in the current environment is a very real and present danger. The events of January 6, 2021, demonstrate that the USCP must continue to quickly assess, adjust, and utilize the tactics and methods necessary to successfully carry out our mission in any scenario. This will require a significant investment in the necessary training, tools, and information gathering resources needed to meet the dynamic and ever-changing security challenges, including the rising threat of domestic terrorism. Most importantly, it will require the Department having a dedicated standby ready force of two platoons (80 officers) at all times, thereby removing the Department's full reliance on partner agencies for mission support when faced with an immediate threat event.

In the wake of the insurrection attempt, the Department has invested additional resources, with the generous support of the Congress, to ensure that our officers have the support services they need as they continue to process what occurred. This has included 24/7 access to onsite trauma informed professional counselors through the collaborative partnership with the House Office of Employee Assistance (OEA), the enhanced services of OEA, peer counseling sessions with law enforcement officers from neighboring law enforcement agencies, and counseling services for officers' family members. The Department also has provided over 20,000 nights in hotel room stays for its personnel, has served nearly 70,000 daily hot meals over the past six weeks, and

reopened the USCP gyms 24/7 taking into account all safety protocols to ensure COVID-19 transmission is neutralized.

I am committed to ensuring the health and wellbeing of our workforce, both mentally and physically, and it is my intent to ensure the Department will continue to identify new resources that may be of assistance to both our sworn and civilian employees so that they may be at their very best. To this end, on February 4, 2021, I was pleased to announce to our workforce that, thanks to the efforts of Congressional leaders and the Administration, enough doses of the COVID-19 vaccines were secured to vaccinate all USCP personnel who want to be vaccinated. Working closely with the Office of Attending Physician, they were able to begin administering the doses to our employees quickly and safely. To date, nearly 60 percent of the Department has received vaccines. By the end of March 2021, all USCP employees wanting the COVID vaccine are expected to have received their second dose of the vaccine.

The USCP's employees are our greatest assets. Accordingly, the Department's FY 2022 budget request is an investment in our employees, and focuses on meeting mandatory salary requirements, overtime for critical training, and securing additional capabilities within the USCP's General Expenses to increase the resources available to our personnel.

The FY 2022 USCP budget request includes the budgetary authority and resources to fund 2,112 sworn and 453 civilians. This includes funding for 212 new sworn officers for mission critical requirements, such as a standby quick response force, threat assessment agents, and dignitary protection agents.

The request for the Salaries appropriation is \$481.75 Million which is an increase of \$57.35 Million over the FY 2021 enacted levels. The main drivers of the cost increases are increases in FY 2020 and FY 2021 benefit rates (FERS, FEHB) not reflected in the FY 2021 enacted levels, as well as overtime for core mission, cost-of-living adjustments, and within grade increases. The USCP is also requesting \$2.5 Million for its student loan repayment program, as this program is a critical component of employee retention and an additional incentive for recruiting the additional personnel needed to carry out the Department's evolving mission.

Countering evolving domestic and international threats requires ensuring constantly sharing intelligence information throughout the entire Department from analysts to officials to the officers on post, as well as gathering intelligence and working with partner law enforcement agencies. In response to one of the lessons learned on January 6th, the Department has revised its internal communications policies and processes, and has included emerging technologies and tools in this budget request to assist with effecting the ideal communications state for the Department to meet its mission. Further, the events of that day highlighted critical areas that require new or modified training throughout the Operational elements of the Department in order to maintain the highest levels of readiness. It is my intent to begin such trainings and exercises as soon as practicable, and our FY 2022 budget request highlights all such training as a priority.

Additionally, as a result of January 6th, the Operational elements of the Department have identified the need for new officer safety equipment based on the evolving threats and physical security requirements for the Capitol Complex. In the weeks and months ahead, I will be working with the Architect of the Capitol (AOC) to jointly produce recommendations for the physical hardening of the Capitol Complex as well as identify USCP facility needs to ensure appropriate space is obtained by the AOC for the growing USCP workforce as well as the storage space for the new equipment needed to appropriately execute our mission.

As a result of the aforementioned priorities, the FY 2022 General Expenses portion of this budget request was developed with an emphasis on providing specialized training for our employees as well as investing in the tools and technologies we need to maintain the highest level of readiness. This includes items such as protective travel; mandatory training; hiring, outfitting, and training new sworn personnel; upgrading and maintaining security equipment; updating and maintaining the motor vehicle fleet; providing uniforms, weapons, and ammunition for all sworn personnel; access to the employee assistance program; and other non-personnel needs.

The General Expenses request is \$137.47 Million, which is an increase of \$49.96 Million. For Salaries and General Expenses together, the total budget request for the FY 2022 annual budget appropriation is \$619.22 Million, which is an increase of 20.96% over FY 2021 enacted levels.

I want to again reiterate that our officers who are on the job 24 hours a day, 365 days a year, are our greatest assets in helping to prevent and respond to threats. To ensure that the USCP is always at the ready to keep the Capitol Complex safe and secure, it is important that we make these crucial investments at this time. While our FY 2022 budget request was reformulated in the aftermath of the January 6th events, it was developed as a result of a deep analysis within the Operational elements of the Department for what is necessary to meet the mission. I believe that all of the new operational requirements, and necessary support components to support Operations, requested in this budget will do just that – allow us to continue to meet our mission now and into the future.

Prior to January 6th, the Department had prepared an FY 2022 budget justification that represented a \$36M increase over the FY 2021 enacted level. The events of January 6th caused the Department to reevaluate its budget justification, specifically around the emergency needs to meet the emerging threats and risk. The revised FY 2022 budget justification representing a \$107M increase includes many of these emergency needs that are reoccurring. While long-term funding for these needs will be necessary in our base funding going forward, the Department could certainly benefit if the funds could be provided sooner through other means.

And lastly, the USCP has a professional working relationship with the Capitol Police Board, its oversight Committees, the USCP Inspector General and the USCP labor unions to review options for efficiencies where possible. It is my intention to not only continue engagement, but to improve these relationships so that together the Department becomes holistically stronger. In the coming months, it is anticipated that there will likely be a significant number of formal recommendations that result in the need for substantial additional human and budgetary resources based on the January 6, 2021 review by the USCP Inspector General, third-party assessments being conducted, and other potential Congressional reviews. The Department is committed to working with the Subcommittee to seek any such resources to address these

potential recommendations via future budget requests, amendments to the current budget justification, or other vehicles as appropriate.

We realize that these requests for funding, as well as those resulting from the other reviews and recommendations, will present challenges to the Congress as it considers the appropriate funding levels for the Legislative Branch. The Department is prepared to work closely with the Subcommittee to provide a clear understanding of the Department's requirements and to prioritize these items as necessary.

Mr. Chairman, thank you again for the opportunity to discuss the United States Capitol Police's FY 2022 budget request and our priorities for this coming year. We will continue to work closely with you and the Subcommittee to ensure that we meet the needs of our officers and the Department as well as the expectations of this Committee and the Congress.

I would be pleased to answer any questions that you may have at this time.

CAPITOL SECURITY POSTURE

Mr. RYAN. Thank you, Chief Pittman.

I have a couple of questions out of the gate here. What is the current security posture at the Capitol?

Acting Chief PITTMAN. Thank you, Chairman Ryan.

The current security posture for the Capitol is enhanced. We are working with our law enforcement partners, as well as the National Guard, to provide a robust security posture around the campus. Of course, that security posture is layered. We have an outer perimeter, as well as an inner perimeter. We have CDU units on standby, and we work with the National Guard to practice training and drills so that we can address any of the known threats to the security environment and address any gaps that we know that still have not been addressed on the campus.

IDENTIFYING CREDIBLE THREATS

Mr. RYAN. And one of the questions we had in the last hearing was distinguishing really what a credible threat is, and this is all of course in the context of the budget and, you know, the request for more officers and all the rest. How do you distinguish—we are hearing all the stuff about March 4 and all of that. How do you distinguish between chatter that is on the internet and an actual threat?

Acting Chief PITTMAN. Absolutely. So we know that intelligence is more than just what we see and hear on the internet. We have intelligence directors, as well as analysts, within the department that are required to look at all of the information that we see on the internet from open sources. We routinely meet with our law enforcement partners to ascertain what is credible, what is actionable versus what is just chatter and noise out in the community. We use that information that we obtain from working with our law enforcement partners. We gather information from fusion centers in the national capital region, as well as from across the country. We take that information, and our analysts are then required to sift through the noise and provide us with an actionable assessment: How should we posture ourselves on the campus? What of the internet chatter is actually credible? What intent does the group have? And can they act on this nefarious intention to do harm to you all, to members of the congressional community? We use all of that information to combine what we call a special assessment. That special assessment is then shared with the members of the department. We share it internally. We share it with those who have a need to know externally. And we have routinely updated—one of the questions in the previous briefs was, how do we communicate that? We know that it is important not to only communicate that intelligence information up the chain of command to you all, the oversight committees, as well as the Capitol Police Board, but it is also important for those intelligence directors, analysts, and assessors to create a product that is valuable to our officers, the rank and file standing on posts. So we have increased those communications, making sure they get that valuable, credible intelligence information as well.

Mr. RYAN. Yes. Clearly that needs to be improved from the 6th, as you know.

How many analysts do you have reviewing the intelligence?

INTELLIGENCE STAFFING

Acting Chief PITTMAN. Thank you for that question. And if I could just put a little context on it versus just giving you a number, I would like to do so. Prior to me coming on as the Acting Chief, I did serve as the Assistant Chief for Protection and Intelligence Operations. When I went there, I immediately assessed the staffing for intelligence. Within a matter of months, I put out a vacancy, and I brought on a new intelligence director. His name is Jack Donohue, and Jack has over 30 years of experience in the intelligence community. I also brought on an assistant director from the Department of Homeland Security to provide a Federal lens.

And Jack did a strategic assessment of U.S. Capitol Police's intelligence capabilities. We currently have 13 members on staff that provide analysis. They do our assessments. They work with our law enforcement partners. We knew it was important prior to this fiscal year 2022 budget. Even in fiscal year 2021—I had only been there a year—when Jack provided that strategic assessment, one of the things we realized is that staffing has to increase. Some of the numbers that you reported regarding the threats to our Members of Congress have increased over 118 percent. Ninety percent of that increase is just in the first couple of months of 2021 alone. I have been briefing over a year on these threat increases. So we had to take action on how we are going to deal with those increases. So those numbers are in context. We were making sure that the intelligence director came up with a holistic strategic plan on how we can mitigate those threats to Members such as yourself.

Mr. RYAN. Okay. Let me ask you one—because I know the committee members here all have a lot of very good questions—let me just ask two quick ones if you could give me two quick answers. One, the budget for this year, the increase for analysts, so we have 13 now; what would that number be if we pass this budget as you request it?

Acting Chief PITTMAN. That would be an eight-person increase.

Mr. RYAN. An eight-person increase.

Acting Chief PITTMAN [continuing]. Alone. Twelve of them would be contractors. Yes, sir, an additional 12 contracting staff.

Mr. RYAN. Okay. So what would the total be? So 13 plus 8 plus 12?

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN. Okay.

Acting Chief PITTMAN. A total of 33.

Mr. RYAN. Okay. Thank you for doing that math for me.

Acting Chief PITTMAN. Yes, sir.

Mr. RYAN. Lastly, just real quick, so let me make a brief comment, and I am sure we will get to this throughout the hearing. I know you have 212 new personnel that you want and 47 civilian. To me, looking at each shift, right, so there is three shifts in a day usually, right?

Acting Chief PITTMAN. Yes. That is correct.

Mr. RYAN. I know you have been doing 12 and 16s, but you divide each of that by 3, and I don't know what the specific number would be per shift and how that meets the needs of the current threats that are out there, plus a lot of these threats are to district offices, so this number won't necessarily, as we look forward into a new reality and we wait for General Honore's recommendations, this number just at first blush for me doesn't seem quite adequate enough. Again, we have got to go through this with a fine-tooth comb, but we want to figure out how you got to that number of 212.

RECRUITMENT AND RETENTION

All right. We will go to Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman. I have a few different questions, and it is along the line of recruitment and retention. Your budget justification noted that the challenge that the Capitol Police has when finding highly qualified applicants who can meet rigorous employment suitability standards of the department. In fact, your budget is requesting over \$100,000 for recruiting and advertising. Could you explain what some of those, really specifically, what some of those challenges are and, in detail, what steps you are taking to recruit and retain qualified officers?

Acting Chief PITTMAN. Yes, ma'am. Capitol Police prides itself on recruiting the best officers that we can. We know that we are competing heavily against other law enforcement agencies in Washington, D.C. We also know that we have extremely high and rigorous hiring standards, and our suitability standards make sure that we weed out the things like cultural bias, any discriminatory practices of those that we are trying to hire. We make sure that those persons not only undergo a criminal background check, but we thoroughly investigate them and whoever their associations are frontwards and backwards. We make sure that we do a thorough investigation.

We also know that COVID has severely impacted our ability to recruit. Our officers train down in FLETC Georgia. The COVID-19 pandemic severely impacted us because FLETC Georgia was forced to close.

Where we normally screen for officers, it takes about 18 persons for us to have one good qualified candidate. We also know that we had to double up the number of classes down in FLETC Georgia. Usually within a year, we just had a couple of classes, but we are now running five classes of 24 officers so that we can make up for those differences that we lost due to the COVID-19 pandemic.

For some of the more granular details regarding recruiting and hiring practices, Mr. Richard Braddock will be able to provide some more of those details. Richard is well versed. He has been here 16 years doing just that. So, Mr. Braddock, I would like to turn to you for some more specifics in regards to hiring. Thank you.

Mr. BRADDOCK. Thank you, ma'am. I will make this quick because I know you have other questions, but the majority of where this money is going is centered around processing more applicants. We are having to process more polygraphs, medical evaluations, more psychological processes, and then we are also in a virtual environment now, so we are paying to tap into things, into Handshake and other kinds of technology that allows us to recruit.

We still have a focus, though, on making sure that we are recruiting females and underrepresented populations, even when we are trying to bring in larger populations of applicants.

Ms. HERRERA BEUTLER. How many of your officers right now are, a percentage, are at or near retirement?

Mr. BRADDOCK. So that is a very good question. Because of the post-9/11 hiring surge, we have about 400 people in the next year that could look at retiring.

Mr. HERRERA BEUTLER. So——

Mr. BRADDOCK. And that is something we have been working towards.

IMPROVING TOP-DOWN COMMUNICATIONS

Ms. HERRERA BEUTLER. So, just in talking with different officers in and around the Capitol complex, I know there are some whom I have known for a while—I have been here for about 10 years, and I was a staffer before that. And I have heard several of them say that, because of the challenges just around the culture and the perceived inadequacies, real or I am sure you guys will have a different opinion, but around the leadership, there are people who have said: I have a few more years, but I am going to look at retiring because it doesn't feel worth it.

And one of the things I think would be helpful in retaining—and that was another part of the question—retaining employees is for I think a change in the culture between the leadership and the frontline officers. I think one of the things I wanted to ask you, what efforts are you, Chief Pittman, making to ensure you are more visible and accessible to the folks that you serve? And when I say “serve,” I mean lead, same thing in my mind.

Acting Chief PITTMAN. Thank you for that question. I take my leadership role seriously. I have come up through the ranks of this agency—I have been here for the past 20 years. I have a number of friends; some of them I consider my family.

Since being sworn in after January 8, I have attended all of the roll calls of my officers. I have engaged with them. I have listened to their concerns. I know some of the concerns they have about leadership. I provided a platform for them to express themselves. I also opened up communications with them more robust than we have ever done before. For example, with our K-9 officers, they expressed concern over their safety, having marked vehicles. I immediately implemented that they take those markings off so those officers could feel safe at home.

We knew, after January 8, we had a big mission to accomplish; we were planning for the inauguration. We knew the officers were working long hours, and they were extremely exhausted. We provided over 20,000 nights of hotels for all of our workforce. We also knew that they had limited access to getting food working while around the clock. They work 365 days, 24 hours a day. With the COVID pandemic, restaurants up on the Hill have very limited hours. Myself and the leadership team provided hot meals to all of our staff. Over 90,000 meals were provided. I also ensured that command staff was getting information that they could relay same day in regards to intelligence. I now host a daily command brief

with all ranks but primarily focusing on the captains, inspectors, and deputy chiefs.

In addition to that, I heard from my officers from visiting all of those roll calls, from management by walking around. They still weren't getting the intelligence information. I directed that my director and some of those intel analysts start attending those roll calls to provide those briefs directly to the rank and file. It gave them an opportunity to ask questions about intelligence from the intelligence experts. I also meet regularly with the FOP chairman. I had a meeting last week with the chairman, and I also brought in the intelligence director to provide them updated communications. This leadership team has made sure that we have put in place a number of action items to communicate with our workforce. We know that our workforce—

Ms. HERRERA BEUTLER. Let me jump in really quick because my time is up. But I just want one more, just yes or no. So you feel like you have the confidence of most of your officers? I realize you can never make everybody happy. Do you feel like that is an accurate assessment?

Acting Chief PITTMAN. I do believe that is an accurate assessment.

Ms. HERRERA BEUTLER. Thank you.

Mr. Chairman, I will stop taking the time. I appreciate it. I yield back.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

The chair of the full Appropriations Committee, Ms. DeLauro.

The CHAIRWOMAN. Thank you very much, Mr. Chairman and Ranking Member.

ALIGNING THE FY2022 BUDGET WITH SECURITY REVIEW FINDINGS

I just would like to follow up on the personnel and recruiting and the increased numbers. Have you had conversations with General Honore and his team about what the department needs in order to move forward, especially in light of what happened on January 6?

Acting Chief PITTMAN. Yes, ma'am. I have had several conversations with General Honore and his team. We worked closely together for them to provide that draft report to the Speaker. So every level—

The CHAIRWOMAN. Let me just—I am delighted that you are talking with the general. But is the general—his recommendations, are there any of his recommendations with regard to the officers or the numbers, et cetera, that are reflected in your budget? Has the analysis and the evaluation that the general is making, how is that reflected in your budget?

Acting Chief PITTMAN. Yes. To answer the question directly, when I met with the general, his recommendations directly align with the requests that are in our budget. This fiscal year 2022 budget focuses on Member protection. We want to ensure that we provide our workforce the absolute best so that they can provide, the Members, the absolute best, not only here in Washington, D.C., but also districts when you are at home. The budget directly aligns with his recommendations.

The CHAIRWOMAN. I appreciate that a lot because we know we are going to hear from General Honore, and this full committee will

be looking at what the supplemental request is. So what I want to do is to make sure that we are looking at what we have here, which is the annual budget, obviously, and that what in addition we will need. I want to see where the trains are going to meet here.

Let me then ask you quickly about, if you can get to us, I want to know about your training protocol. And you don't have to lay this all out today, but I would very much like to know, what is the—who are you working with? How are these officers trained? What does the training curriculum include? What is the length of time for training? All of those questions as to looking at where you are as a highly professional law enforcement team here. So, if you could lay that out for the committee, I think it would be enormously helpful. And if you can tell us if there are any changes being made of what happened prior to—is there a new regime, a new protocol for training, what that is, where it is going, and how it is going to be implemented. So that would be enormously helpful to us.

MENTAL HEALTH SERVICES FOR OFFICERS

And I just have one other, and I don't want to—I want to ask you, are all of the officers able—and do you have within your budget the kinds of mental health services—and I know this is an issue that the chair is very concerned about—the mental health services, is that part of your budget? Is there a special line item that is dealing with whatever counseling services are there and not part of the officers being part of general counseling for everyone else but specific to Capitol Police and to their families?

And attached to that—and maybe I will leave it this way, Mr. Chairman—I really think we need to know what that protocol is on the mental health services and how is that going to be implemented and what are the costs and where are they within the budget so that we can address some of—look, I have talked to a number of officers and, you know, their concerns about their own psyche and what is going on for their families. I think this is critically important. So I want to see where it fits in the budget, what is the line item, how is that going to be implemented, and how we move forward with those efforts. And I know about your concern for the officers and so forth. But what we need to do is see in dollars and cents and programmatically and implementation what is going to be done in this direction. And that, coupled with the training and the vetting of officers, we really need to understand and know that protocol so that the officers are safe and we begin to build back the trust, both internally and externally, about the Capitol Police force. So I want to just say, you know, thank you. If you can get that to us, then we can go from there.

And, with that, Mr. Chairman, I don't want to take up more of your time, but I yield back.

OFFICER WELLNESS AND TRAINING

Mr. RYAN. That is okay. Thank you, Chairwoman DeLauro.

Chief Pittman, those are two questions I think every member of this committee would like an answer to. And I am happy to give you some time to give us at least a snapshot on both the training

end and the mental health promotion, mental health services, and how you communicate that and try to reach out to the rank-and-file members to make sure that they know the opportunities that are available. So take a few minutes and please share that with us.

Acting Chief PITTMAN. Yes, absolutely. I am going to address the wellness question, what are we doing, how have we included that in the fiscal year 2022 budget. And I will turn it over to Mr. Braddock to answer the training question. And I am willing to come over and provide a more indepth brief so we are not limited to that 5-minute window.

Mind, body, and medicine is something that we know is important after a traumatic experience like what our officers experienced on January 6. I have talked to a number of officers and commanders out in the field as well, and I know that they are dealing with post-traumatic stress disorder. There is no end—specific date that those types of disorders, that type of trauma is going to end. So we know that we need ongoing care for our workforce. We, along with the congressional leaders, have been able to bring on numerous peer-support teams, specialized trauma counselors.

Chairman Ryan, I have to thank you for the recommendation that you gave for Dr. Gordon. I know that Mr. Braddock is working with him, and we have developed a program. But if I could even go back to fiscal year 2021, that is when we first made the request to have a wellness and resiliency director. We have recognized the need long before January 6, but it has been exacerbated because of the events on the 6th. We have phone applications. Everybody right now has an Android or an Apple iPhone; the young people, as well as some of our seasoned officers, are able to access apps that address nutrition, apps that address physical fitness, apps that address their finances. We know that policing is a stressful job. It is around the clock. Midnight officers have stress just because they work midnights, in addition to being a law enforcement officer dealing with critical incidents. We also know that their physical well-being directly affects their health. We have our gyms back open following COVID-19 protocols. We know that if our officers address health and nutrition, it helps to reduce diseases like heart disease, hypertension, diabetes. And if we can reduce that, we can have a healthier workforce. It drives down the need for preventative care and we have our officers on staff, available to us when needed.

Working in a COVID-19 pandemic has been a challenge. I am thankful to the Speaker that we have had onsite COVID testing. After the 6th, there were concerns expressed by our officers. And due to the efforts of the Speaker and Lieutenant General Honore's task force, we were able to secure COVID-19 vaccinations for all of our staff. By the end of March, 80 percent of our staff will have taken advantage of those COVID-19 vaccinations. We anticipated about a 30-percent rejection rate, and right now we are at just about 40 percent, with some folks changing their mind. But we know that it is important that we address mind, body, and medicine for all of our employees.

We have in this fiscal year 2022 budget, budgeted for \$900,000 directly related to wellness and resiliency, and we want to bring on

three additional civilians in addition to what we already had from fiscal year 2021 so that we can expand those capabilities.

We also are working closely with Mr. Bryan Weiss of the House Wellness Program to make sure that our efforts aren't redundant. Our employees can go there to get assistance, but we have peer support and counselors onsite that USCP is pushing and funding so that they have what they need. We know it is a long road ahead for our staff. And we appreciate the congressional community support.

Richard, I will turn to you for a quick response, if we can, on training.

Mr. BRADDOCK. Yes. Just to mention, we will provide to the committee in writing the training overview protocols and our hiring process and then answer any questions you have with that.

One of the things we are looking at right now is the need for an enhanced refresher training in CDU for supervisors. In addition, we are looking at our recruit training to see what changes or shifts we need to be making there as we are training new officers to come in based on the threats we are seeing.

The budget contains additional training for intelligence specialists, for threats, and advanced cyber threats, protection intelligence countermeasures, and insider threats. We have really stopped and took a look at what needed to be added on top of what we were reviewing to enhance our training across the platform.

The CHAIRWOMAN. Mr. Chairman, just for one second. Included in that training, it is also social and emotional determinants, as well as some of the items that you have laid out. I would very, very much like to know what then kind of training is engaged or involved in? Who are the trainers? Are we contracting out for training? If we don't have the answers now, I really want to see—I believe it would be important to the committee to know what the dimensions of the training protocol regime that you are putting together and again the dollar amount attached to that, the various pieces that have to do with the overall, the intelligence, all that, and what are the qualifications for that in terms of your recruitment to people, but, also, as I say, the social and emotional and determinants which then go into the mix of your recruitment and your hiring. So thank you.

Thank you, Mr. Chairman.

Mr. RYAN. Do you have anything you want to add, Richard?

Mr. BRADDOCK. Just to say, ma'am, we definitely will follow up. To do it justice, we would want to package it up for you so you can see it holistically.

Mr. RYAN. Great.

Chief Pittman, with regard to rank-and-file members coming to access whether its Dr. Gordon's program at the Center for Mind-Body Medicine or any of these other opportunities that they may have, can they do that without any fear of being disciplined or labeled or stigmatized as somehow unfit then for service?

Acting Chief PITTMAN. Yes, sir. We support our workforce 100 percent. We know that that specialized trauma counseling and peer support is critical to them being able to do their job. We know that we have had firefighters from the association from New York come down. We have had Warrior's Rest from Oklahoma City. We have

had peer support from professionals who are outside of U.S. Capitol Police.

I have heard from a number of officers that expressed concern with going to the Employee Assistance Program. They want to make sure that the information they are sharing is confidential and will not be shared with the leadership, their supervisors here on the department. So we have made sure that we provided them with outside peer counselors so that they know that they have a level of confidentiality that the leadership doesn't even know or have a personal relationship with those outside folks so that makes them comfortable. And they are comfortable with the internal peer-support program that we are standing up. Because they are talking amongst their peers, they know that information won't be shared with their command staff.

Mr. RYAN. Okay.

Mr. Amodei.

Mr. AMODEI. Thank you, Mr. Chairman.

RIGHTSIZING IN THE NEW THREAT POSTURE

Hey, Chief. Thanks again for sitting in the fun seat.

I get that everything is going forward in terms of how do we go forward and what are the lessons learned and all that other sort of stuff. But the one thing that I am hoping that is part of this process is that we are not doing silos. And you say, well, what the heck do you mean by not doing silos?

What I mean, Chief, is when you talk about how we need to staff up going forward in terms of operations, I am hoping that that is with an eye toward, what does the campus as it is defined going forward look like in terms of the physical security? Because I know the Police Board and the Architect of the Capitol and the other involved folks are all talking about how we go from 4 miles of temporary fencing, which is costing \$1.9 million a week, to something that is more permanent and in keeping with the facility and the security requirements so that when we talk about staffing going forward, it is in terms of the changes that we have made, that fit harmoniously and effectively with what we are doing to the Capitol Building itself, what we are doing to the campus itself, what piece of that is slowing people down or whatever, traffic patterns, pedestrian patterns, points, video, all that other sort of stuff so that we are not creating a physical force which really wasn't blended with what we want the Capitol improvement of what you are protecting looks like. So I know you are not going to accomplish that in whatever time is left for me in this. I am just going to say we are going to be reaching out to you after the hearing to sit down, perhaps with you and an AOC person or whatever, and say as this, which is clearly a work in progress right now, develops, that when we talk about what your budget needs are, that they are for a force and an operational posture which matches what the new physical plan is going to look like in terms of individual buildings.

Can you give me an idea whether or not that has gone into any of the requests that you have done now, which I assume hasn't because you don't know what the heck it is going to look like yet?

Acting Chief PITTMAN. Yes. I understand exactly what you mean when you say “operating in silos.” Does the left hand know what the right hand is doing?

We know that there are known threats to the campus. We know that there is some concern with the fencing. We have heard from the congressional community that this is the people’s House. It is all about finding that balance, that balance between security and then how do we keep the campus open and accessible to the congressional community, as well as all of the millions of visitors that come here to exercise their First Amendment rights. We know that there is a delicate balance there. And I think that we have done a number of things to include in this fiscal year 2022 budget to ensure that we are not operating in silos. We are looking at infrastructure. There is a number of technologies that we could leverage. The team has worked closely with Lieutenant General Honore’s task force so that they are aware of our needs. We know some of the information hasn’t come out. Some of those reports are concluding quickly. But for our own physical security assessment, I directed that immediately after January 8 so that we were working on our own internal process to say, what are the infrastructure limitations? How can we better communicate with the physical force that we have, the infrastructure, and make sure that it is directly in line with the staffing requests that we are making? So we have—

Mr. AMODEI. And I appreciate that. So we are clear: What I want to talk about offline is—none of my question is related to your response after the 6th until now, until a while from now. It is clearly when we get back to whatever the new normal is for security on the Capitol campus; are we incorporating the knowledge of the advances we have made in technology, the advances we have made in metal detection, the advances we have made in barriers, all that stuff so that when we say, “We want to size you with the appropriate operational assets,” not that everything is operations, but you know what I am saying. So that is the discussion I want to have with you. It is not—I am not trying to sharp shoot what you are doing now. I am not even looking at that right now. I am looking at, when we get back to whatever operations are going to be normal a year or 2 years from now, that we have sized our Capitol Police on the ground operations, undercover, K-9, patrol, whatever it is, appropriately for the new threat posture improvements that we have made in terms of barriers and all that other sort of stuff.

My time has expired. Thank you, Mr. Chairman. I yield back.

Acting Chief PITTMAN. Yes. And, Mr. Chairman, I would just respond by saying I would love to provide a more indepth brief, but the short answer to that question is yes. This fiscal year 2022 budget is laying the foundation to build from now and address how we see the vision going forward for this police agency.

Mr. RYAN. Thank you.

PREPARATIONS FOR POTENTIAL MARCH 4, 2021 PROTEST

Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

And thank you, Chief Pittman, for joining us again and for going over your budget request.

I think most members of this committee would agree that the Capitol Police need additional resources to respond to the events of January 6. But I am hoping that you can briefly tell me about tomorrow. And do you have what you need for the security of the Capitol complex tomorrow, March 4? And what can you share about the threat level?

Acting Chief PITTMAN. Yes. Thank you for that question.

I want to ensure everyone on this call that USCP is working with all of our law enforcement partners in the D.C. capital region to make sure that all of the intelligence we have and threats to the campus, we are prepared to respond appropriately.

We do have some concerning intelligence. That intelligence is law-enforcement sensitive. And it wouldn't be prudent of me to share it in a public hearing, a public format. But I would love to come over. I am available at any time to provide an additional brief to everyone on the call. But we have enhanced our security posture. We have taken immediate steps to let the National Guard, as well as our workforce, know what to expect tomorrow and going forward. Other than that, I would be more than happy to come over and provide you a brief.

Ms. CLARK. Thank you for that offer. I am sure we will take you up on it.

BALANCING USCP PRIORITIES

I want to talk a little bit about, as we talk about security for the Capitol complex, I want to make sure we have the right balance going forward. Traffic and drug enforcement activities: Traffic incidents are—52 percent of your incident reports involve traffic-related infractions; 14 percent are drug-related offenders. Do you have the right balance? And do you think that this is striking the right balance between these activities and the safety of Members, staff, and the Capitol community?

Acting Chief PITTMAN. I do believe that we are striking the right balance. We have a patrol mobile response that patrols the grounds that surround the campus. We know that a large number of the staff that work here live around those grounds. They also use the South Capitol Street Metro and Union Station Metro to go back and forth to work. A lot of times when we are patrolling the grounds, that is where that type of activity comes from. But I, again, would be glad to provide you a more indepth brief than can be explained in this 5-minute period.

Ms. CLARK. Okay. I would love to understand the dollar figure on it and what percentage of your budget is going to traffic and drug offenses.

CIVIL DISTURBANCE UNIT READINESS

I would love to also follow up on your testimony of last week that the department has seven civil disturbance unit platoons but enough hard gear to only equip four of those platoons. Unlike the D.C. Metro Police, you do not supply every officer with even the minimum amount of hard gear, like hard helmets. It is a pretty amazing statistic, given that you are the 12th largest police force in the country. I did not see in your budget proposal a request for

funding to purchase additional hard gear. Will you be doing that? Will you be equipping the other three CDUs?

Acting Chief PITTMAN. Yes. And thank you for the question and opportunity to provide some additional follow up and context.

Those officers that were on the front lines on January 6 fought with everything they had. We are eternally forever grateful for them. They are our heroes. We know that, because of them, that electoral vote process was able to continue. We know that we ordered CDU helmets prior to the January 6 incident. They were actually ordered in September of the previous year.

Ms. CLARK. Chief Pittman.

Acting Chief PITTMAN. Yes. Those helmets have arrived, and we have already issued—

Ms. CLARK. Any other hard equipment to equip our officers? I think the best way we can honor their incredible bravery is by making sure they have the hard gear they need.

Acting Chief PITTMAN. Yes. Over 1,300 of those helmets have arrived. We do have several hundred that are still coming in to be issued out. In addition to that, we have a number of other equipment assets that are reflected in the fiscal year 2022 budget for our officers. We do want to honor them and make sure that they are in the best position to protect themselves as well as protecting you.

Ms. CLARK. In my final seconds here, there is an inspector general's report. It is one of the primary ways that we ensure Federal dollars are being spent appropriately. Your office, U.S. Capitol Police, does not make—your office does not make the IG reports available to the public.

Do you support the release of those? Yes or no?

Acting Chief PITTMAN. That is up to the Capitol Police Board. The Capitol Police Board has oversight over USCP, and they determine whether or not we release the recommendations from the Office of the Inspector General.

Ms. CLARK. Thank you, Chief.

I yield back.

Mr. RYAN. Thank you, Ms. Clark.

Chief, we are going to be reaching out to your staff here immediately to see if we can put together a quick briefing right after this committee, if you have time. We can just find a room and we can all head over there, or whatever the protocols are, or call, or we will figure it out. But I would like to get that done right after the committee hearing, if that is okay.

Acting Chief PITTMAN. I will work with your chief of staff to make sure we get that scheduled ASAP.

Mr. RYAN. Great. Thank you.

ENSURING THE FY 2022 BUDGET ADDRESSES AREAS OF WEAKNESS

Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman. And I would appreciate that briefing as well. There is some questions that I would like to ask that maybe this isn't the right setting.

But welcome back, Acting Chief Pittman. It is a pleasure to see you again. And thanks for taking so much of your time in the last couple of weeks and spending it with us.

I have got some questions still about January 6, Mr. Chairman, but since this is about the appropriation request, I will try to focus on that particularly. So maybe a follow-up meeting would be good for those questions too.

But, you know, as appropriators, Chief Pittman, we want to make sure that—you know, we want to help. We want to make sure you have got all the tools that you need to provide the men and women that serve in the Capitol Police force so that they can do their job appropriately and safely. And so my questions are in light of that. I want to make sure you understand.

It has only been, you know, less than 2 months since January 6. That is not a—you have spent a lot of your time responding to a lot of our questions, throughout Congress, about what happened, and I guess I want to be certain about the steps that you have taken, the processes that you went through to come up with these numbers that you are asking. I want to make sure we have confidence that we are just not throwing dollars at the problem, that we truly are addressing the tough questions that we need to in order to be better prepared into the future.

In my humble opinion, I am not convinced that January 6 happened because of life cycle replacement issues or because of software maintenance agreements and those kinds of things.

I think that there was truly a lack of communication, a breakdown of command, and it seems like a failure to pass along important reports to people in leadership so that decisions could be made.

And so, like I said, I want to make—I want to have the confidence that by providing the dollars to these areas, we are actually helping to solve the problem, and I would like to hear your response to give us the confidence that we are.

Acting Chief PITTMAN. Yes, sir. And thank you for the opportunity to provide clarity and context.

I hear your concerns about the fiscal year 2022 budget. Our goal and focus has been to strengthen our intelligence capabilities. Having intelligence in and of itself is not enough. We know that we need to be able to convey and communicate to the workforce internally, as well as to our stakeholders externally, in a way that they understand that those intelligence capabilities, vulnerabilities are being plugged and they are being addressed in a manner so that they drive operational security posture.

One of the things that you asked about in the previous hearing was specifically about that FBI document, and I know that this is a budgetary hearing, but I think it is important that we address how intelligence information is gathered. The USCP has—

Mr. NEWHOUSE. So, Chief, I know we have a short amount of time. Tell me then how the budget request addresses that and the breakdown in command. That is what I am getting at, just those simple—boil it down.

Acting Chief PITTMAN. Yes. For member protection, we know that the threats are through the roof. We asked for 111 dignitary protection officers—dignitary protection agents because right now we only cover the congressional leadership. When we have things such as the impeachment hearings, we had nine managers. We have to pull from those 10 leadership details to cover those nine managers.

If we have other threats that are coming in, we are really dependent upon our law enforcement partners. They do a great job, but these numbers in this fiscal year 2022 budget give us a chance to address that from within. We know that we are the best at protecting Members of Congress. We also——

Mr. NEWHOUSE. I appreciate—my time is just about out, but my question is—

Mr. RYAN. Mr. Newhouse.

Mr. NEWHOUSE. Yes, sir.

Mr. RYAN. Mr. Newhouse, take your time.

Mr. NEWHOUSE. Okay. Thank you, Mr. Chairman.

I really want to—I am not trying to be a jerk about this. I really want to understand—I think the committee does too—that the dollars that we appropriate actually get to the root of some of the problems that have been identified, and you have talked about some of them. But I think the breakdown in command and communication and leadership was a big contributing factor, and so maybe that can't be reflected in a budget request. But I am hopeful that it can be, and I am just—that is what I want to understand from you this morning.

Acting Chief PITTMAN. Yes, sir. I understand the community's concerns with the Capitol Police leadership, command, and control. I immediately came in after January 8 and addressed a number of those issues. One of the issues that was raised on the previous hearing was, why wasn't more direction given? How come the officers couldn't hear? Why weren't evacuation routes communicated one way on the House and a different way on the Senate? I have addressed all of those.

I first started by addressing communication out in the field for riots. I procured an LRAD system for those commanders, deputy chiefs, with boots on the ground. It is a communication system on steroids. It makes sure that if you are dealing with large crowds, you can hear, you can give clear and concise direction to your officers, how you want them to form up, where you are going to draw your line in the sand, so that we can prevent a January 6 from ever happening again.

I directed a review of the command center so that those notification messaging systems that are going out to the community, we make sure that they are clear and concise and timely.

I also ordered that those commanders at the Capitol immediately start training with those evacuation routes. We want to make sure that we have the officers that are assigned to those chambers in the chambers during a critical incident. Some of the information is law enforcement sensitive, so I can't go into the details of those evacuation routes, but I can assure you, within days of me being assigned as the Acting Chief of Police, I made sure that those communications went out to those commanders. I made sure that we filled those intelligence gaps, because we acknowledge that they do exist.

I acknowledge that there were failures of command and control, but I have put in internal controls immediately after being appointed to this position to address those gaps, sir.

Mr. NEWHOUSE. Thank you. That is very helpful, and I appreciate that.

And thank you, Mr. Chairman, for your allowing me to go over time, but I think that was a very important point that I wanted to hear. Thank you very much.

Mr. RYAN. Yes. Thanks, Mr. Newhouse. I appreciate it.

And let me just add, with regard to the details and everything else, I am not necessarily saying every Member of Congress should have a detail, but if you are a Governor of a State, you have a security detail. You have security at your home. If you are chair of the Appropriations Committee or the Ways and Means Committee or the Defense Committee, you know, it is a much different story. So I think most of us would say we have got to increase that, and it could be threat-based given politics of the moment, and I think that is important.

And the information flow, just to reiterate what Mr. Newhouse's question was, we appreciate those reforms. We want to look closer at them, because the kind of information we are getting that the FBI was confirming intelligence for the Capitol Police and that intelligence never made its way up to you in your old position or to Chief Sund is a breakdown in the information flow that we need that has got to be organic and integrated and then make its way up to the decision makers.

So we are going to be looking very, very closely at that. I know we are the appropriations side of this, but if we are going to be jacking up the budget by hundreds of millions of dollars, or whatever the number ends up being, we want to make damn sure that the information, the processes, the communication, the command and control, the training, the helmets, the equipment, all of that has got to be tops in the country. This police department needs to be a model for all immersion training, mental health, wellness, the whole 9 yards. It needs to be a model for all other departments in the country.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

And just on a quick aside, I cannot let your opening comments on Washington's preeminence with glaciers go uncommented on because you spoke of it in terms of the contiguous parts of our country, and this risks great division and polarization as between the contiguous and noncontiguous parts of our country. I just want to assure everybody that Hawaii, Guam, the Northern Marianas, American Samoa, Puerto Rico, and the Virgin Islands do not have glaciers. And so what you should have said was Washington is far better than anybody else other than Alaska. I think that sounds better all around.

Ms. HERRERA BEUTLER. Well, why don't you invite us to Hawaii and we can talk about it.

Mr. CASE. I am happy to do that. I am just trying to defend Washington.

So, sorry, Chief Pittman. Very serious topic, but levity never hurts.

FUNDING THE INSPECTOR GENERAL INDEPENDENT ASSESSMENT

I spoke to you last week about my great concern, which is actually getting to be a deeper concern, that in trying to figure out as to January 6 exactly what happened, why, and what we need to do

to prevent it, we are not getting objective, independent assessments.

I think we also established last week that as to General Honore—and it is good news that you are in touch with him—his evaluation is more about the physical infrastructure, the physical protection, the physical, you know, attributes of greater prevention and protection, to include what has gone into your budget request in terms of increasing officers. But as I think Mr. Newhouse was trying to get at, and Mr. Amodei, we are just as concerned, or at least I am just as concerned about the nonphysical human areas that went wrong, whether it be command structure or flow of communication or whatever. And I am very, very concerned that that is not yet at least being subjected to an objective, independent assessment that is not driven by the people that were there on the spot, because I don't think that that results in either a good overall assessment or in credibility and confidence in the result.

And so last week, I asked you who is actually doing that, and you responded in part the inspector general, by which I think you were referring to as the U.S. Capitol Police Inspector General. But I don't see anything in your budget request that would actually allow the inspector general to do that job. I mean, you have got, if I understand it correctly, 10 FTEs and the inspector general, that you are not trying to increase. If I understand correctly, only one or two of them are actually investigators, and I assume that they have their hands full in investigating kind of individual incidents within the U.S. Capitol Police.

And so I just ask you straight out again, how are we going to get that objective, independent assessment? And is your budget request adequate for that kind of participation by the inspector general's office to actually do the job?

Acting Chief PITTMAN. Yes. Thank you for your question. We welcome all independent assessments and reviews of the U.S. Capitol Police. We know that Lieutenant General Honore and a couple of the others that you mentioned are doing an assessment, and I understand that you are saying that is not actually independent. We need to have someone outside of the agency, someone who is not tied to government per se to come in and do that assessment. We welcome those reviews, because I believe that the proof is going to be data driven. How we build out from fiscal year 2022 is going to be looking at those independent assessments, taking that information so we can use it to effect change on our policies, we can provide better accommodations for our people, and we will evaluate our processes to make this an opportunity to make things better for the entire department. We—

Mr. CASE. I am sorry.

Acting Chief PITTMAN. Yes.

Mr. CASE. Let me just, because my time is ticking down here. I am not saying that General Honore is not independent. I am saying that he is not looking at the totality of the picture, at least as I understand it. I am talking about the other half of the assessment, which is, you know, what happened, what went wrong, what didn't go wrong, and what needs to be corrected about the non-infrastructure part of this; so, in other words, the human actions, the Capitol Board, you know, all of the areas where you could have

the best possible infrastructure, the best possible police force and things may well still have gone wrong. I am talking about the organization. And so I am trying to get at, you know, where is that coming from? And are we resourcing that effort then—

And I ask you very specifically, because your answer last week was, it is coming from the inspector general. And I don't know whether this inspector general under this budget request has the resources to do that job. So I am focused very much on the inspector general. Is the inspector general in that business? And do you have the resources in your budget request for that inspector general's office to take a look independently, which is what inspector generals are supposed to be about?

I accept that the inspector general is a good place to participate in this independent, objective assessment, but I ask the question whether they have got what they need to do that.

Acting Chief PITTMAN. Yes, sir. So we do provide funding to the Office of the Inspector General for contractors, and that request is in this budget.

And I would like to turn it over to Mr. Braddock. He can provide some more details about the budget itself and the inspector general.

Mr. BRADDOCK. Yes, sir. I will make it brief.

They determine their own budget requests. That is what is in the book that you see. That came directly from the IG. That said, as a result of the events of the 6th, the department was requested to provide additional contract resources to the IG, which we did. We used some of our no-year reimbursable funds that we get for things like the O'Neill House Office Building security, and we moved that over to the IG so they could have the resources they need to do this.

Mr. CASE. Okay. But that is—excuse me, Mr. Chair, just a quick one, if I could.

I don't see that in the budget request itself. I see a level budget request here. So is that in a supplemental? Is that a diversion of existing resources from one function to another that is within the purview of your authority under the current budget or what?

Mr. BRADDOCK. So, sir, we don't make that decision on what the IG asks for. We are literally a passthrough from the IG to you in our budget book. That said, statute requires that if they have additional needs, that the department is responsible for resourcing that. So anytime they have a surge need that they have that isn't in a budget cycle, we step in with the resources we have and we do divert that to the IG. But any request you see is coming directly from them.

Mr. CASE. Okay. Thank you.

Mr. BRADDOCK. Thank you.

Mr. RYAN. Ms. Wexton.

USCP INTELLIGENCE OPERATIONS

Ms. WEXTON. Thank you, Mr. Chairman. And thank you, Chief Pittman, for joining us here again today.

You know, like everybody else on this call, I really don't ever want to see anything like January 6 happen here again, but, frankly, it really did showcase to the world the vulnerabilities here at

the Capitol. And I share some of Mr. Newhouse's concerns that we don't just throw a bunch of money at the problem when the structural changes haven't been implemented which we are going to need in order to move forward.

I just want to talk a little bit about the intelligence operations that you currently have at Capitol Police because, Chief, prior to your current role as acting chief, you were the assistant chief of the department's protective and intelligence operations. Is that correct?

I am sorry, you are still muted, so you need to unmute.

Mr. BRADDOCK. She is having a technical issue.

Acting Chief PITTMAN. Sorry about that.

Yes, that is correct.

Ms. WEXTON. And in that capacity, you oversaw the Intelligence and Interagency Coordination Division, or IICD?

Acting Chief PITTMAN. Yes. Yes, I did.

Ms. WEXTON. So who makes up IICD? You testified earlier that you had 13 intelligence officers. And who else is on there?

Acting Chief PITTMAN. We have a number of analysts, and we have an intelligence director, a new director that was hired. We also have a deputy director, and we have the open source section.

Ms. WEXTON. So about how many people total work within IICD for Capitol Police?

Acting Chief PITTMAN. About 13 people.

Ms. WEXTON. Okay. And are any of them assigned to the Joint Terrorism Task Force within the FBI?

Acting Chief PITTMAN. Not within IICD, but we do have task force agents that are assigned to the FBI in various task force units. They are throughout the FBI but in different units.

Ms. WEXTON. So how many of your officers are assigned to the JTTF?

Acting Chief PITTMAN. We do have officers assigned to the Joint Terrorism Task Force. We have eight of those officers that are currently assigned.

Ms. WEXTON. But none of them is with IICD?

Acting Chief PITTMAN. No. They are two separate entities.

Ms. WEXTON. Okay. So how does intelligence flow from the officers who are on the JTTF to IICD?

Acting Chief PITTMAN. The national JTTF is part of IICD, and that information flows from the national level to those IICD partners.

Ms. WEXTON. So you don't have anybody who is a part of the regional JTTF?

Acting Chief PITTMAN. Yes, we do have investigation officers. So there are two different entities within Capitol Police. One side is investigations, and the other side is intelligence. They work within the same bureau.

Ms. WEXTON. Okay. So if an investigator were to get intelligence from the JTTF, how would they pass that on to the right channels right now?

Acting Chief PITTMAN. They are responsible for reporting that to their supervisors. U.S. Capitol Police has a chain of command, just like any other law enforcement, but they push it up through the chain of command. The chain-of-command sergeant gives it to the

lieutenant, and it goes to the intelligence director who shares that information with the leadership.

Ms. WEXTON. But that didn't happen with this January 5 bulletin that was shared with the JTTF, did it?

Acting Chief PITTMAN. That January 5 bulletin was given to those task force agents that you referenced. They gave it to their sergeant, and it stopped at the lieutenant. They did report it to their—

Ms. WEXTON. Okay. Very good.

So are you familiar with the U.S. Capitol Police's strategic plan for 2021 to 2025 which was issued under Chief Sund?

Acting Chief PITTMAN. Yes, I am.

Ms. WEXTON. And you are aware of strategic goals 3.1 and 3.2, 3.1 being to evaluate the USCP capabilities and maximize the use of information gathering across the department? Does that sound right?

Acting Chief PITTMAN. Yes. I don't have the plan in front of me to know, but it does sound right.

Ms. WEXTON. 3.2 is to establish processes and implement a department-wide framework for converting information and data into actionable communications for the workforce.

Acting Chief PITTMAN. Yes, it sounds right.

Ms. WEXTON. And the explanatory section for 3.2 says: Establishes the communication channels that make it possible for information to get quickly to those who need it without unnecessary delay or confusion. Right?

Acting Chief PITTMAN. Yes.

Ms. WEXTON. The goal. So it is safe to say that as of January 6, the Capitol Police was already aware that you guys had communication issues and trouble—shortcomings when it came to acting on information. Would you agree with that?

Acting Chief PITTMAN. I would say that there is always room for improvement in the area of communications. That is why we brought on the intelligence director. We realized that there were gaps. Mr. Donahue has come in and developed a strategic plan to help Capitol Police plug those gaps. Department-wide we are always looking to improve our communications internally as well as externally.

Ms. WEXTON. Mr. Chairman, may I ask one more quick question?

Mr. RYAN. Yes, of course.

Ms. WEXTON. Thank you.

So is there now a comprehensive plan in place for how information would flow from intelligence to Capitol Police decision makers?

Acting Chief PITTMAN. Yes, there is. The Director of Intelligence has been given specific direction to communicate with those task force agents, and those task force agents also know to communicate directly with him. We make sure that it has gone up to a higher level, it won't just stop within that chain of command at the lieutenant level.

Ms. WEXTON. Okay. Thank you very much.

I see my time has expired, so I will yield back because I know everybody else has a lot of questions as well.

Thank you, Chief.

Mr. RYAN. Thank you.

One quick question before we go to Mr. Espailat.

COMMUNICATIONS BETWEEN THE FBI AND USCP

Chief, was there any contact from the FBI? We know the bulletin got over, didn't make its way past the sergeant, which is obviously very frustrating for all of us to hear that. Was there a phone call? I mean, among discussions among ourselves, we would say, well, wouldn't somebody from the FBI call Chief Sund, or your counterpart with intelligence get a call from somebody from the FBI? Did that happen at all?

Acting Chief PITTMAN. No, sir. Thank you for the opportunity to clarify.

The FBI only sent the email. I know that Director Wray reported out yesterday that that information was shared in a roll call type of setting. But the FBI does have deliberate ways if they want to communicate information that is classified, if it is sensitive, if it needs to be communicated at a high level, the FBI has the Joint Terrorism Task Force Executive Committee.

If the FBI thought that that Norfolk document was the smoking gun that many have alleged that it is not, in our assessment, that information would have been communicated directly to high-level executives, like Chief Sund, from the Joint Terrorism Task Force Executive Committee.

And I think that Chief Contee said it best when he was on a briefing hearing. If your house is on fire, you are not going to send an email to someone's child to give a message to the parent that a house is on fire. If that document was the smoking gun that many have alleged it is—and we think it is not—you are going to make sure that you have deliberate communication so that quick actions can be taken and law enforcement would have postured differently, not just U.S. Capitol Police, but there are a number of law enforcement agencies within D.C. that did not posture differently as well due to that one document.

Thank you, sir.

Mr. RYAN. Well, just to be clear, that document basically affirmed your intelligence as well. And I, for one, believe that the leadership at the Capitol Police Department still should have acted, whether they got the FBI or not. It was just another example of, look, this is the intel that is out there, and there wasn't a—you guys didn't push for a vote with the Capitol Police Board. You know, we don't need to get into all of that right now because, you know, we are doing a hearing on the appropriations request. But that being the case that they didn't call you is not a pass for the lack of leadership from the Capitol Police, just so we are clear on that.

PROPERLY EQUIPPING AND PROTECTING OFFICERS

Mr. Espailat.

Mr. ESPAILLAT. Thank you, Mr. Chairman.

Thank you, Chief Pittman, for your testimony.

Clearly, I think all of us, no matter which side of the aisle we are on, can agree that Police Officer Eugene Goodman is an Amer-

ican hero and, you know, he may have saved dozens, if not hundreds, of lives.

However, my staff and I have had numerous off-the-record conversations with rank-and-file officers since the insurrection on January 6, and they have highlighted their concerns and have come out giving us concerns about the lack of preparedness in terms of deficient equipment or the lack of equipment.

And seeing the film footage of Officer Goodman steering the racist mob away from the Senate floor, it just jumps at us that he perhaps didn't have all the equipment that he needed to protect himself. I felt that he was unprotected there.

If you had it another way, Chief, what kind of equipment do you think Officer Eugene Goodman should have had on that day, on January 6, to be protected from that racist mob?

Acting Chief PITTMAN. Yes. Thank you for the question, and thank you for acknowledging Officer Eugene Goodman. I have known Eugene Goodman since he came on the department and have talked with him several times. We thank you for acknowledging his efforts. We appreciate his service.

Our department uniforms that our officers wear, you will see different uniforms when you come in. The barricades, for example, the officers have on BDUs because they work outside. If they ride a bike, they wear a bike uniform. Eugene Goodman's uniform for that day was indicative of where he works. Eugene has been a Chamber officer for a number of years, so he wasn't assigned to the civil disturbance units that were outside fighting in that riot gear. I also—

Mr. ESPAILLAT. Excuse me, Chief. You knew that there was going to be a mob out there. Should have Officer Goodman wore a helmet?

Acting Chief PITTMAN. I think the question is twofold. Officer Goodman is assigned to Chambers, and the Chambers have very specific uniform requirements, whether they are on the Chamber floor or outside. But I do agree with you one hundred percent that we have looked at the equipment for our officers that are assigned to CDU. We have already put in this fiscal year 2022 budget request a number of things that will address those gaps regarding the officers' equipment. So there is helmets—uh-huh.

Mr. ESPAILLAT. Was he wearing a vest, a bulletproof vest?

Acting Chief PITTMAN. I am sure that Eugene was wearing a vest, because all of our officers are required to wear a vest.

Mr. ESPAILLAT. But you are sure? Do you know that he was wearing one?

Acting Chief PITTMAN. I haven't talked to Eugene to ask him that specific question, and I wasn't in the Capitol, but I have no reason to think that he would not have been wearing a vest on that day.

Mr. ESPAILLAT. Were there any weapons confiscated from the racist mob?

Acting Chief PITTMAN. We made a number of arrests. Along with Metropolitan Police Department, arrests were made and weapons were taken.

Mr. ESPAILLAT. So if weapons were taken and you knew it was going to be a mob of thousands of racist, bigoted people there that

were ready to storm the Capitol, shouldn't Officer Goodman have worn a helmet, a bulletproof vest, and perhaps other equipment to protect his own safety?

Acting Chief PITTMAN. Yes.

Mr. ESPAILLAT. Irregardless of whether he was in a category that is not a riot-responding category?

Acting Chief PITTMAN. Yes, I agree. We have ordered helmets for the entire department. And going forward, we know that our officers need additional equipment. So I agree, they do need that equipment, and it is reflected in this budget request.

Mr. ESPAILLAT. I just saw him with the nightstick, and I felt that he was overpowered, and he was—he is an American hero. He was smart enough to steer this racist mob away from Members. But I felt he was severely exposed and, as such, I believe that you ought to reassess the kind of equipment that Capitol Police, irregardless of what unit they are assigned to, wear on a regular basis, including bulletproof vests, helmets, other kind of protective equipment that can save their lives.

I think that he was exposed and felt somewhat, I believe, overpowered by this angry mob, not that perhaps he could have been in a better position had he wore other equipment, but I think he could have been better protected.

Do you agree with that, that he could have been better protected?

Acting Chief PITTMAN. I agree that we need to do an overall assessment of our equipment and capabilities. That is reflected currently in this fiscal year 2022 budget. We know that we want to stop the threat before it ever reaches the building. We want to make sure that January 6 never happens again. We want to make sure that all of those officers that fought so heroically, to include Eugene, but there were many others that are our heroes, have the necessary tools and equipment that they need so that we can prevent an incident like that ever again on the campus.

Mr. ESPAILLAT. Mr. Chairman, if I could just ask one final question, I know my time is up, please?

Mr. RYAN. Sure. Take your time.

Mr. ESPAILLAT. Yes. Thank you.

I see the Capitol Police today, when I went down to vote, pretty much with the same gear that they wore that day on January 6. Are they currently wearing helmets? Have you upgraded their equipment to be better protected in case there is another attack?

Acting Chief PITTMAN. Yes. So we have already issued helmets to the majority of our workforce. We have additional helmets that are coming, and we also have ordered additional equipment that will be forthcoming as well, yes, sir.

Mr. ESPAILLAT. Well, Mr. Chairman, just for the record, it seems to me that they are still wearing the same equipment that they wore on the 6th. I haven't seen any officers wear helmets. I am not sure if they are wearing bulletproof vests, but I think they should be upgraded.

Thank you. And I yield back.

Mr. RYAN. Thank you.

Chief, we are going to go over everything that—the changes that you have implemented and all of that, but I hope you understand

our level of frustration when we are having a conversation right now about the Capitol Police not having some basic level of equipment and how did we get to that point where it was, you know, with the intelligence reports stopped at a sergeant, the equipment wasn't where it needed to be, training. I mean, this is all very troubling. And I am glad you are making the changes that you have made since you have been in, but you were also there, you know, in a high-ranking position as well when this was going on. And as you heard from all the questions here, you know, because it is—our colleagues come to us and they say, you know, we, this committee, has a responsibility to make sure that you have what you need, and we need to know what you need.

And, you know, we don't need another—you know, especially with the threats for tomorrow and all the other threats we are getting. I am not going to beat a dead horse. You know how I feel. But we appreciate you making the reforms that you have made and, again, we want to try to support you to, you know, fix these problems, whether they are budgetary, or as Mr. Newhouse brought up, they are about process and structure and information flows and all of that.

So, anyway, we appreciate your time.

Just for the committee, we have a 12:30 Library of Congress hearing. There are votes at 12:15. So if we can run over and vote and then come back. Ms. Herrera Beutler and I will go vote and try to get back here and be here to kick off the 12:30.

And then we would like to, Chief, if you could accommodate us at some point this afternoon to make sure we get this brief on March 4.

Acting Chief PITTMAN. Yes, sir. Again, we thank you for your support. We hear all of your concerns, and we are looking forward to leading this agency forward with the requests in this fiscal year 2022 budget. I will reach out this afternoon to schedule that meeting and provide that brief.

Thank you, sir.

Mr. RYAN. Great. Thank you.

Thanks, everybody. The committee is adjourned.

[Questions, answers, and additional material submitted for the record follow:]

1. As noted in our FY2021 Joint Explanatory Statement, the Committee is interested in several aspects pertaining to the training of federal law enforcement officers.

- **What efforts have been made so far to consult with the Attorney General to ensure implementation of evidence-based training programs on de-escalation and the use-of-force, as well as on police-community relations? Have there been efforts to implement these trainings as part of the FLETC portion of onboarding?**

Even before the tragic events of January 6, 2021, the Department had been reviewing and revising its use-of-force policy. This review was at the direction of the Chief of Police and headed by the commander of our Office of Professional Responsibility (OPR), the office that investigates any allegation of an improper use of force. Although the Attorney General was not directly consulted, since the Department does not report to the Department of Justice (DOJ), best practices from DOJ and around the country were examined and incorporated into our revised policy. The policy, last reviewed and revised in 2016, is currently completing the review cycle internally and is close to being finalized.

Two of the main elements that have changed in the current policy revision are an increased focus on de-escalation tactics and a requirement that every USCP officer is obligated to report any improper use of force that they witness whether by a fellow USCP officer or an officer from another department. Failure to report an improper use of force can subject an officer to discipline. Once this policy revision is finalized it will, of course, be incorporated in the Department's use-of-force curriculum at its Cheltenham training facility and taught to both new recruits and current personnel. (The Department currently delivers use-of-force training in conjunction with firearms qualifying once a year for all sworn members of the Department.) Finally, since January 6th, the Department has issued a roll call read out on use-of-force, a bulletin on the same, and is in the midst of conducting specific training and dialogue on use-of-force issues at every roll call within the Department.

- **To what extent is the USCP already participating in the National Use-of-Force Data Collection?**

The Department collected the required information for 2019 but due to an administrative error, it was not forwarded to the FBI. We are currently compiling the information for 2020, and will provide that shortly to the FBI. The Department did not have any qualifying uses of force in either 2019 or 2020.

- **Please provide an update on when we can expect a report that outlines how the USCP is addressing diversity within its police organization. This includes details such as:**
 - **The number of activities to try to promote workforce diversity, including partnering with organizations that focus on developing opportunities for minorities and women**
 - **The steps taken to attract and retain a diverse workforce**

- **A breakout of USCP positions, sworn and civilian, by ethnicity, gender, socio-economic background, and experience level**

The Department submitted a comprehensive report to the Committee on March 30, 2021, outlining the USCP's workforce diversity actions. As a critical priority for the USCP, agency efforts to cultivate a diverse and inclusive workforce begin at the employee recruitment stage and continue throughout the tenure of an individual's employment. As has been the case with many law enforcement entities, the national conversation regarding diversity and policing has provided the USCP with an opportunity to revisit its current Diversity, Equity and Inclusion (DEI) hiring and retention programs, training curricula, data collection and analysis, and policy and procedures through benchmarking with leading law enforcement organizations such as the Police Executive Research Forum (PERF), International Association of Chiefs of Police (IACP), and the Commission on Accreditation for Law Enforcement Agencies (CALEA).

The USCP Office of Background Investigations and Credentialing (OBIC) oversees all recruitment efforts for sworn employees and consults with the Department's Office of Inclusion, Diversity, Equity and Action (IDEA), to strategically target recruiting events and colleges, with an emphasis on underrepresented populations. The Department has fostered partnerships with many affinity organizations (listed below), to ensure that we continue to recruit and hire a highly qualified and diverse sworn workforce.

Specifically, the Department has leveraged partnerships and technologies to target women; Historically Black Colleges and Universities (HBCUs); individuals who identify as Asian American and Pacific Islander, African American, and Hispanic; and individuals who are associated with the lesbian, gay, bisexual, transgender and queer (LGBTQ) community. The continuation of leveraging such partnerships and technologies to engage with these underrepresented populations is a central part of the Department's recruiting strategy and will remain so in perpetuity.

Professional affinity associations often drive and influence policy and cultural changes within a profession. Since 2016, the IDEA Office has developed strategic partnerships with professional associations that have taskforces and committees to develop, inform and share best practices for furthering diversity, equity and inclusion within law enforcement. The USCP regularly works with the following affinity associations:

- Asian American Law Enforcement Association (National Capital Region)
- Hispanic American Police Command Officers Association (HAPCOA)
- International Association of Chiefs of Police (IACP) Diversity Taskforce
- IACP Women's Leadership Initiative
- National Asian Peace Officers' Association
- National Association of Women Law Enforcement Executives (NAWLEE)
- National Institute of Justice
- National Organization of Black Law Enforcement Executives (NOBLE)
- Society for Human Resource Management (SHRM) Diversity and Inclusion Conference
- West Point Leadership and Ethics Conference
- Women in Federal Law Enforcement (WIFLE)

In addition, the IDEA Office has relationships with the Metropolitan Police Department (MPD)/National Museum of African American History and Culture and the ADL/Holocaust Museum (Law Enforcement and Society: Lessons of the Holocaust), which have yielded additional training opportunities for our officers to learn more about how law enforcement can use its police powers to end or fuel social injustice. To date, over 40 of our officers have participated in these trainings, all with positive feedback.

The Department further cultivates a diverse and inclusive workforce through the USCP recruit officer, in-service and online training programs; the USCP Supervisory Leadership Training Program; the USCP Career Builders Program; the Diversity Speaker Series and Speed Mentoring Program; Town Hall Discussions; and the IDEA Office's review of all USCP policies, directives, and standard operating procedures. The Department's Strategic Plan and Human Capital Strategic Plan for 2021-2025, includes specific elements of DEI to ensure proper focus is placed both internally within the Department and externally when executing our overall mission and support of the Congressional community.

Lastly, the attached documents provide a breakout of USCP sworn and civilian positions, by ethnicity/race, gender, experience level, age, and education.

2. **As you know, the budget caps often restrict us from funding the USCP at the requested level. Given the events of January 6th and the need to make several security investments, we're aware that budget constraints make this difficult. Does the USCP have a contingency plan if we can't fully fund at the requested level? If so, please detail what this plan would entail.**

In order to meet the needs of our workforce and the immediate requirements to enhance our security posture with both overtime and equipment following the events of January 6 and April 2, 2021, the Department must utilize its available multi-year and reimbursable no-year funds. The overtime impact for the two events on the Capitol Complex is projected to have a \$25M impact for which FY 2021 funding was not requested nor appropriated. To help offset the unexpected \$25 million salary requirement and avoid being deficient, the Department has held back \$8.5M in FY 2021 General Expenses funding.

Holding back these General Expenses funds has required the Department to reduce or forego support contractors required for human resources and administrative contracted training instructors, security services contractors, information technology security support, information technology services contracts, information technology CODEL support funds, vehicle leases, administrative training and payroll/personnel system enhancements. In addition, deferrals or delays will occur for security network upgrades, armor vehicle lifecycles, outfitting stock (uniforms, weapons, and related equipment), command vehicle equipment and command center workstations. Further, the funding reductions caused by the hold-back will affect the USCP participation in virtual job fairs, testing and other aspects of the overall hiring process for sworn personnel that may adversely impact the Department meeting its hiring goals.

As a result of the necessary post-event critical spending requirements for both January 6th and April 2nd, the Department has depleted its fiscal resources to meet future events and therefore, has no contingency plan. If a security supplemental appropriation or adequate FY 2022 funding levels are not provided, in order to address potential funding shortfalls, the Department would need to further reduce

its sworn and civilian hiring, reduce utilization of General Expenses funding, and potentially request a reduction in its required mission set. All of these impacts will have a direct impact on our workforce and the Department's ability to meet its mission.

3. **Health and wellness across the USCP are key to providing a safe and enjoyable workplace, especially given the traumatic events of January 6th and the lasting impact it has on the force. We understand that the agency is working with Dr. Gordon to address several health and wellness needs of the USCP.**

- **How is the agency leadership involved in listening to the needs of its rank-in-file officers? Is there a formalized process by which officers can file complaints to leadership? How are the officers notified about how their complaint is being handled?**

Identifying and addressing the needs of the Department's officers, at all ranks, is second only to completing its mission when it comes to priorities. The attacks of January 6 and April 2, 2021 have taken a toll on the entire Department, which is evidenced by the increased use of enhanced trauma and mental health resources offered to employees since both attacks, including the valuable services being provided by Dr. Gordon.

Whether it is wellness resources, equipment needs or operational concerns and feedback, the Department highly values input from its officers. Generally, officer feedback is received by and relayed through command staff. Officers who prefer not to express what they may consider sensitive matters with their supervisor or believe their concerns are not being met may submit an email to the Department's Ask the Chief email, which is monitored directly by the Office of the Chief of Police. This feedback mechanism was especially popular during the peak of the Department's COVID-19 response.

After major events and incidents, the Department conducts After Action Reports, which solicit and take into consideration feedback from every employee.

To assist in its decision making and further understand the needs of the Department, members of the Department's Executive Team attend regular, reoccurring meetings with representatives from the FOP/United States Capitol Police Labor Committee.

Once effected, changes are communicated to employees through Department-wide bulletins, the Department's internal website, PoliceNet, as well as through supervisors at daily roll calls. Concerns and/or complaints specific to misconduct are submitted to and tracked by the Department's Office of Professional Responsibility.

- **To what extent is USCP leadership involved in health and wellness initiatives? Do they participate in offerings or are they reserved for rank-in-file and civilian employees?**

Since the early 2000s, the Department has provided a fulltime equivalent position to the House Office of Employee Assistance (OEA) as a part of its longstanding relationship with the program. Prior to the events of January 6, 2021, the Department's leadership had committed to embracing a wellness and resiliency program for its workforce. The Department created a specific division within the Office of the Chief Administrative Officer (USCP CAO) to provide a

focus for the program and hired its first Wellness Coordinator. Through an interagency agreement with the House Wellness Center, the USCP CAO provided funding to provide the web-based services, workshops, classes and seminars for USCP employees that were being provided to the Members and staff of the U.S. House of Representatives. Further, the Department worked with the Architect of the Capitol to secure space for the USCP Wellness Center in the Fairchild Building. The Department has arranged with the House OEA to provide employee assistance services onsite in the USCP Wellness Center to improve USCP access to the services

Following the events of January 6th, the USCP CAO engaged the OEA to contract for 24/7 trauma informed care counselors and also requested peer support from other local, state and federal law enforcement agencies to provide a more informal means for employees to receive support. Additionally, the USCP CAO requested support from both the House and Senate chaplains, which allowed those in the USCP workforce who chose to utilize a spiritual support method to do so.

In order to meet the physical fitness needs of the workforce, the USCP CAO took steps to reopen the USCP fitness gyms under strict COVID protection standards. The Department procured contracted fitness trainers to not only provide personal wellness plans, but also to ensure that CDC safety standards are strictly adhered to while in the space.

The Department's Executive Team (ET) and Executive Management Team (EMT) have worked to routinely promote these mental health and wellness offerings to our workforce. All of the services provided to the USCP workforce are also available to the ET and EMT, and in fact, members of these Leadership teams have participated in both counseling and peer support offerings.

4. The USCP will soon be in the process of selecting a new Chief of Police.

- **What is the formal process by which the USCP selects a new Chief of Police? Who are the stakeholders in this process?**

In accordance with 2 U.S.C. § 1901, the Chief of Police is appointed by the Capitol Police Board (Board) and serves at the pleasure of the Board. The Board is comprised of the Sergeants at Arms for the House and Senate as well as the Architect of the Capitol. The Chief of Police is an ex-officio member of the Board, and in the instance of a vacancy for the position of Chief of Police, the Acting Chief does not play any role in the vacancy process. Further, the Department does not play a formal role in the Board's vacancy process for the Chief of Police. It is, however, the Department's understanding that the Board has consulted with Congressional Leadership, the respective oversight committees, and the Department's unions regarding this vacancy.

- **Is there any formalized input from rank-in-file officers or the police union in this process?**

As described above, the Capitol Police Board is responsible for the Chief of Police vacancy process. It is the Department's understanding that the Board has consulted with the Department's unions regarding this vacancy.

5. We are hearing from the CVC Staff Union that they feel there is a lack of officers in places where they interact with the public. In particular, the Crypt, the Rotunda, and National Sanctuary Hall are all places they feel need more USCP officers. They also claim that when a USCP is present, they do not consistently enforce rules.
- What can be done about adding more officers to these perceived weak spots?
 - How can the USCP make the Capitol and the Visitors Center more secure to protect CVC employees and staff?

The Department will discuss this important feedback with the Architect of the Capitol, the House Sergeant at Arms and the Senate Sergeant at Arms. The Department's mission is to protect the Congress – its Members, employees, visitors and facilities, which includes CVC staff and the abovementioned locations in the Capitol Building and Capitol Visitor Center. To accomplish its mission, the Department is constantly assessing Complex security and making tactical operational decisions, including decisions pertaining to officer post requirements. As previously noted, to cover its enhanced posture after the attacks on January 6 and April 2, 2021, the Department absorbed an unexpected additional \$25 million in salary expenses. The Department aligns its staffing to confront and defeat threats as far out as possible and every new post comes at a cost. We must constantly prioritize our resources to staff posts where we derive the greatest tactical advantage. However, the Department is committed to working with all of our legislative branch partners and will pursue creative solutions to address the claims of inconsistent enforcement and perception of insecurity within the areas identified.

6. What are the resources needed to fully meet mental health and trauma care needs for Capitol Police officers?

Based on the learned experiences following the events of January 6 and April 2, 2021, the Department has begun to develop the foundation for its own peer support team. Trained mental health professionals have recommended that the Department wait at least nine months from these traumatic experiences to form a peer support team to allow the workforce to begin its healing process. In the interim, the Department is taking steps to lay out its programmatic process, form its team and develop the requisite training program. To properly develop and support this team, the Department will require additional funds. As the program is further developed, the estimated funding requirements will be better defined and included in future annual budget requests.

Further, while the Department appreciates the longstanding support provided by the House Office of Employee Assistance (OEA), the needs of our workforce following the loss of four sworn employees in a four month period has demonstrated to the Department that it would be beneficial for the USCP to develop its own Employee Assistance Program (EAP). The USCP EAP program would be a part of the USCP Wellness and Resiliency Program in order to ensure that the workforce understands that the EAP program is intended to contribute to their personal wellness. In order to stand up this program, the Department would initially require at least three permanent full-time equivalent (FTE) civilian positions, as well as funding to support the start-up costs for the program. These FTEs would be used to hire trauma informed care specialists, so that our workforce can readily access this specialized support service. The Department would continue its relationship with OEA and the House Wellness program, so that our workforce would continue to have access to a wide variety of essential wellness resources.

Additionally, the Department has requested three permanent FTE civilian positions in its FY 2022 budget justification to further develop its overall Wellness and Resiliency Program. These positions are intended to provide a well-rounded variety of programs to enhance the mental health and trauma care initiatives described previously.

The Department believes that these elements will serve as the initial steps toward developing a robust mental health and trauma care program needed by our workforce.

7. The January 6 attack on the U.S. Capitol showed the heroism of our Capitol Hill police force, but it also showed some law enforcement officials standing side-by-side with white supremacists in a riotous mob. That is why I have introduced legislation to address white supremacy's influence on law enforcement, entitled the "White Supremacy in Law Enforcement Information Act."

- **What are you currently doing to address this heinous issue and will you commit to voluntarily implementing reforms, such as conducting an assessment of current practices to prevent white supremacist infiltration of and sympathy to white supremacist groups by the Capitol Police Force and the successes or failures of these methods? Will you publicly release a redacted version of this report?**
- **What resources do you need from Congress to effectively implement best practices and reforms that effectively address this issue?**

As a law enforcement entity that entrusts individuals with the enormous responsibility of protecting Congress, the Department takes seriously the threat posed by internal associations with extremist organizations. To help detect such associations before hiring its sworn personnel, the Department employs intercultural awareness and conflict tests with applicants aimed at measuring an individual's cultural adaptability, intercultural approach, potential for polarization and extremism. During the recruit officer candidate screening process, the recruit is also required to undergo a clinical interview that explores exposure to people of diverse backgrounds and the impact of that exposure.

Since the attacks on January 6 and April 2, 2021, the Department has been working to identify methods of detecting employee associations with extremist organizations, including white supremacy groups, to its current workforce on a reoccurring basis. As this initiative advances, the Department will work with its oversight committees for resourcing, regulatory and/or statutory changes, as necessary.

SUMMARY DIVERSITY TABLES of SWORN WORKFORCE
As of 3/27/2021

Ethnicity/Race	Employees	Percentage
American Indian or Alaska Native	6	0.33%
Asian	59	3.20%
Black or African American	540	29.25%
Hispanic or Latino	146	7.91%
Native Hawaiian or Other Pacific Islander	3	0.16%
Two or more	10	0.54%
White	1082	58.61%
Total Workforce	1846	100%

Gender	Employees	Percentage
Female	335	18.15%
Male	1511	81.85%
Total Workforce	1846	100%

Federal Length of Service	Employees	Percentage
Less than 1 year	35	1.90%
1-2 years	153	8.29%
3-4 years	208	11.27%
5-9 years	212	11.48%
10-14 years	331	17.93%
15-19 years	431	23.35%
20-24 years	265	14.36%
25-29 years	122	6.61%
30-34 years	75	4.06%
35-39 years	13	0.70%
40 years or more	1	0.05%
Total Workforce	1,846	100%

USCP Length of Service	Employees	Percentage
Less than 1 year	39	2.11%
1-2 years	202	10.94%
3-4 years	220	11.92%
5-9 years	185	10.02%
10-14 years	429	23.24%
15-19 years	477	25.84%
20-24 years	189	10.24%
25-29 years	54	2.93%
30-34 years	45	2.44%
35-39 years	6	0.33%
Total Workforce	1,846	100%

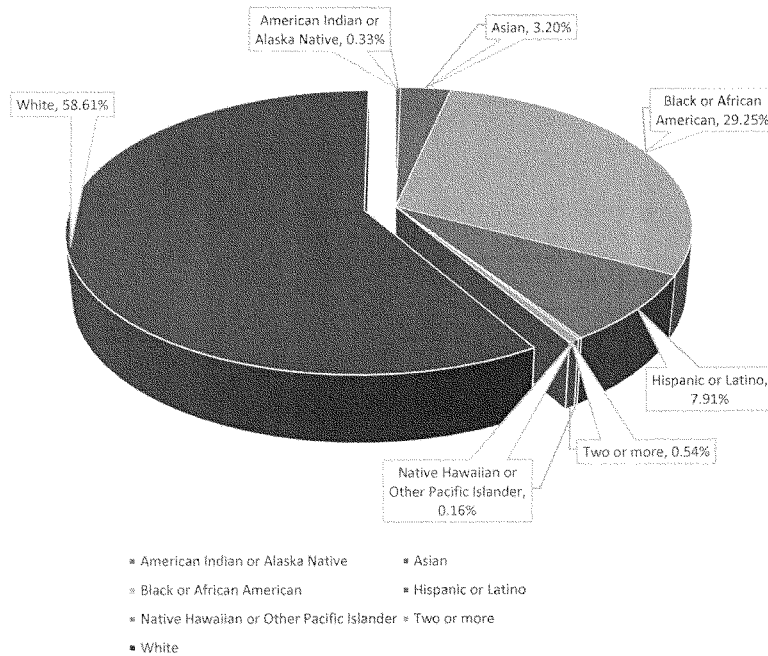
Age	Employees	Percentage
21-30	426	23.08%
31-40	525	28.44%
41-50	685	37.11%
51-60	210	11.38%
Total Workforce	1,846	100%

Education	Employees	Percentage
Associate Degree.	129	6.99%
Bachelor's degree.	905	49.02%
Doctorate degree.	2	0.11%
Four years college.	11	0.60%
High school graduate or certificate of equivalency.	692	37.49%
Master's degree.	85	4.60%
One year college.	6	0.33%
Post-Bachelor's.	1	0.05%
Some college--less than one year.	12	0.65%
Three years college.	1	0.05%
Two years college.	2	0.11%
Total Workforce	1846	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Sworn Ethnicity/Race Distribution Fiscal Year 2021 (As of: 3/27/2021)



Ethnicity/Race	Employees	Percentage
American Indian or Alaska Native	6	0.33%
Asian	59	3.20%
Black or African American	540	29.25%
Hispanic or Latino	146	7.91%
Native Hawaiian or Other Pacific Islander	3	0.16%
Two or more	10	0.54%
White	1082	58.61%
Total Workforce	1846	100%

If 'Two or More' was selected, and Hispanic was selected as one of the races, this employee was classified as Hispanic. Employee without an ERI code will have their RNO codes converted to the designed ERI using the

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Summary of Sworn Ethnicity/Race by Rank
Fiscal Year 2021 (As of: 3/27/2021)

	Count of Rank
CAPTAIN	18
Black or African American	8
Hispanic or Latino	1
White	9
DEPUTY CHIEF	4
White	4
DETECTIVE	1
White	1
INSPECTOR	10
Black or African American	2
White	8
LIEUTENANT	49
Asian	1
Black or African American	15
Hispanic or Latino	1
White	32
PRIVATE	41
Asian	1
Black or African American	12
Hispanic or Latino	8
Native Hawaiian or Other Pacific Islander	1
Two or more	1
White	18
PRIVATE FIRST CLASS	1376
American Indian or Alaska Native	5
Asian	51
Black or African American	423
Hispanic or Latino	104
Native Hawaiian or Other Pacific Islander	2
Two or more	8
White	783
PRIVATE W/TRAINING	120
American Indian or Alaska Native	1
Asian	4
Black or African American	27
Hispanic or Latino	19
White	69
SERGEANT	173
Asian	2
Black or African American	46
Hispanic or Latino	10
Two or more	1

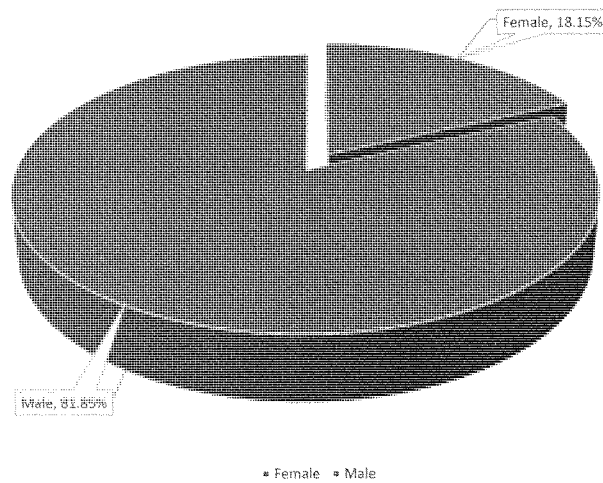
White	114
TECHNICIAN	1
Black or African American	1
TECHNICIAN K-9	53
Black or African American	6
(blank)	
(blank)	
Grand Total	1846

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Sworn Workforce Gender Distribution

Fiscal Year 2021 (As of: 3/27/2021)



Gender	Employees	Percentage
Female	335	18.15%
Male	1511	81.85%
Total Workforce	1846	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

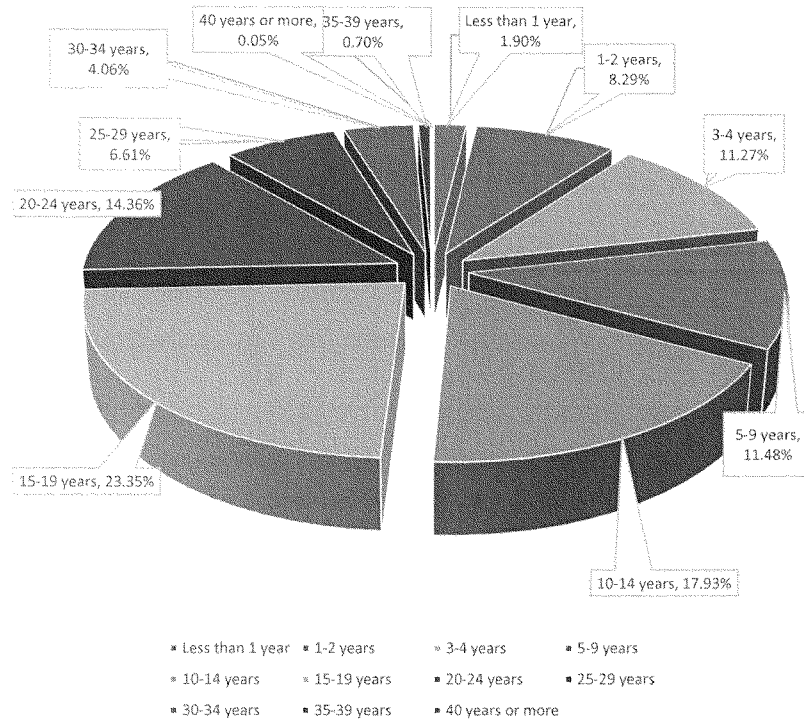
Summary of Sworn Gender by Rank
Fiscal Year 2021 (As of: 3/27/2021)

	Count of Rank
Female	335
CAPTAIN	5
INSPECTOR	4
LIEUTENANT	16
PRIVATE	8
PRIVATE FIRST CLASS	239
PRIVATE W/TRAINING	24
SERGEANT	35
TECHNICIAN K-9	4
Male	1511
CAPTAIN	13
DEPUTY CHIEF	4
DETECTIVE	1
INSPECTOR	6
LIEUTENANT	33
PRIVATE	33
PRIVATE FIRST CLASS	1137
PRIVATE W/TRAINING	96
SERGEANT	138
TECHNICIAN	1
TECHNICIAN K-9	49
Grand Total	1846

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Sworn Workforce by Federal Length of Service Fiscal Year 2021 (As of: 3/27/2021)

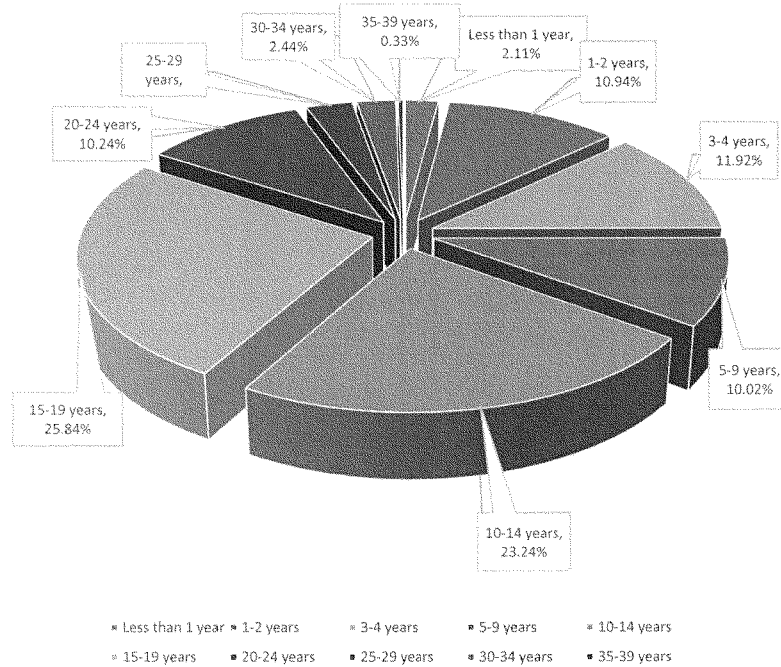


Federal Length of Service	Employees	Percentage
Less than 1 year	35	1.90%
1-2 years	153	8.29%
3-4 years	208	11.27%
5-9 years	212	11.48%
10-14 years	331	17.93%
15-19 years	431	23.35%
20-24 years	265	14.36%
25-29 years	122	6.61%
30-34 years	75	4.06%
35-39 years	13	0.70%
40 years or more	1	0.05%
Total Workforce	1,846	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

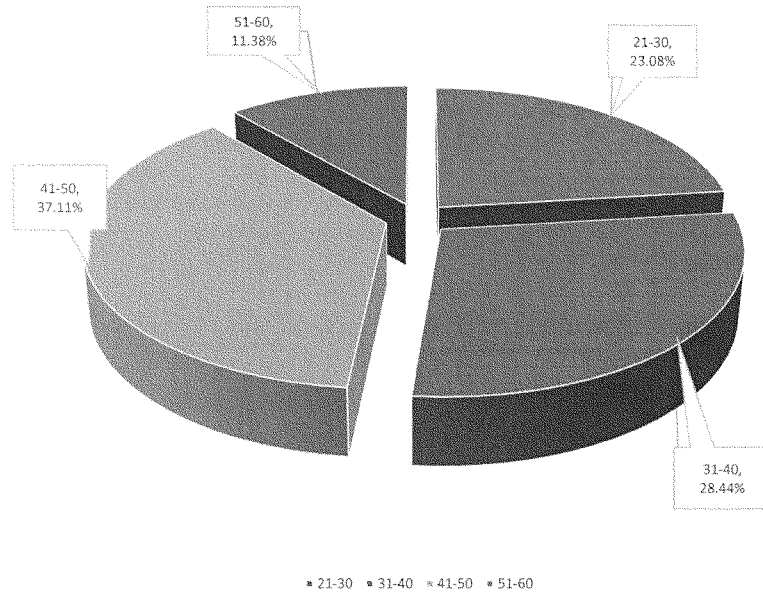
Sworn Workforce by USCP Length of Service Fiscal Year 2021 (As of: 3/27/2021)



*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Sworn Workforce by Age Fiscal Year 2021 (As of: 3/27/2021)

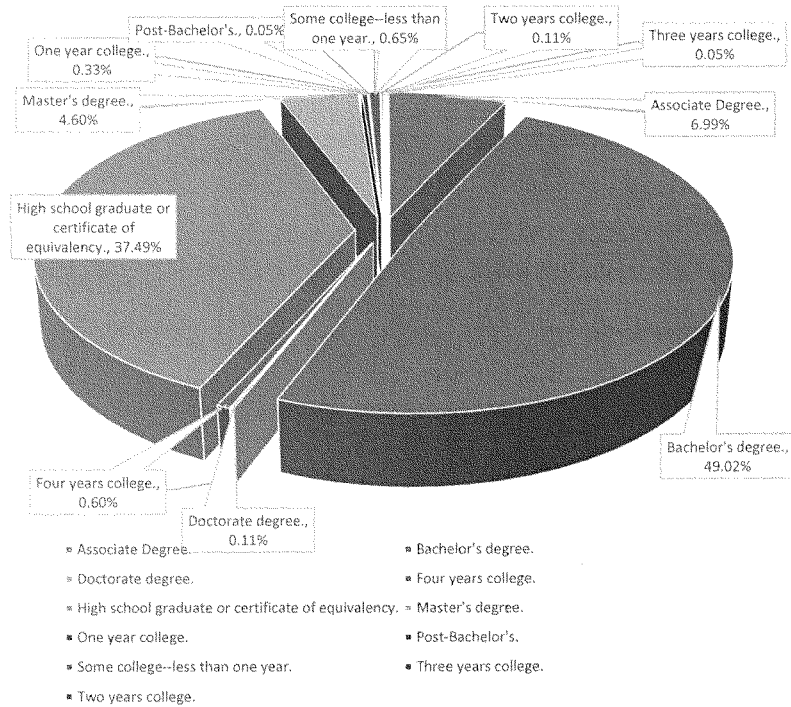


Age	Employees	Percentage
21-30	426	23.08%
31-40	525	28.44%
41-50	685	37.11%
51-60	210	11.38%
Total Workforce	1,846	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

Sworn Workforce by Education Fiscal Year 2021 (As of: 3/27/2021)



Education	Employees	Percentage
Associate Degree.	129	6.99%
Bachelor's degree.	905	49.02%
Doctorate degree.	2	0.11%
Four years college.	11	0.60%
High school graduate or certificate of equivalency.	692	37.49%
Master's degree.	85	4.60%
One year college.	6	0.33%
Post-Bachelor's.	1	0.05%
Some college--less than one year.	12	0.65%
Three years college.	1	0.05%
Two years college.	2	0.11%
Total Workforce	1846	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Sworn employees, excluding Appointed (AD) staff

SUMMARY DIVERSITY TABLES of CIVILIAN WORKFORCE
As of 3/27/2021

Ethnicity/Race	Employee Count	Percentage
American Indian or Alaska Native	1	0.27%
Asian	20	5.38%
Black or African American	171	45.97%
Hispanic or Latino	10	2.69%
Two or more	1	0.27%
White	169	45.43%
Total Workforce	372	100%

Gender	Count of SSN	Percentage
Female	174	46.77%
Male	198	53.23%
Total Workforce	372	100%

Length of Service	Employees	Percentage
Less than 1 year	12	3.23%
1-2 years	39	10.48%
3-4 years	22	5.91%
5-9 years	29	7.80%
10-14 years	62	16.67%
15-19 years	91	24.46%
20-24 years	42	11.29%
25-29 years	30	8.06%
30-34 years	33	8.87%
35-39 years	7	1.88%
40 years or more	5	1.34%
Total Workforce	372	100%

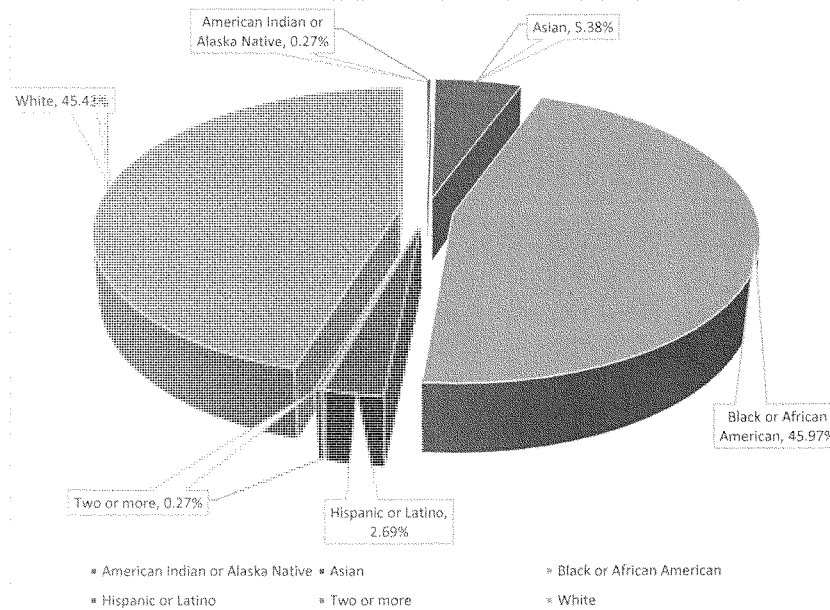
Age	Employees	Percentage
21-30	19	5.11%
31-40	72	19.35%
41-50	120	32.26%
51-60	116	31.18%
61-70	42	11.29%
71+	3	0.81%
Total Workforce	372	100%

Education	Employee	Percentage
High school graduate or certificate of equivalence	187	50.27%
Some college--less than one year.	3	0.81%
One year college.	3	0.81%
Two years college.	2	0.54%
Four years college.	1	0.27%
Associate Degree.	24	6.45%
Bachelor's degree.	84	22.58%
Doctorate degree.	8	2.15%
First professional.	4	1.08%
Master's degree.	53	14.25%
Post-Bachelor's.	1	0.27%
Post-Master's.	1	0.27%
Post-Doctorate's.	1	0.27%
Total Workforce	372	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects civilian employees, excluding Appointed (AD) staff

Civilian Workforce Ethnicity/Race Distribution Fiscal Year 2021 (As of: 3/27/2021)



Ethnicity/Race	Employee Count	Percentage
American Indian or Alaska Native	1	0.27%
Asian	20	5.38%
Black or African American	171	45.97%
Hispanic or Latino	10	2.69%
Two or more	1	0.27%
White	169	45.43%
Total Workforce	372	100%

If 'Two or More' was selected, and Hispanic was selected as one of the races, this employee was classified as Hispanic. Employee without and ERI code will have their RNO codes converted to the designed ERI using the OPM conversion table.

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Civilian employees, excluding Appointed (AD) staff

**Summary of Civilian Ethnicity/Race by
Fiscal Year 2021 (As of: 3/27/2021)**

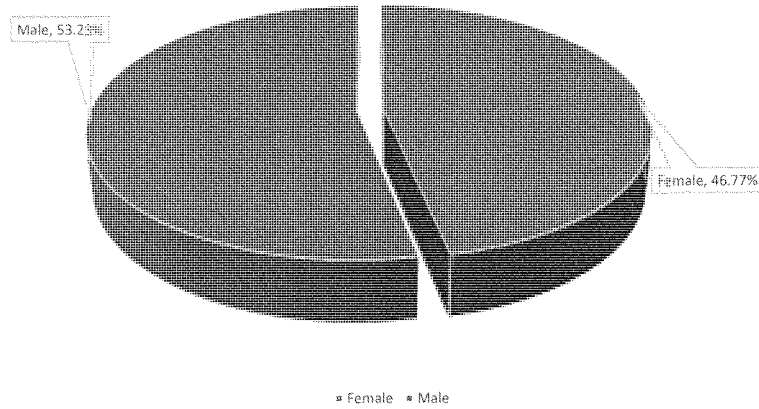
	Count of Employee
CP-03	16
Black or African American	15
White	1
CP-04	11
Black or African American	8
White	3
CP-05	28
Asian	1
Black or African American	21
White	6
CP-06	26
Asian	1
Black or African American	18
Hispanic or Latino	1
White	6
CP-07	39
Asian	1
Black or African American	21
Hispanic or Latino	3
White	14
CP-08	31
Black or African American	15
Hispanic or Latino	1
White	15
CP-09	63
Asian	6
Black or African American	18
Hispanic or Latino	2
White	37
CP-10	51
Asian	5
Black or African American	15
Two or more	1
White	30
CP-11	40
American Indian or Alaska Native	1
Asian	2
Black or African American	15
Hispanic or Latino	1
White	21
CP-12	29
Asian	2

Black or African American	12
Hispanic or Latino	1
White	14
CP-13	27
Asian	2
Black or African American	10
Hispanic or Latino	1
White	14
CP-14	11
Black or African American	3
White	8
Grand Total	372

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Civilian employees, excluding Appointed (AD) staff

Civilian Workforce Gender Distribution Fiscal Year 2021 (As of: 3/27/2021)



Gender	Count of SSN	Percentage
Female	174	46.77%
Male	198	53.23%
Total Workforce	372	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects civilian employees, excluding Appointed (AD) staff

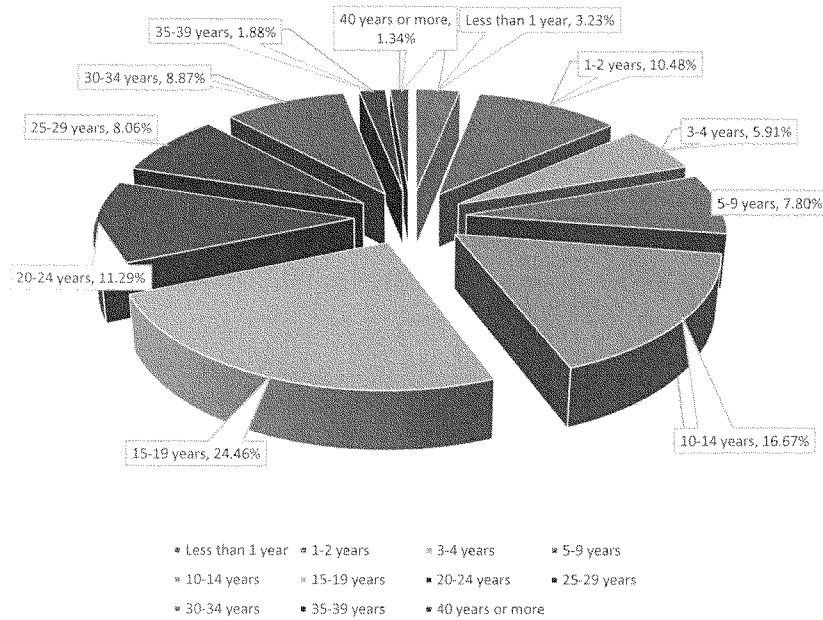
Summary of Gender by Grade
Fiscal Year 2021 (As of: 3/27/2021)

	Count of Employee
CP-03	16
F	7
M	9
CP-04	11
F	10
M	1
CP-05	28
F	12
M	16
CP-06	26
F	18
M	8
CP-07	39
F	21
M	18
CP-08	31
F	13
M	18
CP-09	63
F	16
M	47
CP-10	51
F	24
M	27
CP-11	40
F	21
M	19
CP-12	29
F	14
M	15
CP-13	27
F	12
M	15
CP-14	11
F	6
M	5
Grand Total	372

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects Civilian employees, excluding Appointed (AD) staff

Civilian Workforce by Length of Service Fiscal Year 2021 (As of: 3/27/2021)

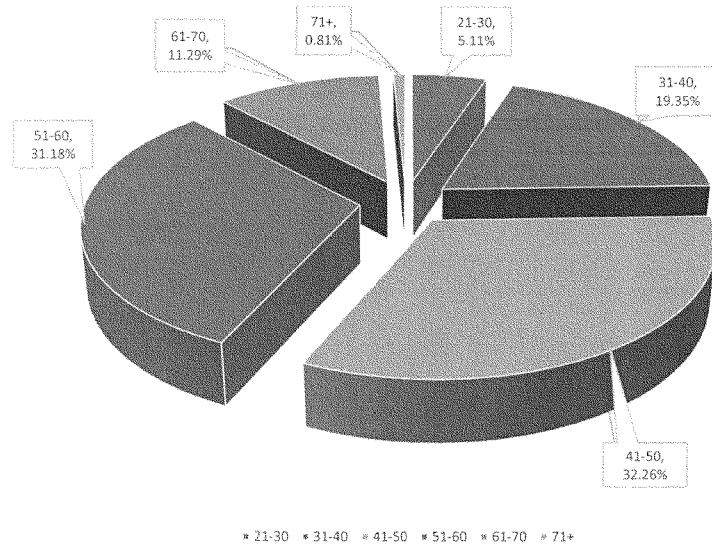


Length of Service	Employees	Percentage
Less than 1 year	12	3.23%
1-2 years	39	10.48%
3-4 years	22	5.91%
5-9 years	29	7.80%
10-14 years	62	16.67%
15-19 years	91	24.46%
20-24 years	42	11.29%
25-29 years	30	8.06%
30-34 years	33	8.87%
35-39 years	7	1.88%
40 years or more	5	1.34%
Total Workforce	372	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects civilian employees, excluding Appointed (AD) staff

Civilian Workforce by Age Fiscal Year 2021 (As of: 3/27/2021)

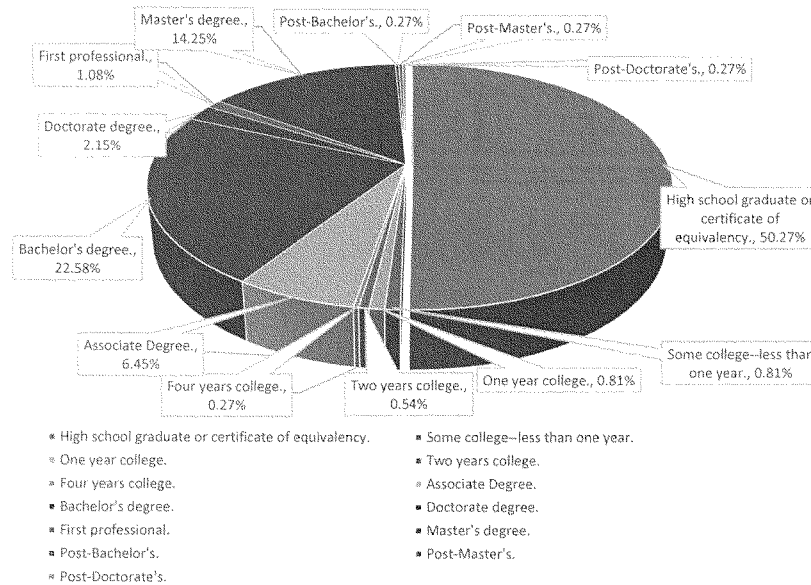


Age	Employees	Percentage
21-30	19	5.11%
31-40	72	19.35%
41-50	120	32.26%
51-60	116	31.18%
61-70	42	11.29%
71+	3	0.81%
Total Workforce	372	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects civilian employees, excluding Appointed (AD) staff

Civilian Workforce by Education Fiscal Year 2021 (As of: 3/27/2021)



Education	Employee	Percentage
High school graduate or certificate of equivalency.	187	50.27%
Some college--less than one year.	3	0.81%
One year college.	3	0.81%
Two years college.	2	0.54%
Four years college.	1	0.27%
Associate Degree.	24	6.45%
Bachelor's degree.	84	22.58%
Doctorate degree.	8	2.15%
First professional.	4	1.08%
Master's degree.	53	14.25%
Post-Bachelor's.	1	0.27%
Post-Master's.	1	0.27%
Post-Doctorate's.	1	0.27%
Total Workforce	372	100%

*data generated from the National Finance Center Payroll/Personnel Database.

**data reflects civilian employees, excluding Appointed (AD) staff

WEDNESDAY, MARCH 3, 2021.

LIBRARY OF CONGRESS

WITNESSES

CARLA HAYDEN, LIBRARIAN OF CONGRESS, LIBRARY OF CONGRESS
MARK SWEENEY, PRINCIPAL DEPUTY LIBRARIAN OF CONGRESS, LIBRARY OF CONGRESS
KAREN KENINGER, DIRECTOR, NATIONAL LIBRARY SERVICE FOR THE BLIND AND DISABLED, LIBRARY OF CONGRESS
BUD BARTON, CHIEF INFORMATION OFFICER, LIBRARY OF CONGRESS
MARY B. MAZANEC, DIRECTOR, CONGRESSIONAL RESEARCH SERVICE
SHIRA PERLMUTTER, DIRECTOR U.S. REGISTER OF COPYRIGHTS, U.S. COPYRIGHT OFFICE

Mr. RYAN. The committee will come to order.

This hearing is fully virtual, so we need to address a few house-keeping matters.

For members, members are responsible for muting and unmuting themselves. For purposes of eliminating inadvertent background noise, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition. If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

We will begin with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority.

We are using the 5-minute clock, which you will notice on your screen. It will show how much time is remaining. If there is some technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Finally, regarding adding extraneous or additional material to the record, per House rules, we have set up an email address where members can send anything they wish to submit for the record after seeking recognition for its inclusion. That email address has been provided in advance to your staff.

I would like to welcome the Librarian of Congress, Dr. Carla Hayden, to present the fiscal year 2022 budget request for the Library of Congress.

Dr. Hayden, it is always a pleasure to be with you. Thank you for being here. At the beginning of your testimony, please introduce your colleagues who will be joining you today, many familiar faces.

The mission of the Library is to engage, inspire, and inform. Even amid a pandemic, this has not changed. Over the past few years, the Library has made significant strides in the areas of modernizing essential technology and optimizing operations to facilitate easier and robust access for Congress and the public.

Considering the continuing restrictions of the COVID-19 pandemic, the strategic plan to expand access, enhance services, and optimize resources is more important now than ever.

Currently, resources for the Library of Congress are a little over 14 percent of the entire legislative branch budget, totaling \$757.4 million in appropriated funds in fiscal year 2021. For fiscal year 2022, the Library has requested \$801 million, which is a 5.8 percent increase, or \$43.7 million, over the fiscal year 2021 enacted level.

I hope you can expand on the budget justification, descriptions, requests for programmatic increases in LCAP and the Integrated Electronic Security System and how these initiatives will position the Library to better adapt to rapidly changing needs, ensure the safety of all the collections and the Library workforce.

I hope you can also address security operations in the cloud and the necessary upgrade to cellular connectivity in the Library.

The Library of Congress is a treasure of the United States, and it is our duty to protect the valuable collections and preserve the Library's ability to chronicle this great Nation and provide access to our history for generations to come.

I look forward to your testimony today, Dr. Hayden.

And at this point, I would like to yield to my colleague and friend from Washington State, a State that produces more potatoes than Idaho, the ranking member, Jaime Herrera Beutler, for any opening comments she would like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman, for that kind introduction.

I would like to welcome Dr. Hayden and Director Mazanec, if I am saying that right—good—and Acting Director Strong here today.

As the largest library in the world, the Library of Congress boasts a remarkable collection of literature as well as truly unique items in its collections. These collections range anywhere from the contents of Abraham Lincoln's pocket the fateful night of his assassination to a book smaller than the size of a penny.

An important task for the Library is to make your collection of historical documents and human knowledge accessible to every corner of our country, even Hawaii for Representative Case—although I am sure you won't mind making it accessible to folks in Hawaii, Dr. Hayden.

This is especially important for folks who may not have the opportunity to travel to D.C. to see firsthand the breadth of the Library's collections and resources. And I want to make sure that my constituents back home in southwest Washington and citizens across this Nation have these resources that the Library provides at their fingertips.

From the digitization of historical documents to providing rich resources for students and teachers to access online, I like that the Library is taking active steps to ensure that those who seek the Library's resources have access to them. I look forward to working with you to continue this important mission.

The Library is also continuing progress on its Visitor Experience initiative to transform the Thomas Jefferson Building to further engage visitors, young and old alike. I am pleased to see the third

installment of the initiative in the budget request and am interested to hear an update on the project.

And despite the challenges presented with the COVID-19 pandemic, the Library has continued its excellent service to Congress, while providing educators and students valuable learning resources, as thousands of schools across the country are forced to transition to online learning.

I think I can speak for all of us when I say I look forward to the day when the Library does physically reopen its doors to welcome the public.

Dr. Hayden, your total budget request for the Library is \$845.9 million for the fiscal year 2022, a 5.5 percent increase from the fiscal year 2021 enacted. Included in that is \$129.6 million for the Congressional Research Service and \$98 million for the Copyright Office.

The budget includes several IT modernization projects, including updates to legacy systems that manage the entire physical and digital collection, provide fundamental security protection, and connect throughout the entire Library's footprint. I am interested to hear how these initiatives are prioritized.

So I appreciate all the work that you and your team do, Dr. Hayden, and I look forward to meeting again in person, hopefully in the near future, and hearing from your testimony today.

Thank you, Mr. Chairman, and I yield back.

Mr. RYAN. Thanks, Ms. Herrera Beutler.

Dr. Hayden, you have the floor.

Dr. HAYDEN. Thank you, Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee. Thank you for the opportunity to provide testimony in support of the Library's fiscal 2022 budget.

And joining me today, the Principal Deputy Librarian, Mr. Mark Sweeney; the head of the CRS, Mary Mazanec; the new Register of Copyrights, Shira Perlmutter; Karen Keninger, the head of NLS; and Mr. Bud Barton, our Chief Information Officer.

One year ago, when we had to close the Library's doors as the pandemic began, we had to open other avenues that allowed us to serve Congress and the American people in new and innovative ways. And thanks to your support for our investments in IT infrastructure, the Library's network was able to handle an 800 percent increase in remote workforce, and essential services, including CRS and the United States Copyright Office, were able to maintain full productivity while working remotely.

In light of the challenges presented by COVID-19, the Library has transformed our public outreach by pivoting to virtual events and has developed new audiences for the Library beyond those who could have visited us in person. And with congressional support and private philanthropy, we remained on schedule to unveil the Library's new Visitor Experience in phases, beginning in late calendar 2022.

Worthy of special note is the National Library for the Blind and Disabled, NLS, which utilized its network of State and local libraries to circulate more than 20 million copies of braille, audio, and large-print items to patrons.

I would like to recognize NLS Director Karen Keninger, who joined the Library in 2012 and will retire at the end of May. At the outset, her priorities for NLS leveraged advancing technology and expanded content for all print-disabled persons. Karen accomplished all of her goals and so much more for the NLS.

I would like to express my sincere gratitude for your support in the fiscal 2021 funding bill for high-priority needs, such as cybersecurity enhancements, state-of-the-art shelving for the law library, and enhanced science and technology research capacity in CRS.

Thank you, as well, for your continued support for the Library's new preservation strategy and collection storage modules at Fort Meade as part of the Architect of the Capitol's budget.

I come before you today to discuss the Library of Congress's fiscal 2022 appropriations request for approximately \$846 million, a 5.5 percent increase over the Library's 2021 enacted appropriation.

This request includes \$24.2 million in mandatory pay and price level increases. The balance of the increase represents critical program investments necessary to fulfill the Library's role, continue modernization efforts, and ensure the safety and security of the Library's collections and workforce.

The budget request seeks to modernize and replace the legacy Integrated Library System that was installed in 1999 in preparation for Y2K and is now at the end of its life. Just as smartphones of that era are now obsolete in our current mobile world, ILS no longer meets the Library's needs for collections management.

The replacement will be a modern Library Collections Access Platform that will be the heart of the Library's collections management, physical and digital, for the next generation.

We are requesting funding to take the next step in modernizing and optimizing financial management and planning in the Library. We seek to stabilize our current accounting activities and establish a new enterprise planning and management program.

Our pandemic operations as well as heightened physical security threats have focused attention on the safety and security of our workforce and collections. We are requesting funding to modernize the Library's nearly 20-year-old Integrated Electronic Security System, used by both the Library and the U.S. Capitol Police for physical security monitoring of Library facilities and collections.

We are asking for funding to replace the Library's end-of-life 3G cellular system that provides connectivity for only about 50 percent of the Library and presents security issues. We are also requesting funding to allow the Library to implement the same advanced level of IT security across both its data centers and cloud-hosting environments.

I would like to note that these two requests are important life safety and security improvements for Library facilities and would be good candidates for any additional fiscal 2021 funding the committee might consider as well.

In addition, to support Library employees with "work anywhere, anytime" functionality and advance virtual collaboration tools, we are requesting funding to speed the transition to Microsoft 365, in alignment with congressional adoption of the same.

And, finally, I am delighted to have with us today Shira Perlmutter, the new Register of Copyrights. This budget requests fund-

ing to fully implement the Copyright Alternative and Small-Claims Enforcement, or CASE Act, with the creation of a small claims court within the Copyright Office.

In closing, the Library's 2022 congressional budget justification continues a sequence of strategically planned modernization efforts across the enterprise, supports the security of our vast collections, and enhances the safety of our workforce and visitors.

Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee, thank you again for supporting the Library of Congress and for your consideration of our fiscal 2022 request. And I am happy to take your questions.

[The information follows:]

**Statement of Carla Hayden
The Librarian of Congress
Before the
Subcommittee on the Legislative Branch
Committee on Appropriations
U.S. House of Representatives**

**Fiscal 2022 Budget Request
March 3, 2021**

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee:

Thank you for the opportunity to provide testimony in support of the Library's fiscal 2022 budget.

The Library of Congress has built one of the largest collection of human knowledge ever assembled in support of its mission to engage, inspire, and inform Congress and the American people with a universal and enduring source of information and creativity. My top priority as Librarian of Congress remains expanded user access to the Library's resources and services. We are an authoritative source of knowledge that can enrich users in innumerable ways. We constantly strive to find new ways to share our extraordinary riches more broadly, deeply, and transparently.

One year ago, when we had to close the Library's doors as the pandemic began, we had to open other avenues that allowed us to serve Congress and the American people in new and innovative ways. The Library needed to move quickly to adopt new approaches to continue its mission of serving the Congress and the American people, while at the same time ensuring that employees and contractors were able to work in safety. Thanks to congressional support for investments in IT infrastructure over the past several years, the Library's network was able to handle an 800 percent increase in the remote workforce. Essential services, including CRS and the United States Copyright Office, were able to operate largely as normal. In light of the challenges presented by COVID-19, the Library transformed its public outreach by pivoting to virtual events, creating new digital programs and continued to provide public access by creating new programs, reimagining others, and offering them virtually, which has developed new audiences for the Library beyond those who could have visited the Library in person. The 20th National Book Festival was hosted entirely online. When many schools closed, the Library created teacher webinars, virtual student workshops, and a [loc.gov/engage](https://www.loc.gov/engage) page with

information about resources, activities and programs. Planned digital initiatives, such as the LC Collections mobile app and innovator-in-residence projects, moved forward quickly to provide new ways for Congress and the public to engage with the Library. In addition, with congressional support and private philanthropy, we remained on schedule to unveil the Library's new Visitor Experience in phases beginning in late calendar 2022. Although planning is ongoing for a phased return to in-person operations and reopening to visitors and on-site researchers, it is clear that the Library needs to ensure that digital innovations can be sustained and even accelerated to meet evolving expectations.

Despite the challenges created by the pandemic, I am pleased to report that we continued to make progress in sharing more of the Library's collections, programming, and staff expertise. Today, the Library holds more than 171 million items, including special collections consisting of audio materials, maps, moving images, sheet music and much more. Over 6.8 million preservation actions were performed on the physical collections. The Library responded to 802,676 reference requests from Congress, the public, and other federal agencies, including direct use of CRS reports. The Copyright Office issued over 443,911 copyright registrations and recorded 7,098 documents containing 233,694 titles. In fiscal 2020, Library web properties experienced the largest volume of traffic in Library history. Those properties (excluding congress.gov and copyright.gov) recorded more than 117 million visits and 647 million page views — increases of 39 percent and 58 percent, respectively. Mobile visits made up 46 percent of those visits, an increase of nine percentage points over the previous fiscal year. And before the mid-March closing to the public, the Library welcomed 565,388 in-person visitors.

The Library also continued direct services to the public with the Veterans History Project and Teaching with Primary Sources, a program that allows teachers in local school districts to create curricula and develop apps using the Library's digitized primary sources.

Of special note is the National Library Service for the Blind and Print Disabled (NLS) and its network of state and local libraries, which circulated more than 20.3 million copies of braille, audio and large print items to patrons. I would like to recognize NLS Director Karen Keninger, who joined the Library in 2012 after serving as director of the Iowa Department for the Blind and as regional librarian for the Iowa Library for the Blind and Physically Handicapped. Ms. Keninger's priorities for NLS at the outset were to leverage advancing technology and expand content for all print-disabled persons. Under her leadership, NLS embraced innovative technology, in just one example, by providing braille digitally with new refreshable braille technology. Working with the communities, Ms. Keninger expanded eligibility for NLS programs and advocated for a name change to highlight service to the print disabled. She made a special commitment to working with veterans' groups. She also developed partnerships with

major audiobook producers that doubled the output of new talking books and implemented international partnerships to enable the cross-border exchange of materials. Karen Keninger will retire at the end of May.

I would like to express my sincere gratitude for the outstanding support that this committee and the entire Congress give to the Library. In particular, I appreciate the funding you have provided for our fiscal 2021 requests to meet high-priority needs such as cybersecurity enhancements to protect sensitive information from CRS, the Law Library, the Copyright Office, and other high-value assets. Modernization efforts funded in fiscal 2021 also supported state-of-the-art shelving for Law Library collections in Quad B and enhanced science and technology research capacity in CRS. I also thank you for your continued support for the collections storage modules at Fort Meade, as part of the Architect of the Capitol's budget. Construction is underway for Storage Module 6, the first double-wide unit, and initial designs for Storage Module 7 are complete.

I come before you today to discuss the Library's fiscal 2022 appropriations request. The funding request aligns with the strategic goals set forth in the Library's Strategic Plan: expand access, enhance services, optimize resources, and measure impact.

The Library of Congress fiscal 2022 budget request is for approximately \$845.982 million, which represents a 5.5 percent increase over the Library's fiscal 2021 enacted appropriation. This request includes \$24.28 million in mandatory pay and price level increases. The balance of the increase represents critical program investments necessary to fulfill the Library's role and to continue to modernize our operations and technology, ensure the safety and security of Library collections and our workforce, and adjust to rapidly changing needs.

The budget seeks to modernize the legacy Integrated Library System (ILS) and several related systems that provide access to the Library's collections. The existing ILS is 25-year-old technology that the Library put into place in 1999 in preparation for Y2K. The ILS is at the end of its life, with systems that cannot interface, and is likely to fail within the next few years. The replacement, a modern Library Collections Access Platform (L-CAP), used in major academic libraries, will be the heart of Library collections management, physical and digital, for the next generation. Designed to be closely integrated with a wide range of Library systems, L-CAP will employ the latest technology to manage the acquisition, description and inventory of Library collections and facilitate access for Library employees, Congress and the public. The Library is ready for the L-CAP now because substantial IT infrastructure improvements are in place and we have gained experience with other major IT modernization efforts. We will use continuous integration and continuous delivery development practices to sustain the system to allow

L-CAP to meet the Library's evolving needs, including management of exponentially growing digital collections and advancements in technology.

In another move toward modernization, in this case to take the next step in beginning to optimize and modernize financial management and planning in the Financial Services Directorate and across the Library, we are requesting funding to establish a new Enterprise Planning & Management (EPM) program. Financial modernization is an iterative process that must continue to stabilize current accounting activities and at the same time move forward to introduce new capabilities and principles. To meet audit findings concerning cost estimating and cost accounting, this initial EPM funding request will build a base of expertise in the Library in cost management as well as data science and data architecture, and develop processes necessary to optimize cost management practices and lay the foundation necessary for the implementation of more advanced financial planning capabilities and technology. Ultimately, the EPM program will use the Library's financial management and planning data to drive decision making to improve performance in programs, projects, and activities surrounding the Library's investments.

Pandemic operations, as well as heightened physical security threats for U.S. government agencies, particularly legislative branch agencies, have focused attention on necessary enhancements to ensure the safety and security of the Library's workforce and its collections. The Library is working closely with the U.S. Capitol Police (USCP) and the Architect of the Capitol (AOC) to ensure that safety and security measures are appropriately implemented.

The budget request includes a funding request to modernize the Library's nearly 20-year-old Integrated Electronic Security System (IESS), which is used by both the Library and the USCP for physical security monitoring of Library facilities and access from the Library to the broader Capitol Complex. The system is at the center of a complex network of more than 10,000 cameras, motion sensors, electronic door locks, and other controls that regulate access to Library facilities and safeguard staff, visitors, collections, and high-value assets. The request will allow the Library to completely overhaul the security system components with a sustainable life-cycle management program, and modernize the IESS IT network infrastructure, bringing it into compliance with Library IT security standards.

Funding is also requested to allow the Library to replace its outdated and inadequate 3G Cellular Distributed Antenna System. The current 3G system, installed in 2004, did not cover more than 50 percent of Library facilities. It is at the end of its service life and is incompatible with advanced 5G connectivity. The request will allow the Library to implement a modern

cellular solution that will ensure connectivity, and by extension, improve safety for the USCP, Architect of the Capitol and Library staff, and congressional and Library visitors.

The budget requests increased funding to allow the Library to implement the same advanced level of IT security across both its on-premises data centers and cloud hosting environments. This will ensure that Library data, including congressional and copyright information, are secured at all times, leveraging artificial intelligence to identify anomalous and malicious behavior.

Remote work during the pandemic highlighted the need to better support Library employees with work-anywhere-anytime functionality and advanced virtual collaboration tools. The budget requests funding to expedite the transition of the Library from legacy Microsoft Office tools to the Microsoft 365 cloud for all staff. The request aligns the Library with congressional adoption of Microsoft 365 and ensures a smooth transition away from the Office suite, which Microsoft has announced will no longer be supported after 2025.

Finally, this budget requests the funding required to fully implement the Copyright Alternative in Small-Claims Enforcement (CASE) Act with the creation of a “small claims court” within the Copyright Office. The Copyright Claims Board (CCB) will work to resolve civil copyright claims, counterclaims, and defenses in the CCB as an efficient and inexpensive alternative to using the federal courts. The request will support the necessary staffing for the CCB and the implementation of an electronic filing and case management system with electronic acceptance of claims filings, fees, and litigation pleadings.

In closing, the Library’s 2022 Congressional Budget Justification continues a sequence of strategically planned modernization efforts across the enterprise. The Library’s budget request supports the security of our vast collections and the safety of our workforce and visitors and helps the Library meet quickly changing needs. Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, thank you again for supporting the Library of Congress and for your consideration of our fiscal 2022 request.

Statement of
Shira Perlmutter
Register of Copyrights and Director, U.S. Copyright Office
Before the
Subcommittee on the Legislative Branch
Committee on Appropriations
United States House of Representatives

March 3, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee:

Thank you for the opportunity to submit the United States Copyright Office's fiscal 2022 budget request.

As the principal federal entity charged with administering the Copyright Act, the Copyright Office has many responsibilities, including overseeing the national copyright registration and recordation systems, advising Congress on copyright policy and legislation, working with the Department of Justice and other federal agencies on copyright litigation, conducting administrative and regulatory activity with respect to statutory copyright licenses, and educating the public about copyright law. We do all of this with a lean staff of less than 450 employees who pursue copyright's Constitutional mission of "promot[ing] the progress of science and useful arts."¹ Since I joined the Copyright Office in late October, I have been privileged to oversee the impressive work performed by the Office's dedicated staff.

SUMMARY OF THIS PAST YEAR

This past year, the Office has achieved many noteworthy successes while addressing significant operational challenges, including those posed by limits on onsite operations as a result of the global pandemic. When the Library shut down the Madison building on March 13, 2020, the Office quickly transitioned most staff to telework. Some of our work, however, involves physical materials (including paper-based recordation documents, paper-based registration claims, and physical copyright deposits). Office staff was unable to process these materials until June 2020, when limited in-office work resumed, as discussed below.

¹ U.S. CONST. art. I, § 8, cl. 8.

We have accomplished a lot this past year in administering the national registration and recordation systems. In fiscal 2020, the Office registered 443,911 claims to copyright involving millions of works. Ninety-eight percent of registration applications closed were received electronically and two percent by mail. Even with the pandemic, we made significant strides in improving processing time: the average overall processing time for examining all copyright claims dropped from 4.0 months in the second half of fiscal 2019 to 2.6 months in the second half of fiscal 2020, representing a 35 percent decrease. The average processing times for fully electronic claims that did not require correspondence (74 percent of all electronic claims) dropped from 3.0 months to 1.6 months, and those that did require correspondence (26 percent) dropped from 6.0 months to 3.6 months. Despite the overall reduction, however, the pandemic did negatively impact processing times for those few paper applications and electronic applications that required the submission of physical deposits, as registration staff was not on-site for many months.²

With respect to recordation work in fiscal 2020, the Office recorded 7,098 documents, on paper and through the new electronic pilot, containing titles of 233,694 works. The average time from submission to generation of the public record for electronic pilot submissions was only 8 days. The average processing time for paper submissions was approximately 11.5 months; this was an increase of 3.5 months from average fiscal 2019 processing times and again reflects the impact of the pandemic on physical operations.³ Recordation staff were unable to retrieve submissions from March 2020 until some on-site work resumed in June 2020.

Limited on-site operations also impacted the Office's acquisition of physical materials for Library collections in the third and fourth quarters of fiscal 2020. The Office was able, however, to maintain an effective e-deposit program throughout the fiscal year. E-serial and, in particular, e-book acquisitions made up a significant portion of the Office's contributions to the Library's collections. For fiscal 2020, the value of deposits, \$40.03 million, was just shy of the previous year's total. The value of the access that special relief relationships with major e-serial and e-book publishers provided for Library staff and patrons increased from \$69.87 million in fiscal 2019 to \$75.26 million in fiscal 2020.

The Office was able to continue our longstanding role of providing expert legal and policy advice without interruption. This included promulgating regulations to implement various

² Registration processing times are posted on our website at <https://copyright.gov/registration/docs/processing-times-faqs.pdf>.

³ Recordation processing times are posted on our website at <https://copyright.gov/recordation/>.

provisions of the Music Modernization Act (MMA),⁴ as well as other regulations to streamline registration and recordation practices. On the policy front, the Office issued a comprehensive study on section 512 of the Copyright Act last May, and continues work on three other studies (unclaimed music royalties, sovereign immunity, and the market impact of termination of certain section 119 licenses), to be completed in 2021. The Office also continued to provide legal advice and assistance across the government regarding complex and emerging areas of copyright law and policy, including Supreme Court and appellate litigation and work with executive branch agencies on international matters.

The Office has engaged in numerous outreach activities to provide accurate and unbiased information on copyright law. We continued to conduct outreach and produce events to educate the public and stakeholders about copyright, including specifically to reach music and songwriter communities around the world with information about the MMA. In fiscal 2020, the Office answered some 170,000 public inquiries regarding copyright, helping people understand copyright and the Office's services. We also continued our effective stewardship of the over \$1.4 billion in statutory licensing revenues; for the third consecutive year, the Office received an unmodified or "clean" audit opinion of the statutory licensing fiduciary asset financial statements.

Regarding information technology (IT), fiscal 2019 marked the first year Congress appropriated funds specifically for IT modernization (for five years, recurring). This allowed the Office and the Library of Congress's Office of the Chief Information Officer (OCIO) to continue making progress on a modernized Office IT system. The Office worked closely with OCIO to provide the business information needed for OCIO to undertake the development work. In fiscal 2020, we met our objectives on three major IT modernization work streams: the April 2020 launch of an electronic recordation pilot; the September 2020 release of a public version of a new interface for the Copyright Public Records System; and the year-end internal release of a clickable prototype of the planned new registration system. More details on our plans for fiscal 2022 follow below.

To be sure, modernization involves more than just IT; it also involves updates to Office processes, organization, and culture. The Office has made significant progress in business process reengineering efforts—last summer we completed work with a consultant on 66 distinct processes for improvement. We are now reviewing those results and moving forward to identify processes that can benefit from IT support as well as those that can be implemented without it. In addition, the Office continues to work with the Office of Personnel Management

⁴ Orrin G. Hatch–Bob Goodlatte Music Modernization Act, Pub. L. No. 115-264, 132 Stat. 3676 (2018).

(OPM) on organizational issues. After a review of the Office's organization and structural needs for modernization, OPM is now assisting us in devising competency models for two of our most populated occupation series in order to improve succession planning and talent management. Finally, last summer the Office completed work with a consultant on an organizational change initiative, which involves the development of key change management processes and documents, staff training, and strategic coaching on structuring and leading business transformation. The Office is pivoting to apply these skills internally, and we have created a community of practice to spread and better integrate them within our workforce.

Adapting Operations to the Coronavirus (COVID-19)

While fiscal 2020 brought unexpected and unprecedented challenges for the Office, our staff rose to the challenges. The Office implemented a pandemic response plan in March 2020, successfully transitioning 98% of the staff to full or partial telework within just a few weeks. More staff gradually returned on-site throughout the summer and fall, in accordance with the Library's plan for restored on-site operations. We currently have about 26% of our staff on-site, either full-time or on rotating schedules; the rest are teleworking.

As noted above, the bulk of the Office's operations have been largely unaffected by the transition to telework operations, including all legal and policy work, registration processing of fully electronic claims, and ongoing modernization activities. Although processing of physical materials was suspended for several months after the Madison building was closed in March 2020, the Office issued a new rule that allows us to offer an electronic option for some services that previously required paper submission. We also adjusted practices to receive certain additional applications and submissions via email during pandemic operations.

To further relieve the impact of constraints imposed by the pandemic on users of Office services, the Acting Register had exercised, and I am now exercising, the authority granted by Congress in the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act). So far, we have issued notices that temporarily adjust certain timing provisions and I continue to review conditions to determine whether further extensions are needed. The Office is also monitoring the impact of COVID-19 on our fee receipts. While there has not yet been a significant shortfall, the Office appreciates the Committee's support going forward if funding flexibility is needed to adjust to disruptions in operations or to address increased workloads when normal operations and backlog processing resume.

In sum, the Office is proud to have accomplished so much during this challenging year, and to have continued to serve the country and the copyright system well. Our budget request would enable this important work to continue in fiscal 2022.

FUNDING AND OVERALL FISCAL 2022 BUDGET REQUEST

The recurring financial support for the Office's modernization efforts, initially funded as part of the fiscal 2019 budget, continues for fiscal 2022, and the Office is pleased to provide an update on a number of initiatives that are now fully underway. In addition to ongoing modernization, the Office and the Copyright Royalty Judges (CRJ) are fully engaged in addressing new responsibilities under the MMA. Congress provided an additional \$1.6 million in fiscal 2021, primarily for Office and CRJ staffing. To support implementation of the Copyright Alternative in Small-Claims Enforcement Act (CASE Act), enacted as part of the fiscal 2021 omnibus appropriations legislation on December 27, 2020, the Office is requesting \$3.2 million in additional funding for fiscal 2022 as described further below.

The Copyright Office's overall budget is composed of three separate budgets or program areas:

- (1) *Basic Budget*, which funds most of the Office's core operations, including the majority of payroll-related expenses. Historically the basic budget has been composed of a combination of appropriated dollars and authority to spend fee revenue, with fees constituting a majority of this funding (generally in the range of 50% to 67%);
- (2) *Licensing Budget*, which is derived completely from licensing royalty collections otherwise payable to copyright owners and filing fees paid by cable and satellite licensees pursuant to statutory licenses administered by the Office; and
- (3) *Copyright Royalty Judges Budget*. Although the CRJ program is not a part of the Office, the Office provides it with budget formulation and execution support on behalf of the Library of Congress.

For fiscal 2022, the Office requests a combined total of \$98.0 million in funding and 472 FTEs, of which \$45.0 million would be funded through offsetting collections of fees collected in fiscal 2022 and in prior years.

The Office's fiscal 2022 requests are:

- *Basic Budget*: \$88.7 million and 439 FTEs. \$38.0 million in offsetting fee collections (43%) and \$50.7 million (57%) in appropriated dollars. The request includes mandatory pay-related and price level increases of \$1.209 million and a program increase of \$3.2 million for staffing, facilities, computer and audiovisual technology, and services to implement the CASE Act. Of this latter amount, \$1.0 million is one-time funding for IT system development, audiovisual system acquisition, and facilities expenses, and \$2.2 million is permanent funding for staff, operations and maintenance, and services.

- *Licensing Division Budget:* \$6.4 million and 26 FTEs, all of which are to be funded via filing and royalty fees. The requested increase includes mandatory pay-related and price level increases of \$0.2 million.
- *Copyright Royalty Judges Budget:* \$2.9 million and 7 FTEs, with \$0.1 million to support mandatory pay-related and price level increases. Of the total, royalties and participation fees offset \$0.5 million (for non-personnel-related expenses). The remainder, \$2.4 million in appropriated dollars, is to cover the personnel and other related expenses of the judges and their staff.

OUR FOCUS FOR FISCAL 2022 ACTIVITIES

The Copyright Office's fiscal 2022 funding request seeks resources necessary to continue the progress already underway towards accomplishment of the Office's strategic goals, which include focus areas such as providing expert law and policy advice, modernizing information technology, as well as to fulfilling the additional responsibilities entrusted to the Office by Congress as part of the MMA and CASE Act. To advance these goals, the Office is seeking specific funding: (1) implementing the CASE Act by standing up the Copyright Claims Board (CCB); (2) meeting the mandates of the MMA; (3) modernizing the Office's IT systems and applications, including the Office's historical records initiative. Our modernization webpage⁵ reflects ongoing work for both IT and non-IT initiatives.

CASE Act

The CASE Act established the new CCB in the Copyright Office to serve as an "alternative forum in which parties may voluntarily seek to resolve certain copyright claims regarding any category of copyrighted work."⁶ The Copyright Office is undertaking a number of work streams in support of standing up the CCB over the next several quarters. Last month, the Office published an educational webpage with FAQs about the CCB that will be regularly updated to keep the public informed of its progress. The Library and the Office will soon publicize job postings to recruit the three Copyright Claims Officers. The Office will also issue a notice of inquiry to solicit public comment regarding all aspects of regulatory implementation. The Office, OCIO, and other Library units are collaborating to identify and ready the IT technology, office space, and other needs for the CCB within the statutorily required timeframe.

⁵ See <https://www.copyright.gov/copyright-modernization/>.

⁶ Copyright Alternatives in Small Claims Act, 17 U.S.C. § 1502 (2020).

In support of these activities, the Office’s fiscal 2022 budget includes a program increase request of \$3.2 million and 8 FTEs. This amount includes \$1.0 million in one-time costs for office construction and furniture, audiovisual system acquisition, and development of an online case management system; \$2.2 million in recurring costs for the 8 FTEs (\$1.7 for salary, benefits, and related costs); and \$500 thousand for systems operation and maintenance, printing, and other services.

MMA

The enactment of the MMA assigned new responsibilities to both the Copyright Office and the CRJ. The MMA requires the Register of Copyrights to “engage in public outreach and educational activities” regarding the amendments made to section 115 of title 17, in addition to a number of rulemakings.⁷ Specifically, the Register must engage in public education and other outreach activities to inform interested members of the public and songwriters about the process by which a copyright owner may claim ownership of musical works through the “mechanical licensing collective” (MLC), which will administer a blanket licensing system for digital music providers to make and distribute digital phonorecord deliveries (*e.g.*, permanent downloads, interactive streams). The Office has produced several dozen outreach events over the past year to inform the public about the requirements of the MMA, and is requesting a program increase to include three additional FTEs to ensure these efforts are fully resourced.

The MMA also assigned additional responsibilities to the CRJ, requiring it to ascertain the reasonableness of the MLC’s operating budget and the allocation of contributions to that budget by the various licensees or licensee representative groups.⁸ Previously, under section 802(b) of the Copyright Act, the number of support staff authorized to support the CRJ was capped at three. A proviso in the fiscal 2020 Further Consolidated Appropriations Act permanently removed the staffing cap, allowing for the new hires requested in fiscal 2021.⁹

Copyright IT Modernization

The Office has a number of accomplishments to report in the third year of the Congressionally-appropriated five-year funding for modernization. OCIO is working alongside the Office on software development activities, which are progressing across multiple programmatic areas—including registration, recordation, statutory licensing, and access to public records. Building on

⁷ Orrin G. Hatch–Bob Goodlatte Music Modernization Act, Pub. L. No. 115-264, § 102(e), 132 Stat. 3676, 3722 (2018).

⁸ *Id.* § 102(c).

⁹ Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94, § 1405, 133 Stat. 2534, 3208 (2019).

our agile software foundation, this year the Office implemented the Scaled Agile Framework (SAFe) to improve collaboration across all of our projects and to improve our program-level view of the IT modernization work.

We are pleased to report that we met our target of a spring launch for the public pilot of the new electronic recordation system, which went live on April 27, 2020. The pilot was initially available to a limited number of public users, enabling them to record documents related to copyright ownership that fall under section 205 of title 17. We are now incorporating user feedback from this pilot into iterative improvements, with four point releases behind us. In this continuous development phase, additional functionality and additional waves of users will be added, with this year's focus turning to recordation of notices of termination.

The pilot for the new Copyright Public Records System, an endeavor that will eventually replace the existing Copyright Office Online Public Catalog, also launched this past year. The initial release in late 2020 has already been supplemented by our first point release incorporating bug fixes and user feedback, and the process of point releases is expected to continue into the coming year.

In addition, moderated user testing has begun on a limited prototype for the copyright registration standard application, from which we will gather public feedback and commence with improvements and a second round of user testing. Iterative development of internal workflows has also begun, and a second development team is expected to join the team working on this functionality over the summer.

User Experience Design for licensing components begun earlier this year, with development against these requirements expected to begin later in the spring.

As part of our historical records project and commitment to the preservation of and access to records, a comprehensive effort is underway to digitize print and microfilm records and make them available online; this includes the card catalog, record books and the Catalogs of Copyright Entries (CCE). The Office is currently working with the Library's experts in digital collections management to ensure that the digitization of the Office's more than 26,000 physical copyright record books incorporates best practices and the resulting records can be made available for public, online viewing. These record books contain well over 20 million pages of records from between 1870 and 1977, covering works as diverse as books, photographs, musical compositions, sound recordings, motion pictures, and more. A contract for the digitization of these record books has been awarded. Another contract is underway to perfect the metadata and improve access to the more than 40 million registration application and index cards that are already publicly viewable using the Office's Virtual Card Catalog (VCC). The Office also has a

contract to create a data-mapping schedule for the historical record collections to use in the development of the Copyright Public Records System. These efforts will enhance the public's user experience by providing more accurate online search capability.

As directed by the Committee, the Office has developed an integrated master schedule (IMS) for IT modernization activities. The Office brought in expert consulting services to assist in developing a program for IMS management that allows for continuous improvement and refinement of the IMS and its estimates. The consultant services were procured in early calendar 2020 as the first task order under the Library's contract for Library-wide performance planning and measurement services. After a slight COVID-19-related delay in the start of these services, the work commenced and was completed in February of this year.

Consolidation of Copyright Office Storage Facilities

The Copyright Office has made great progress in the planned consolidation of copyright materials from several geographically dispersed storage facilities into a single, modern facility. The collaborative warehouse construction project between the Library, the Office, and Architect of the Capitol was completed ahead of schedule, and the Copyright Office moved into the new facility in November 2020. This facility will allow the Office to provide faster location services, better tracking, and improved security of the significant inventory of copyright deposits. The Office is now working to bring copyright materials stored in other locations to Cabin Branch in order to fully consolidate our materials.

MORE FLEXIBLE FEE AUTHORITY

The Copyright Office's operations would benefit significantly from greater flexibility in the use of our fee collections, specifically the authority to use existing fee balances to provide services to the public in the event of a lapse in appropriations. As we have noted before, flexibility in management of fee balances across budget cycles also would provide for more efficient and cost-effective administration of large, non-recurring projects related to modernization and other capital expenditures. To that end, once authorized, the Office anticipates including in a future budget request two changes in appropriations language: (1) to make 20% of the balance of fees collected in prior years available each year, in addition to appropriated amounts, for obligation without fiscal year limitation, and (2) to allow the Office to access existing fee balances to continue operations during a lapse in appropriations.

* * *

The Copyright Office appreciates the Subcommittee's and Committee's continued support of the Office's efforts to modernize both our technology and services, and of the work involved in the operation of the copyright system overall.

**Statement of Mary B. Mazanec
Director, Congressional Research Service
Before the
Subcommittee on the Legislative Branch
Committee on Appropriations
U.S. House of Representatives
March 3, 2021**

Chairman Ryan, Ranking Member Herrera Beutler and Members of the Subcommittee,

Thank you for the opportunity to present the fiscal 2022 budget request for the Congressional Research Service (CRS). At the outset, I would like to thank the Committee for your support of our fiscal 2021 request. CRS has already begun efforts to recruit the expertise needed to strengthen CRS's science and technology-related analytical capacity. We also continue to work with the Library's Office of the Chief Information Officer (OCIO) to modernize CRS's IT systems.

In addition to outlining CRS's budget requirements for the coming year, my testimony today will highlight a selection of noteworthy support the Service provided to Congress during fiscal 2020, and hopefully draw your attention to the resilience and dedication of CRS staff in supporting Congress during this most challenging period. I will also bring you up to date on developments related to a number of our strategic initiatives.

SERVICE TO CONGRESS

Fiscal 2020 was a year like no other. The emergence and spread of COVID-19 exacted a toll on human life and the national economy that was unprecedented. And yet, despite the enormous disruption caused by the global pandemic, I am pleased to report that CRS continued to successfully carry out its mission to provide Congress "the highest quality of research, analysis, information, and confidential consultation, to support the exercise of its legislative, representational, and oversight duties." This would not have been possible but for the perseverance of CRS staff and I would like to thank my colleagues for their hard work in fulfilling this important responsibility.

In March of 2020, as news of the impending pandemic grew increasingly dire, CRS worked quickly to execute the CRS pandemic plan to ensure that it would continue to support Congress's needs during any prolonged pandemic event. Within 24 hours, the Service transitioned its entire operation, expanding existing workplace flexibilities to enable staff to work remotely full-time. As a result, CRS was well positioned to provide Congress with timely analysis, information, and consultative support as it considered the plethora of issues presented by this public health crisis. From March through September 2020, CRS prepared and regularly updated over 1000 new products on COVID-19-related issues. To enable expedited access to these products, a COVID-19 resource page was developed on the CRS.gov and Congress.gov websites, organizing CRS prepared material under 26 issue areas, covering topics ranging from the temporary moratorium on evictions provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act to frequently asked questions regarding testing for COVID-19. Several of these products incorporated custom CRS graphics. In addition, CRS experts responded to over 8200 COVID-related inquiries and conducted over 80 briefings for congressional staff on COVID-related subjects. CRS continues to support Congress as the issues presented by the pandemic evolve.

In addition to COVID-19 related issues, CRS assisted Congress in its consideration of many other policy and legal questions presented. CRS experts provided extensive research and analytical support as Congress explored the impact of climate change on the agricultural sector; voting rights and election security; comprehensive energy policy; prescription drug regulation; and police reform, among others. The Service worked closely with lawmakers as they considered legislation to reauthorize the Higher Education Act and the Family Violence Prevention and Services Act, as well as enactment of the Great American Outdoors Act. In addition, analysts and attorneys advised Members and congressional staff on the legal and procedural questions associated with impeachment proceedings and supported the Senate's consideration of various judicial nominations, including the confirmation of a new Supreme Court Justice.

The Service supported Congress's examination of various foreign affairs, defense, and trade related matters, such as developments in the Middle East region, US-China trade relations, renegotiation of the North American Free Trade Agreement, and the national security implications of emerging technology in advanced weapons systems. CRS experts also provided guidance on the legislative process, congressional oversight, and the annual appropriations bills.

In addition, CRS continued its offering of seminars and programs for congressional staff, including sessions on the Global Implications and Impacts of the COVID-19 Pandemic; FY2021 Federal Research and Development (R&D) Funding; and the perennially popular Federal Law Update series. Due to the pandemic, many of CRS's programs were presented virtually during the fiscal year, and the Service quickly transitioned its in-person institutes to webinar format.

In total, during fiscal 2020, CRS experts responded to over 75,000 congressional requests; prepared over 1300 new products; updated over 2500 existing products; and conducted live and virtual seminars that were attended by approximately 8500 congressional staff. As in previous years, the Service provided support to almost every Member and committee office through the provision of its products and services.

STRATEGIC INITIATIVES

CRS remains engaged in accomplishing the goals and objectives identified in its 2019-2023 Directional Plan. The following is a summary of the Service's progress during fiscal 2020 in advancing some of the key initiatives undertaken to achieve these goals.

Gallup, Inc. Survey and Addressing the Full Range of Congressional Information Needs

In fiscal 2020, CRS contracted with Gallup, Inc., to conduct a survey of congressional staff designed to gauge the value and utility of various research products and consultative services offered by CRS, as well as to gather information about how such products and services are used by Congress. Gallup contacted over 13,700 congressional staff from early February through mid-March 2020 and received survey responses from over 1300 district, state, and DC-based staff members. CRS continues to evaluate and consider the results as it develops and delivers research products and services to Congress.

IT Modernization/Integrated Research and Information Systems (IRIS)

CRS continues to work with the Library's Office of the Chief Information Officer (OCIO) to modernize its IT infrastructure with the deployment of new tools and software to enhance support to congressional stakeholders. The Integrated Research and Information System (IRIS) initiative is a multi-year effort to update the Service's mission-specific information technology to provide CRS staff with the best resources to create and deliver products and services to

Congress. CRS and OCIO are currently implementing several major work streams. These efforts include updating the client relationship management and workforce information management systems, improving the text analysis program to provide greater ease of conducting legislative analysis and comparisons, streamlining the content management system, and enhancing the taxonomy tool for better search results. These improvements are in varying stages of development and implementation.

Congress.gov

In fiscal 2020, CRS and the Library continued efforts to enhance Congress.gov and improve congressional user support with a number of developments, such as offering weekly alerts of future committee meetings and increasing access to legislative amendments, committee prints, and committee hearing transcripts. CRS also conducted live onsite and webinar training for congressional staff from 90 House Member offices and committees, as well as answering over 12,000 requests for assistance. In addition to ongoing enhancements, CRS partnered with OCIO and the Law Library to focus on multiple projects to retire legacy backend systems that, once replaced, will improve functionality of Congress.gov. Other projects accomplished in fiscal 2020 include modernizing the legislative data interchange between the House Clerk and the Library; developing tools and data standards for curating legislative data; exploring opportunities for efficient collaboration on bill text analysis; and sustaining and streamlining the CRS Bill Summary analysis, authoring, and publishing processes. CRS and its Library colleagues are appreciative of the ongoing high-performing partnership with House Clerk colleagues as legislative data workflows, tools, and standards are modernized.

Constitution of the United States of America: Analysis and Interpretation (CONAN) Modernization

Known officially as the “Constitution of the United States of America: Analysis and Interpretation,” CONAN serves as the official record of the U.S. Constitution for Congress. In 2019, CRS collaborated with OCIO and the Law Library to introduce a new website for CONAN: constitution.congress.gov. The new site features hundreds of pages of updated constitutional analysis and content. In fiscal 2020, CRS legislative attorneys have continued to provide comprehensive analysis of the Supreme Court’s jurisprudence as it relates to every

provision of the U.S. Constitution, including the implications of recently decided cases. Since the launch of the public website in 2019, CONAN has received over three million unique visitors to the site and its pages have been viewed over seven million times.

Improving Recruitment and Retention of a Diverse and Productive Workforce

CRS continued its efforts to recruit, retain, and professionally develop a highly skilled staff. For example, in fiscal 2020, the Service provided training on core presentation skills for virtual briefings, as well as encouraged participation learning sessions on diversity and inclusion. In addition, the CRS Diversity and Inclusion Working Group continued to meet throughout fiscal 2020, and discussed, among other things, outreach strategies for improving the diversity of applicant pools for CRS positions and fostering an inclusive workplace.

FISCAL 2022 BUDGET REQUEST AND PRIORITIES

The CRS budget request for fiscal 2022 is 129.6 million dollars, an increase of 4.1 million dollars (or 3.1 percent) from the amount appropriated for fiscal 2021. As in previous years, approximately 90 percent of the requested amount would be dedicated to staff pay and benefits. CRS is requesting no additional funding beyond that which is necessary to cover mandatory pay and price level cost increases.

During this time of national crisis, CRS's top priority is to ensure sufficient capacity to continue the delivery of its core services to meet Congress's research and analytical needs. In fiscal 2022, CRS will continue to bolster analytical capacity, especially in the area of science and technology policy. This additional expertise will better enable CRS to support Congress in areas of increasing complexity and importance. In addition, the Service will continue to work closely with OCIO to meet the next milestones in modernizing its IT infrastructure. Moreover, CRS will build on its efforts to recruit, retain, and develop a diverse, professional workforce, with the skills and expertise necessary to provide Congress with exceptional service.

CONCLUSION

Mr. Chairman, Ranking Member Herrera Beutler and Members of the Subcommittee, CRS is honored to serve as a trusted and reliable resource for Congress during this difficult period in our

nation's history. The accomplishments outlined above are a testament to CRS's commitment to support Congress with timely, authoritative research, analysis and information, undeterred by the challenges that we now face. On behalf of my colleagues at CRS, I would like to express my appreciation to the Committee for your continued support and for your consideration of our fiscal 2022 request.

Mr. RYAN. Thank you, Dr. Hayden. Appreciate that.
We are going to start the questioning with the gentlelady from Washington State, Ms. Herrera Beutler.

ENSURING SAFETY AND SECURITY OF LIBRARY COLLECTIONS AND
WORKFORCE

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman. I was holding my breath on that one.

Dr. Hayden, in your budget justification, the Library introduces three new requests for fiscal year 2022 that all involve critical modernization into its legacy systems, with associated costs of over \$15 million.

The question is, did the COVID pandemic or the January 6 assault on the Capitol play a role in identifying the need to upgrade these legacy systems? And, if appropriated the funds to upgrade these systems, what is the timeframe that you foresee each of them being completed?

Dr. HAYDEN. The request for the two security systems were actually already very important to the Library's security in general and were especially important with recent events. For instance, the security cameras that need to be replaced, that legacy Integrated Electronic Security System (IESS), the 36 cellular system that is no longer supported—all of these items were already part of what the Library needed to have.

And, with consultation with the Capitol Police and during recent events, we were assured that our efforts and what we had proposed for security in these two systems would greatly aid in the general security of the Capitol and would be very much supported by the Capitol Police.

And so, in looking at when we would be able to—and I am going to put on my glasses to make sure that I give you the correct information.

The Integrated Electronic Security System, the IESS, were, as I mentioned, already involved with our security update. And so, with the IESS, we will be able to have two physical security specialists. And the work to replace the obsolete hardware is scheduled to be completed during fiscal 2022. The enhanced cellular network, the implementation will take place over 2 years and will be implemented over more than fiscal 2023.

I just want to also add that the LCAP, the Library system that is also going to be included with our modernization, will be complete after 2 years.

LIBRARY'S LEGISLATIVE INFORMATION SERVICES

Ms. HERRERA BEUTLER. All right. Thank you.

And I wanted to ask if—sorry, I was trying to check my time.

At the committee's encouragement, the Library, you convened your first public meeting to discuss public input into the Library's legislative information services. And I was just curious if you have submitted that report evaluating the requests made by the public at that meeting. And when is your next meeting scheduled? Or are you planning to keep having these?

Dr. HAYDEN. We are planning to have meetings. The report was submitted this past January, and we have several recommendations that are being considered. And we also hosted a series of other smaller forums.

And so we plan to continue those types of public input. We received a lot of good information, and we have groups that are working on looking at how we could implement some of the suggestions.

We had about 300 people participating in the forum that was held in September of 2020. And the feedback has been—I have a report with me. There are several things that we think we will be able—the ideas and suggestions that are in development—for instance, things like helping the public, more documentation to help the public with the legislative information, consolidated digests of email alerts.

All of these types of things are suggestions that the group is working on, and we hope to be able to put some of the suggestions into action.

Ms. HERRERA BEUTLER. All right. Thank you.

And, with that, I will yield back to the gentleman from Ohio, the State where Jerry Springer was actually a mayor before he went on TV. With that, I yield back.

Mr. RYAN. Very good. Judge Jerry.

Ms. Wexton.

CONGRESSIONAL RESEARCH SERVICE PRODUCTIVITY

Ms. WEXTON. Thanks so much, Mr. Chairman. And that is a good reminder; I had forgotten that Jerry Springer was actually a mayor in Ohio. Shots fired. So I don't know what you are going to come up with to deal with that.

But thank you guys so much for joining us today, Dr. Hayden and all the witnesses.

I want to direct my questions to you, Ms. Mazanec, because I love CRS so much. Not a week goes by that I don't use some of your resources. I was appointed to the State and Foreign Ops Subcommittee, and I understand that there is something called the International Development Finance Corporation which was created under the BUILD Act. I didn't know anything about it, but, thankfully, CRS had a memo. So I just got this yesterday.

So it is so wonderful. I love you guys. The work you do is fantastic. And I am delighted to hear that, although everybody has been on full-time telework since basically March of 2020, you have been even more productive during that time and you have enhanced your relationships and engagement with Congress and productivity has increased.

So I think some of that is probably that, in this remote environment, congressional staff are more able to reach out to and attend some of the programs, but I know a lot of it has just been the really heroic efforts of your workforce. So I want to commend you on that.

Now, do you have a long-term plan to enable CRS employees to continue working remotely, given how productive they are?

Dr. MAZANEC. Thank you very much for your very kind comments.

We have not made any decisions at this point because we are in the middle of the pandemic, which is still evolving. So I can't really

say with certainty where we will end up with our telework. It is currently the side article to our CBA. Our bargaining agreement has been opened by our union, and we are in discussions on telework.

While we have been very productive during the pandemic in a virtual environment, there have been some things that we haven't been able to do, such as in-person briefings, in-person seminars, and confidential consultations. So I don't know exactly where the balance will be when we get through this situation.

Ms. WEXTON. Hopefully you will find a happy medium in there somewhere.

Dr. MAZANEC. And it also depends on the expectations that Congress has for us—

Ms. WEXTON. Okay.

Dr. MAZANEC [continuing]. And the availability they expect from us.

Ms. WEXTON. Great.

Now, what additional supports are you providing to the employees who are working at home remotely? Are you giving them extra things like dual monitors or other equipment? Or what kind of supports are you providing?

Dr. MAZANEC. So we haven't been able to do that, because that definitely requires additional resources to equip home offices with dual monitors, et cetera. We are working with Bud Barton and our OCIO to really see how best we can facilitate telework.

CONGRESSIONAL RESEARCH SERVICE DIVERSITY

Ms. WEXTON. Very good.

Now, I was also pleased to see that your Diversity and Inclusion Working Group met throughout 2020 and discussed outreach strategies and improving the diversity of the applicant pool. Is this working group a permanent one?

Dr. MAZANEC. Well, right now, it is permanent in the sense that, as long as we have challenges on the diversity and inclusion front or as long as there is work to be done there, I would like to have the Diversity and Inclusion Working Group stay in existence. We are working with the Library of Congress; they also have a Diversity and Inclusion Working Group that we actively participate in.

Having a diverse professional workforce and an inclusive environment is a top priority for me, and we have taken measures to try to increase diversity in our applicant pools. And you have already mentioned one. We have expanded our outreach to professional societies and colleges and universities that represent underrepresented populations in our workforce.

Ms. WEXTON. HBCUs and places like that, I would imagine, right? So that is great.

Now, I would like to touch base to talk a little bit about some data that was shared with me by your employees association about the demographic makeup of employees at CRS.

And I was alarmed to see that, while women make up a greater share of the CRS workforce, they tend to be hired at lower grades than men. And that leaves them at a lower step level and everything as they proceed throughout their careers.

Do you have any insights on why that might be?

Dr. MAZANEC. I don't have anything specific, but I can tell you, at the most senior grade, at the senior level, women make up roughly about 43, 45 percent of senior-level staff. And that percentage actually has been increasing.

Ms. WEXTON. Okay. Well, I am glad to hear that, but I think that you might need to look at those disparities when they are at the hiring stage. Because that is something that is going to follow them throughout their careers and leave them with less earnings and less retirement and everything.

Dr. MAZANEC. Absolutely.

Ms. WEXTON. Okay. Thank you very much.

I yield back, Mr. Chairman.

Mr. RYAN. Thank you.

Mr. Amodei, I believe, is next, but he may have stepped out.

All right. Mr. Newhouse.

COVID RELIEF-FUNDING IMPACTS

Mr. NEWHOUSE. Thank you, Mr. Chairman. Just so you know, you are likely to invoke the wrath of the Idaho delegation onto this committee, but I will accept that risk, because you are absolutely right.

Dr. Hayden, welcome to the committee. Thank you very much for sharing some time with us today. And, also, I just want to thank you for reaching out—I am assuming you reached out to all members, unless it was just me specially; I appreciate that, but—last week to prepare for this hearing today so that we had time to visit, and I appreciate that a lot.

I also want to thank all of your colleagues that are with you today. Just like Congresswoman Wexton, I really do appreciate the work of the CRS. Invaluable to Members of Congress as a resource.

As far as your budget request, Dr. Hayden, I think I read that you welcomed something over half a million visitors last year prior to closing mid-March. And I just wanted to ask, what is typical for the Library? How many people do you see over a typical year?

And with that in mind, kind of along the lines that we were talking about last week, were you able to realize any cost savings because of the decrease in the number of visitors last year? And show me where that would be reflected in your budget request for 2021.

And then related to that—and I should know the answer to this question, but I will expose my ignorance and ask you—was the Library the recipient of any relief funds, coronavirus relief funds?

Dr. HAYDEN. Yes, indirectly the Library received funds for daycare operations.

And, in the last full year in fiscal 2019, the Library welcomed—it was a banner year, actually—almost 2 million visitors. And that included people who were coming from the Capitol Visitor Center. There were quite a—

Mr. NEWHOUSE. Last year.

Dr. HAYDEN [continuing]. Few groups. Yeah. Quite a few tour groups and things like that. That was before the pandemic. The Library closed its doors to the public in mid-March—

Mr. NEWHOUSE. Right.

Dr. HAYDEN [continuing]. Almost a year ago this week.

And so, when the closures happened, the Library also had to pivot quite a bit. And we have absorbed about \$18.8 million in COVID-related costs. We executed the enacted budget with no furloughs of staff. And 65 percent of the Library's budget is pay, and for CRS, for instance, 90 percent of the budget is pay.

And we worked in a fully telework high posture. And major projects were able to be continued, public events. Even though they were closed in person, we did a lot of virtual programming.

And so there were things like travel accounts that were under executed but were realigned to contribute to the COVID-related costs. And those costs included deployment of technology and also additional sanitation and other related things, like supplies for staff members.

So, as some staff members came back on site—we are in phases of operation. We had a three-phase plan before the recent security closure that restricted even more of our on-site activities. That aspect of still being responsible for the safety of staff members and contractors who were allowed to come in contributed to additional maintenance costs.

LIBRARY VISITORS

Mr. NEWHOUSE. So you said over 2 million visitors last year?

Dr. HAYDEN. 1.89.

Mr. NEWHOUSE. Really.

Dr. HAYDEN. Almost 2. Yes. And that——

Mr. NEWHOUSE. That is virtual visitors maybe. I don't know——

Dr. HAYDEN. No, I am talking about the in-person.

Mr. NEWHOUSE. Really.

Dr. HAYDEN. What I was trying to clarify, is what you were saying, that about 500,000 people physically came into the Library's facilities before March when the doors closed to the public.

Mr. NEWHOUSE. Okay.

Dr. HAYDEN. The time period before that, if we were looking, we were on track, actually, to at least have the same number of in-person visitors if the year had been completed.

Mr. NEWHOUSE. I see. You were anticipating that many. Okay. So there is——

Dr. HAYDEN. We were looking forward to it. We had special exhibits that had opened—the Rosa Parks exhibit, women's suffrage. We had a number of concerts. There were a lot of activities that were going——

Mr. NEWHOUSE. Sure. Sure.

Dr. HAYDEN [continuing]. And they were actually bringing in people physically.

Mr. NEWHOUSE. So that tells me, I guess, that, other than travel and some other things—and I hate to be nitpicky, but—the visitors themselves are not really a cost center or a——

Dr. HAYDEN. Well——

Mr. NEWHOUSE [continuing]. Big part of the expense of the Library. I am just trying to understand.

Dr. HAYDEN. They are.

Mr. NEWHOUSE. Oh.

Dr. HAYDEN. Well, when you say “big,” the number—I mentioned, for instance, we did not furlough any staff members. So

that expense, that appropriation and being fully executed, still happened. That is 65 percent of the budget right there.

Mr. NEWHOUSE. Okay.

Dr. HAYDEN. So that didn't go away. In fact, we were able to reduce the number of staff members as time went on. We, like everyone else, didn't know how long we would be in this posture. So at first there were some administrative leave costs, and then over time we were able to reduce those.

COVID RELIEF FUNDING

Mr. NEWHOUSE. And then you did receive some relief funds, coronavirus relief funds?

Dr. HAYDEN. Yes. And those went into recouping and trying to make sure——

Mr. NEWHOUSE. How much was that, approximately?

Dr. HAYDEN. In terms of what we received?

Mr. NEWHOUSE. Yeah.

Dr. HAYDEN. I would have to get back to you on the exact number of all of the CARES Act funding.

Mr. NEWHOUSE. Okay. I appreciate that. And, again, just trying to understand the full impact of the closing and where the costs are as it relates to the budget request.

So I appreciate very much the information you provided. And, like I said, I did appreciate your coming and meeting, or virtually meeting, with me last week too. That helped me understand much better.

Dr. HAYDEN. And I just turned to some of the additional costs. For instance, our vendors. We were able to pay some of the vendors under appropriated funding, because of some of the work that had to cease when vendors and contractors couldn't get on site. So we used some of the funding for that.

Mr. NEWHOUSE. I see. Okay. Thank you very much.

I appreciate it, Mr. Chairman, and I will yield back.

Mr. RYAN. Thank you, Mr. Newhouse.

Mr. Amodei.

Mark.

I want to, like, tap him on the shoulder.

Can the staff text him, or his staff, and——

Mr. NEWHOUSE. I will text him. Sure.

Mr. RYAN. Sorry for the delay here, Dr. Hayden.

Mr. AMODEI. Hey, Mr. Chairman.

Mr. RYAN. Sorry to inconvenience you, Mark. It is your turn, buddy.

Mr. AMODEI. As always, you are a gentleman, and I appreciate you worrying about me.

Mr. RYAN. Dr. Hayden said in her testimony she can't wait until Congressman Amodei asks questions, so we wanted to get right to you.

MASS DE-ACIDIFICATION

Mr. AMODEI. Well, we had worked with her on making sure she had that down, so I am glad that all went smoothly except for the part where I was supposed to say something.

Hey. Thank you, Mr. Chairman.

And, Dr. Hayden, I appreciate it.

I have one area that we had talked about briefly, which was the de-acidification thing. And I would like to circle back with you offline, but my question revolves around: I get there is expense to put part of your collection through the de-acidification process. I think I understand that that process, once done, takes care of the issue, at least based on present technology, for about a half a millennium or more and that, if we do the refrigeration thing, that basically takes care of the issue.

But I am looking for, Doctor, to have a little bigger discussion with you in terms of, okay, so does that mean we refrigerate—and, listen, if “refrigerate” isn’t the right word, then obviously I won’t blame that on the chairman; that is my fault.

But, anyhow, I am just kind of looking for cost-benefit in terms of refrigeration in perpetuity. Or we can even shorten that up to half a millennium or whatever.

And then, also, I am curious too, if we are doing refrigeration, if there is personnel associated with that, is that refrigeration personnel? Or do we still have to devote resources to staffing the refrigeration process?

So I know there are two or three things in there, and I am mindful of the committee’s time and the clock, which is running. So I am just going to say, I am going to circle back with you here maybe sometime next week. We can do it on the phone or something. But I want a better understanding of exactly what the cost-benefit specifics are in those two areas.

Dr. HAYDEN. Well, I am really pleased that you asked about the Library’s preservation strategies. And it is critical that we have flexibility to meet current needs and future needs that will undoubtedly include digital preservation and conservation. So this opportunity to rebalance our preservation strategy has been very important, and we appreciate the committee’s support.

The specific program, mass de-acidification, was initiated about 20 years ago. And 10 years ago, our Principal Deputy Librarian, Mark Sweeney, was involved in the preservation strategy rebalancing at that point, looking to the future. And he can give you even more specifics about that particular aspect, cold storage.

Mark.

Mr. SWEENEY. Thank you for the question.

You know, we look at the brittle or acidic problem in our collections as really a late-20th-century problem. And now here we are in the 21st century, and one of our biggest collection strategy challenges is dealing with growing digital collections. So we look for efficiencies in how we can deal with the 20th-century problem while we rebalance and we use resources, you know, to deal with the digital collections that are growing exponentially right now.

Cold storage slows down a chemical process, just as de-acidification can slow down a chemical process. The thing you need to understand about the storage is that the Library’s storage capacity needs to grow, just as its collections grow. But when we construct that additional storage, meeting certain environmental qualities, it alleviates the reason to make the investment in the de-acidification treatment in the first place.

So, as an example, it costs about \$30 a volume to de-acidify a book. So if you have 2.5 million items in your collection and you want to de-acidify all of them, that will cost you about \$75 million in chemical treatment.

For more or less that same cost, we can build an environmental storage module at Fort Meade that provides an environment that will secure the material for about the same length of time for \$32 million but it can house 4 million items. So we get a 3.2 percent increase in the amount of material that we can address by controlling the environment over doing a chemical process.

And, yes, these facilities that we will build are necessary for the growth of our collections, but if we do it in a smart way with the Architect of the Capitol, we actually lower our treatment costs.

Mr. AMODEI. And I appreciate that. So I will look forward to our conversation which takes us down a little bit more—since I am out of time, but that takes us down a little bit more in what are the assumptions, is it powered by electricity, you know, blah, blah, blah. Because when you are talking 500 to 1,000 years in the future, you are talking 500 to 1,000 years in the future, and I will just kind of let that lay. We will look forward to talking with you next week.

Thank you guys very much.

Mr. SWEENEY. Yes, sir.

Mr. AMODEI. Mr. Chairman, thank you. I yield back.

VISITORS EXPERIENCE

Mr. RYAN. Thank you, Mr. Amodei.

Dr. Hayden, I have only got a couple minutes here, because they have votes and I am down to the wire, but I did want you to talk a little bit more about the Visitor Experience. I know we talked a little bit about it on the phone, but I would love for the American people and this committee to hear where we are with that and the support you are getting and the private support that you are getting for it.

If you could talk for a couple minutes about that, that would be tremendous.

Dr. HAYDEN. I really appreciate the support in this unique public-private partnership to create in the iconic Thomas Jefferson Building for the first time an orientation center and space for people to learn about what the Library of Congress is, how it has served Congress and the American people, and also what it can do for them now; a treasures gallery for the first time that can have rotating treasures from the world's largest library and to engage people in different ways; and, in terms of engagement, a learning lab, a youth center for the young and the young at heart.

And so the project has remained on track and on budget, even with the pandemic. And with the combined efforts, everything is on track to start with fabrication of exhibits and areas.

We will have more private support coming in, and we have submitted proposals to new donors totaling about \$15 million. And that is in excess of the \$20 million that we have pledged to have from the private sector to support the effort. And Mr. David Rubenstein is leading that effort.

And we also have been able to increase our efforts with fundraising in general. We just received a groundbreaking grant to reach out to underserved communities from the Mellon Foundation and also \$10 million from the Kislak Foundation for a revamping of their exhibit area on early American history.

And so the project is really taking shape, and we hope to be able to present to this subcommittee drawings and renderings of the different spaces within the next few months.

GERSHWIN AWARD

Mr. RYAN. That is great. That is great. I love the idea of the treasures gallery. I think that is going to be a really neat component.

And mention the Gershwin Awards. What is the plan for the Gershwin? That is always one of the great nights in Washington.

Dr. HAYDEN. And one of—

Mr. RYAN. Garth Brooks last year.

Dr. HAYDEN. Garth Brooks—

Mr. RYAN. Yeah. It was tremendous. So what is the plan for that for the coming year?

Dr. HAYDEN. Actually, a year ago tomorrow would have been the Garth Brooks concert.

We are working with our broadcast partners for the virtual aspect of a Gershwin Award greatest hits. We have had everyone from Paul McCartney to Stevie Wonder to Tony Bennett in the past. So there is going to be a way that we can let people know about the Gershwin Award.

And we are working with potential honorees to see if possibly within another year that we could have some component of a live concert.

Mr. RYAN. That would be very exciting.

Dr. HAYDEN. Very.

VETERAN'S HISTORY PROJECT

Mr. RYAN. Real quick, before I run out of time and I have to run, Dr. Hayden, mention the efforts with the Veterans History Project, which is one of my favorites that you run. Through COVID-19, how have you been able to navigate the complexities of COVID with the Veterans History Project?

Dr. HAYDEN. The Veterans History Project, we were able to—and that is one of our signature outreach programs. Over 100,000 oral histories to date from veterans and different engagements.

And so the Veterans History staff were able to have, for instance, virtual panel discussions on how to cope with—featuring veterans, and also veterans as small-business entrepreneurs.

They had a special music program for the 20th anniversary this year. And, also, they had a special program—and this one, in particular, was very significant—the role of veterans in farming in urban and more rural settings and how it relates to PTSD. Because, as we know, veterans know a few things about overcoming adversity. And so, to be able capture their experiences and to have them talk about them virtually, that was wonderful.

And they also were able—the staff of the Veterans History Project were able to give workshops to local communities on how to do virtual programming with veterans.

And so about 65 Members have already taken advantage of the Veterans History Project. And, as you know, we reach out to all the offices, and we want to make sure that each State has a significant number of veterans who contribute.

Mr. RYAN. Yeah. Love it. Love it, love it.

Well, Dr. Hayden, thank you so much. You are the best. We appreciate your team. Thank you so much for all that you are doing.

And we look forward to supporting you in your efforts here in the coming budget. We are going to do the best we can for you, but you have some really exciting projects going. And, you know, as you mentioned about the telework and the investments that we make into you have paid off.

Dr. HAYDEN. Yes.

Mr. RYAN. And, you know, we just can't wait to get the Visitor's—the treasures gallery and the other projects that we have going for you that are going to be super-exciting for everybody.

And I think, you know, in the coming years, people are going to appreciate more getting out of their homes and being able to travel, and the Visitor Experience will be here for them when they get here, hopefully.

So we appreciate all you are doing.

And I thank the committee.

And, with that, we are going to end this committee and we will adjourn. Thank you.

Dr. HAYDEN. Thank you.

[Questions and answers submitted for the record follow:]

LOC Questions for the Record
Chairman Ryan

1. Please provide estimated funding needs by fiscal year (FY21-24) for the Visitors Experience project to meet contract obligations and estimated funding source by year for that same period, broken out Federal and non-Federal funding.

Visitor's Experience Funding by Fiscal Year

Fiscal 2021 Funding and Planned Work	Federal or Private \$	Estimated Obligations
Gift Shop	Federal	\$400,000
Treasures Gallery AV & Interactives production, exhibition fabrication	Federal	\$7,000,000
Youth Center Learning Lab/SW Corridor Physical Design	Private	\$1,987,200
AOC Construction for Egress Stairs	Private	\$1,600,000
Wayfinding Design	Private	\$500,000
Three NTE's - Project Manager, Learning Specialist and Preservation Specialist	Private	\$450,000
2021 Subtotals		\$11,937,200
Fiscal 2022 Funding and Planned Work	Federal or Private \$	Estimated Obligations
Three NTE's - Project Manager, Learning Specialist and Preservation Specialist	Private	\$450,000
AOC construction of the Orientation Gallery/Welcome Area	Federal	\$12,640,000
Wayfinding Fabrication & Installation	Private	\$200,000
AOC Construction for Youth Center/SW Corridor	Private	\$1,200,000
Orientation Gallery/Welcome Area Exhibit fabrication	Federal	\$10,000,000
2022 Subtotals		\$24,490,000
Fiscal 2023 Funding and Planned Work	Federal or Private \$	Estimated Obligations
Youth Center/SW Corridor fabrication	Private	\$4,631,800
LOC Security	Federal	\$3,000,000
Three NTE's - Project Manager, Learning Specialist and Preservation Specialist	Private	\$450,000
Wayfinding Fabrication & Installation	Private	\$500,000
2nd Floor Mezzanine Café	Federal	\$150,000
2023 Subtotals		\$8,731,800
Fiscal 2024 Funding and Planned Work	Federal or Private \$	Estimated Obligations
Three NTE's - Project Manager, Learning Specialist and Preservation Specialist	Private	\$450,000
Wayfinding Final Installation	Private	\$800,000
2024 Subtotals		\$1,250,000

2. The Copyright Office performs important work to support the creativity in our nation.

- How does the Office of the Librarian and the Office of the Chief Information Officer (OCIO) engage with the Copyright Office in implementation of its information technology modernization plan? Who is the final decision maker when it comes to IT modernization in the Copyright Office?

IT centralization and Copyright IT modernization require a close collaborative relationship between the Copyright Office and OCIO. Under the Library's Agile development methodology, the business owner, in this case the Copyright Office, identifies and prioritizes the high-level business functions that an IT solution needs to accomplish, such as accepting a payment or allowing a search. It is then up to OCIO technology experts to choose and implement a reliable technology that will meet that business need. This collaboration allows the subject matter experts to focus on what they know best – the business functions they need to be able to complete to accomplish their mission – while providing the Library's technology experts the freedom to explore and implement the best possible solution, leveraging the Library's entire technical knowledge instead of siloed solutions.

A number of steps have been taken to ensure effective collaboration between the Copyright Office and OCIO. Copyright Office subject matter experts and OCIO technical staff work together on a daily basis as an integrated team to ensure development work is closely coordinated. At the planning and management level, the Copyright Office employs a former OCIO division chief as a senior advisor to the Register, and OCIO has assigned two experienced technical staff members to serve as the liaison with Copyright Office leadership and as the Program Manager to coordinate the many projects under Copyright IT modernization. Strategically, the Library CIO and the Register serve as co-chairs of the Copyright Modernization Governance Board that meets monthly to monitor progress and address issues that arise, and the CIO and Register meet at least monthly with the Librarian specifically to discuss Copyright IT modernization progress. As the head of the agency, the Librarian is the ultimate arbiter of any disagreements that may arise around IT modernization efforts, but the Library's cooperative approach to technology development ensures that issues generally can be and have been resolved jointly between OCIO and Copyright Office leadership.

- Describe the process by which the Copyright Royalty Board assesses royalty rates and approve distribution of royalty funds? Is there a backlog of distribution of royalty funds? If so, what is the cause for the backlog? What steps can the Register take in addressing the backlog?

The Copyright Royalty Board (CRB) is an independent body within the Library of Congress. The Copyright Royalty Judges (Judges) of the CRB set royalty rates, and determine the distribution of royalty funds deposited with the Copyright Office, by means of an administrative proceeding that is much like a complex civil trial — with discovery, written and oral testimony from fact and expert witnesses,

submission of documentary evidence, lengthy hearings, and a written determination of the Judges. During the course of a proceeding, the Judges are required to refer any novel material question of substantive copyright law that arises to the Register of Copyrights for a written opinion, and final determinations of the Judges are subject to a statutory review by the Register for material legal error regarding substantive law under title 17. These final determinations are then appealable to the U.S. Court of Appeals for the District of Columbia Circuit. The relevant statutory provisions, along with the Judges' procedural rules, afford participants multiple opportunities to reach negotiated settlements. In the case of royalty distributions, if the Judges determine that there is no controversy, they do not commence a proceeding, and instead authorize the distribution pursuant to a written order. Distributions of royalties are made by the Licensing Division of the Copyright Office pursuant to CRB orders.

Most royalty rates operate on a five-year cycle, and the frequency and timing of rate proceedings, including certain intermediate deadlines, are set by statute. Consequently, the Judges generally prioritize rate proceedings in order to meet the statutory deadlines. It bears noting that the D.C. Circuit remanded two rate proceedings last year, which, in combination with the current pandemic, has temporarily increased the CRB's typical workload.

In cable and satellite television retransmission royalty distribution proceedings, the parties and the Judges typically bundle several years together to minimize the cost of litigation. This year, the Judges ordered final distribution of funds in a single proceeding covering six years of cable royalties and eleven years of satellite royalties. An older proceeding (involving 2000-2003 cable royalties) that had been remanded back to the Judges by the D.C. Circuit has been the subject of further dispute by the parties, and the Judges are currently resolving that case.

Over the past several years, the Judges have authorized the distribution of \$1.62 billion of cable and satellite royalties, as shown in the annualized table below:

Fiscal Year	Distributions Authorized (Millions \$)
2015	\$ 378
2016	209
2017	149
2018	102
2019	131
2020	266
2021 (YTD)	385

Proceedings regarding distribution of cable and satellite royalties for 2014 through 2017 are underway, and the Judges intend to commence proceedings covering cable and satellite royalties for 2018 through 2021 next year.

In 2020, Congress authorized the Judges to hire additional staff beyond the previous authorization which limited the CRB staff to three employees. The CRB is in the process of hiring additional staff in order to meet the challenge of its increasing workload. It is anticipated that new staff will be on-boarded before the end of this fiscal year.

The Office will continue its close working relationship with the CRB, while respecting its independence, and is available for consultation should the Judges conclude that they need additional support.

3. A February 9 report from the Inspector General, (IT Modernization Evaluation, Report No. 2019-IT-104) detailed areas of concern about the Library's management of its IT projects and resources. I understand that the Library disagreed with five of the nine major findings, which raises questions.

- What do you see are the strengths and deficiencies in the Library's IT modernization program? How far along are we in the multi-year plan?

IT modernization at the Library is not one overarching program; and it won't ever truly be "completed." We agree with the integrated IT modernization management methods reflected in the report recommendations. Given the unique missions of our service units, however, we have determined that the greatest value to the Library is applying these methods to major service unit modernization efforts, rather than creating a single schedule or plan to encompass all modernization efforts.

Like the broader tech industry, we have changed how we approach IT at the Library. For our core IT infrastructure and business critical systems, we're implementing a "continuous improvement" model, where we work steadily to update systems so they never become obsolete. For example, Congress.gov gets new functionality based on user feedback every three weeks, and we've instituted a lifecycle refresh program to ensure that the servers that support our operations are always kept up to date. By operating this way, we're able to ensure that the Library will not find itself in the technical hole we've had to work hard over the last few years to climb our way out of.

We do have several important efforts underway right now to bring Library technology up to the standards we need to support our mission to Congress and the nation.

For our IT infrastructure, we completed the transition from the outdated Madison Data Center to a hybrid hosting environment at the end of fiscal 2020. Our new IT infrastructure leverages both Uptime Institute Tier IV Cloud services and a Tier III data center to ensure we have the IT security necessary for congressional and other high value data and the scalability and flexibility needed to support modern applications and websites. We are using that infrastructure now, and will continue to optimize it and update it as needed moving forward.

To better meet Library business unit's specific IT needs, we're developing a number of major IT systems, including the Enterprise Copyright System; the Integrated Research and Information System for CRS; and BARD 2.0 for NLS. The fiscal 2022 Library budget submission also includes a request to allow us to start developing the next generation Library collections access platform (L-CAP), which will be at the center of managing the Library's rapidly growing collections.

Because we know that the Library is a target for hackers and other cyber criminals, IT Security is now at the heart of Library technology. We have implemented NIST IT security standards and ensured that every Library IT system is fully reviewed and controlled. With the ongoing transition to a Zero Trust architecture, we are continuing to mature how we protect our most valuable data, including congressional information and copyright records; and we have requested additional funding to fully align IT security across all of the Library's hosting environments.

We have also fundamentally changed how we manage technology at the Library. We have implemented a new IT governance structure; centralized and professionalized the IT workforce; and are continuing to mature IT program management, technology business management and software development practices based on GAO recommendations and industry best practices.

Sustaining the pace of improvement for Library technology over the last few years has not been without hiccups. To get the Library to a stable technical footing, we have had to make major organizational changes – centralizing the IT workforce and instituting a broad swath of new IT policies and procedures – at the same time that we have been undertaking major initiatives like the Data Center Transformation and Copyright IT modernization. More broadly, like many other government agencies, we have had to establish in real time the best ways to integrate new technology, as well as evolving IT development and management models, with the Library's legacy IT systems and within the sometimes restrictive federal acquisition regulations and rapidly changing government IT standards.

However, the proof of all of these efforts is in the results. While the COVID-19 pandemic caught many unprepared, the Library's new IT infrastructure has sustained nearly the entire Library workforce operating remotely – something that would not have been possible just a few years ago – and allowed IT development efforts to continue on schedule. Technology is now being managed strategically to meet Library business needs, with new tools, products and applications being delivered to help Congress and the public engage with the Library, NLS, CRS and the Copyright Office.

- For the deficiencies the Inspector General notes— in particular, the lack of implementation plans **and ineffective management of cost estimates and budgets**--what are the fixes needed and what is your timetable for doing so?

The Library has been working diligently to address findings and recommendations raised by GAO and the Library's OIG with respect to project management and cost management for the Library's IT projects. We have come a long way in a short time, and are continuing to mature how we operate in these areas.

Since fiscal 2017, OCIO has created a centralized IT Project Management Office (PMO) and formalized the Library's Project Management Life Cycle (PMLC) and Software Development Life Cycle (SDLC), which provide a standardized set of processes and procedures for IT projects. OCIO is now working with

industry experts to mature and implement those processes with consistency and quality, and extend them to IT program and IT portfolio management. In particular, IT program management – the process of managing several related IT projects – has been initiated by OCIO for USCO’s Enterprise Copyright System (ECS) and CRS’s Integrated Research Information System (IRIS), and is in the early stages of standardization for use across IT activities. OCIO is also working to implement Earned Value Management (EVM), a methodology that integrates schedule, costs, and scope to measure actual project performance against planned performance, for large IT projects.

The Library has successfully completed an audit resolution process with OIG to determine how best to move forward from the audit report. As part of this process and resulting agreement, and recognizing that there is work to be done to ensure that complex IT activities are managed more effectively, OCIO has committed to a set of activities moving forward, including the following:

- OCIO will create and manage a PMO Execution Roadmap, which will establish the path forward for implementing higher-order management for Library IT projects, including developing Integrated Master Schedules (IMs) for sets of connected IT programs and projects. We expect the initial PMO Execution Roadmap will be established by the end of fiscal 2021.
- The audit has been helpful in pointing out the value of applying recommended IT management approaches to a new scope of IT work: the agency’s core technology modernization efforts, which includes our networks, communications, and digital storage. As such, OCIO is also creating a Core Technology Implementation Plan, which will establish an IT program and implementation plan, as well as an integrated master schedule for enterprise-wide IT projects such as IT infrastructure enhancements and enterprise software development and deployment initiatives. This will allow the projects supporting the Library’s IT foundation to be more effectively managed against each other. We anticipate having the Core Technology Implementation Plan established by Q2 fiscal 2022.

In addition to improving and maturing its project management capability, the Library has been actively working to implement and mature cost estimating and budgeting processes since the GAO IT audit was completed in 2015. We recognize the importance of effective cost estimating for the success of IT projects and programs, and have made progress in our ability to predict resource needs. During GAO’s most recent assessment of the Library’s compliance with the GAO Cost Estimating guidelines – conducted in October 2020 – the Library was deemed to have substantially or fully met nine out of the twelve GAO best practices, and has shown improvement in the remaining three practice areas. At this time the Library can effectively track IT contracts and non-personnel IT expenses, as well as OCIO actual labor hours. OCIO is working with FSD to implement the WebTA labor module to allow the Library to capture actual labor hours for Library employees working on any IT project. We expect the new tool to be ready for use by October 2021. The Library’s fiscal 2022 budget submission includes a request for funding to hire additional expertise in FSD, OCIO and other parts of the Library, to further enhance our capacity for budgeting and cost estimation. Our ultimate goal is to fully meet all GAO Cost Estimating guidelines.

- There is another IG report about Data Centers and data security on the way, do you know when we can expect to see that? Has the Library seen a draft and have you provided your response to the IG's recommendations?

Yes, the Library has seen the OIG's draft Data Center Transformation report. The Library's response is due on May 7.

4. When assessing the physical and IT security vulnerabilities at the Library, including the CRS and the Copyright Office, we need to consider both people and information. The information technology infrastructure is critical so that all of you can do your work for Congress, from wherever your people are working. The events on January 6th served as an important reminder of the need to be constantly mindful of potential risks to the physical security of the Legislative Branch's data.

For the Library, specifically including CRS and Copyright, please answer for the Record:

- Are there specific instances where the agency's physical security including data storage or IT systems were compromised in any way over the last year? If so, can you provide us with details for the record, and address how the problem was fixed?

There have been no physical security compromises of the Library's IT systems or data storage, including CRS and Copyright Office, in the last year.

- In the aftermath of the events on January 6th, do you have concerns about the level of your organization's investment in IT infrastructure security? Is it enough to ensure resilience if there are major problems in the Washington, D.C./ National Capital region? Please provide for the record any assessments you have done on data physical security and IT infrastructure and if there are gaps, how you intend to address them.

The Library Office of the Inspector General (OIG) performed a non-public evaluation of the Library's IT security physical security controls in August 2018, which resulted in six recommendations, including five that were directly related to the physical security of the Library's IT systems and one focused on personnel security vetting standards. The Library closed all six recommendations by Q2 fiscal 2020, and has significantly hardened the physical protections for Library IT systems and data storage. The Library has also significantly enhanced IT security measures that protect against the physical loss of Library IT

hardware, including requiring multi-factor authentication and data encryption on Library laptop computers.

However, there are still two physical IT security risks that the Library is working to mitigate:

- The Library's fiscal 2022 budget submission includes a request for additional funding to update the Library's Integrated Electronic Security System (IESS) and create a life-cycle management program for it. IESS is critical for the Library and U.S. Capitol Police efforts to physically secure the Library campus.
- In fiscal 2020, the Library conducted a study of cabling within and between Library Capitol Hill buildings, which mapped the infrastructure and identified cabling in need of hardening to improve physical IT security. The Library is now working with the Architect of the Capitol and the U.S. Capitol Police to determine how to better secure exposed cabling within and between Library buildings.

Completing these two initiatives will enhance the already robust physical IT security controls maintained by the Library.

1. The Library's fiscal 2021 budget overview says that "[t]he Congressional Research Service's (CRS) next-generation Integrated Research and Information System (IRIS), for example, is well underway." Do you have an estimate of when Members of Congress will be able to receive secure communications from CRS on our mobile devices?

The Library of Congress is developing IRIS to ensure that CRS has the agile business posture and technology it needs to support congressional research needs in the era of "big-data." IRIS will replace a panoply of separate legacy CRS IT systems and functions with a modern integrated research and information environment that will allow technology to be leveraged as a force multiplier.

IRIS is being developed jointly by CRS and the Library's Office of the Chief Information Officer (OCIO), through the integration of commercially available IT products that will work together to track congressional requests, empower research and analysis, and manage authoring, publishing and product delivery. IRIS will enable CRS staff to continue to effectively support congressional requests and improve efficiency associated with researching, analyzing, creating, and delivering CRS products and services in the formats and channels most useful to Congress, while protecting the security and confidentiality of congressional data. The new tools will position CRS to be able to deliver products across multiple channels as technology evolves; however, being able to facilitate secure communications on mobile devices is not something that the Library can achieve unilaterally. It would require changes in how the House and Senate manage mobile devices.

Overall, the Library hopes to have IRIS implemented by the end of fiscal 2023. However, a recent contract delivery issue is requiring OCIO and CRS to reevaluate the tools that will be used for CRS content management and authoring and publishing, which may require additional time to fully implement.

WEDNESDAY, MARCH 10, 2021.

GOVERNMENT ACCOUNTABILITY OFFICE

WITNESS

GENE L. DODARO, COMPTROLLER GENERAL OF THE UNITED STATES

Mr. RYAN. The committee will come to order.

This hearing is fully virtual so we need to address a few house-keeping matters. Members are responsible for muting and unmuting themselves. For the purposes of eliminating inadvertent background noise, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition.

If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

We will begin with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority. We are using the 5-minute clock, which you will notice on your screen. It will show how much time is remaining. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

In regard to adding extraneous or additional material to the record, per House rules, we have set up an email address where members can send anything they wish to submit for the record after seeking recognition for its inclusion. That email address has been provided in advance to your staff.

Finally, we are doing two panels today: first, the Government Accountability Office and then House Officers. We will take approximately a 10-minute recess between the panels, but we will remain on this video feed so members do not have to log off. So just stick around after the first one and take a comfort break or whatever, and we will be right back.

For our first panel, I would like to welcome the Comptroller General of the Government Accountability Office, Mr. Gene Dodaro, to present the fiscal year 2022 budget request.

And I will admit, Mr. Dodaro, this is one of my favorite hearings every year because, as I have said before, there are a lot of people in D.C. who know a little bit about a lot and there are just a handful of people who know a lot about a lot, and you fall into that latter category, which makes this committee hearing always so much fun for us. We want to welcome you back. 2021 is a significant year for the GAO, as you are celebrating 100 years of service.

This subcommittee has great admiration for GAO's work in ferreting out misconduct and finding ways to save billions of dollars

with timely, public, fact-based nonpartisan recommendations to improve Federal agency operations and save taxpayers billions of dollars. We especially appreciate your neutral independence in facing difficult budget questions.

Most recently, GAO has been evaluating the \$2.6 trillion in COVID-19 funding and making recommendations about how to improve its effectiveness in dealing with public health issues and the economy.

I understand that GAO estimates that it will initiate 175 to 200 COVID-19 actions over the next 5 years, and that the benefits resulting from your work leads to program and operational governmental improvements. Your work is invaluable to getting the taxpayer the most from their tax dollars.

This year, GAO is requesting an increase of \$83.2 million in appropriated funds and 220 full-time equivalents, or FTEs, over what was provided last year. While we understand that your workload is increasing, I am afraid that the subcommittee allocation may not be increasing at a reciprocal rate. As you know, budgeting is, unfortunately, a zero-sum game, and it will be hard to accommodate your healthy request, but I can assure you we will do our absolute best for you.

I look forward to your testimony today.

And at this point, I would like to yield to my colleague and friend, the ranking member, Jaime Herrera Beutler, for any opening comments that she would like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And, Mr. Dodaro, welcome back. It is really good to see you again, even if it is virtually in this weird space. Congratulations on the Government Accountability Office's 100th year. That is remarkable.

As you know and as was mentioned, GAO has an incredibly vital role in Congress' oversight of Federal spending, providing evaluations on performance of Federal programs, financial and management audits, policy analysis and many other services that are ensuring that the American taxpayer dollars are spent efficiently.

This past year has been busy for all of us, especially for GAO. You and your staff have issued numerous reports on the Federal Government's response to COVID-19, touching on hot button issues like vaccine distribution, the effect of distance learning on our kids, and the performance of financial assistance programs for American businesses, all really critical.

You have been doing this as we have been trying to roll out these policies. So the information you have released has been incredibly helpful, and it has been timely. In the midst of your increased workload, GAO has continued to regularly issue reports and provide testimony on a wide range of issues.

I am pleased to see that GAO is also working to implement its new Science, Technology, Assessment and Analytics unit. This unit will provide Congress with valuable insight into emerging technologies and policy recommendations to harness the benefits and mitigate the negatives that come with those technologies.

Your fiscal 2022 budget request seeks to increase staff capacity, build audit resources, modernize IT systems, which is a theme we hear quite consistently, and address outdated building infrastruc-

ture. We look forward to hearing how you plan to implement these changes and how they will further improve GAO's work.

Thank you and your office for working with us here in Congress to ensure that the American taxpayer is protected and their dollars are spent carefully, and I look forward to hearing your testimony.

Thanks, and I yield back.

Mr. RYAN. We will move to the question-and-answer period. You may please begin. The floor is yours.

Mr. DODARO. Thank you very much, Mr. Chairman.

Good morning to you, Ranking Member Herrera Beutler, and all members of the subcommittee.

I first want to thank you for your continued support to GAO. It has been absolutely instrumental to GAO's continued success. Even under the pandemic, which we have been able to navigate, we have successfully had a good strong performance this past year.

Our recommendations led to over \$77 billion in financial benefits. That keeps our average return on the investment for you and the taxpayers at \$165 back for every dollar invested in GAO. We also had over 1,300 of our recommendations implemented to enhance public safety and security, to help protect vulnerable populations, and a wide range of programmatic and operational improvements throughout the Federal Government.

As both of you have mentioned in your opening statements, we were able to do real-time auditing and step up and meet our responsibilities under the coronavirus legislation. We have been giving monthly briefings to a range of congressional committees, and issuing bimonthly public reports.

We have made over 40 recommendations for midterm course corrections. Ms. Herrera Beutler mentioned the vaccine distribution and communications plan, which we recommended last fall, how to protect and fill gaps in the medical supply chain, to get more complete information on testing, have a national testing strategy, and a wide range of recommendations to focus on transparency and accountability issues over the largest Federal rescue in American history.

This year we also released our biennial report, which we issue at the beginning of each new Congress on high-risk areas across the Federal Government. There are 36 areas on the list. We took one area off this year because it made improvements, which is in the defense support infrastructure area. We added two new areas: One is Federal efforts to prevent, respond to, and recover from drug misuse. From 2002 to 2019, over 800,000 Americans died from a drug overdose. The period from May 2019 to May 2020 had the largest recorded annual increase in American history of 80,000 people. We need a better national strategy. We need better coordination. We need a wide range of efforts in order to deal with this national crisis.

We also added the emergency loan program under the pandemic. While it has been a lifeline and effective for many small businesses throughout the community, it has been incredibly poorly managed. And we didn't meet the transparency and accountability goals over either the paycheck protection program or the Economic Injury Disaster Loan program, as well.

The efforts to increase our staff with our budget request would help us in dealing with enhancing our science and technology work, our cybersecurity work, as well as the important work that we are doing in healthcare programs.

If we are going to get the Federal deficit and debt under control, as a nation, we need to make sure that we control healthcare spending. That is one of the critical drivers GAO also needs to increase our General Counsel capabilities to continue to provide advice to the Congress on exercising fully its power of the purse and to make sure that we safeguard Congress' prerogatives.

So I thank you for your attention this morning, I know you will give careful consideration to our request, and I look forward to answering your questions. Thank you very much.

[The information follows:]



United States Government Accountability Office

Testimony

Before the Subcommittee on the
Legislative Branch, Committee on
Appropriations, House of
Representatives

For Release on Delivery
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FISCAL YEAR 2022 BUDGET REQUEST

U.S. Government
Accountability Office

Statement of Gene L. Dodaro,
Comptroller General of the United States



A Century of Non-Partisan Fact-Based Work

GAO@100 Highlights

Highlights of GAO-21-407T, a testimony before the Subcommittee on the Legislative Branch, Committee on Appropriations, House of Representatives

Background

GAO's mission is to support Congress in meeting its constitutional responsibilities and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people. We provide nonpartisan, objective, and reliable information to Congress, federal agencies, and to the public, and recommend improvements across the full breadth and scope of the federal government's responsibilities.

In fiscal year 2020, GAO issued 891 products, and 1,459 new recommendations. Congress used our work extensively to inform its decisions on key fiscal year 2020 and 2021 legislation. Since fiscal year 2000, GAO's work has resulted in over:

- \$1.2 trillion dollars in financial benefits; and
- 25,328 program and operational benefits that helped to change laws, improve public services, and promote sound management throughout government.

As GAO recognizes 100 years of nonpartisan, fact-based service, we remain committed to providing program and technical expertise to support Congress in overseeing the executive branch; evaluating government programs, operations and spending priorities; and assessing information from outside parties

View GAO-21-407T. For more information, contact Gene L. Dodaro at (202) 512-5555 or dodaro@gao.gov.

March 2021

FISCAL YEAR 2022 BUDGET REQUEST

U.S. Government Accountability Office

In fiscal year (FY) 2020, GAO's work yielded \$77.6 billion in financial benefits, a return of about \$114 for every dollar invested in GAO. We also identified 1,332 other benefits that led to improved services to the American people, strengthened public safety, and spurred program and operational improvements across the government. In addition, GAO reported on 35 areas designated as high risk due to their vulnerabilities to fraud, waste, abuse, and mismanagement or because they face economy, efficiency, or effectiveness challenges. In FY 2020 GAO's High Risk Series products resulted in 168 reports, 26 testimonies, \$54.2 billion in financial benefits, and 606 other benefits.

In this year of GAO's centennial, GAO's FY 2022 budget request seeks to lay the foundation for the next 100 years to help Congress improve the performance of government, ensure transparency, and save taxpayer dollars. GAO's fiscal year (FY) 2022 budget requests \$744.3 million in appropriated funds and uses \$50.0 million in offsets and supplemental appropriations. These resources will support 3,400 full-time equivalents (FTEs). We will continue our hiring focus on boosting our Science and Technology and appropriations law capacity. GAO will also maintain entry-level and intern positions to address succession planning and to fill other skill gaps. These efforts will help ensure that GAO recruits and retains a talented and diverse workforce to meet the priority needs of the Congress.

In FY 2022, we will continue to support Congressional oversight across the wide array of government programs and operations. In particular, our science and technology (S&T) experts will continue to expand our focus on rapidly evolving (S&T) issues. Hallmarks of GAO's (S&T) work include: (1) conducting technology assessments at the request of the Congress; (2) providing technical assistance to Congress on science and technology matters; (3) continuing the development and use of technical guides to assess major federal acquisitions and technology programs in areas such as technology readiness, cost estimating, and schedule planning; and (4) supporting Congressional oversight of federal science programs.

With our requested funding, GAO will also bolster capacity to review the challenges of complex and growing cyber security developments. In addition, GAO will continue robust analyses of factors behind rising health care costs, including costs associated with the ongoing COVID-19 Pandemic.

Internally, the funding requested will make possible priority investments in our information technology that include the ability to execute transformative plans to protect data and systems. In FY 2022 GAO will continue to implement efforts to increase our flexibility to evolve IT services as our mission needs change, strengthen information security, increase IT agility, and maintain compliance. We will increase speed and scalability to deliver capabilities and services to the agency.

This request will also help address building infrastructure, security requirements, as well as tackle long deferred maintenance, including installing equipment to help protect occupants from dangerous bacteria, viruses, and mold. As reported in our FY 2020 financial statements, GAO's backlog of deferred maintenance on its Headquarters Building had grown to over \$82 million as of fiscal year-end.

United States Government Accountability Office

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, thank you for the opportunity to discuss our fiscal year (FY) 2022 budget request. I greatly appreciate the subcommittee's support of our efforts to serve the Congress and improve the federal government's performance, accountability, and transparency.

For the past 100 years, the United States Government Accountability Office (GAO) has provided reliable, professional, fact-based, non-partisan information to Congress and the American people on a host of domestic and international challenges and priorities. In this year of GAO's centennial, and with an eye towards laying the foundation for the next 100 years, I am honored to present GAO's fiscal year (FY) 2022 budget request to help Congress improve the performance of government, ensure transparency, and save federal funds.

With this support, GAO has identified over \$1 trillion dollars in financial benefits and more than 21,000 program and operational benefits since 2005. Our average return on investment for the past five years is \$165 to \$1. We also generated, on average, over 1,300 program and operational benefits to produce a more effective and efficient government during the same period. Congress also responded to GAO's work through dozens of legislative changes to federal programs.

During the global pandemic we recognize the gravity of our responsibilities to provide Congress and the Nation real time auditing and timely reporting on a dynamic situation that impacts everyone. As such, we have issued five bimonthly reports on the pandemic that covers the entire government-wide response to the public health and economic crises. They include 48 recommendations (including four to Congress) since June 2020 to enhance the nation's response to ongoing challenges related to the pandemic. This month we are due to issue our sixth report, which will have additional recommendations.

Fiscal Year 2022 Request

To build on this success, for FY 2022, GAO is requesting \$744.3 million in appropriated funds, a 12.6 percent increase, and authority to use \$38.9 million in offsetting collections. We recognize that this comes at a time when there are increased concerns about the level of federal spending; however, as demonstrated above, GAO has a proven track record of delivering a sound return on investment. These past investments in GAO have helped profoundly improve federal government operations and routinely supported Congress in making well-informed decisions. Thus, I am fully confident that this fiscal year's investment will continue to enable

us to provide timely support to the Congress and help improve the performance and accountability of the federal government.

The chart below provides a summary by program for the FY 2022 request.

Table 1: FY 2020 – 2022 Summary of Resources by Program (dollars in thousands)

Program	Fiscal Year 2020 Actual		Fiscal Year 2021 Enacted		Fiscal Year 2022 Request		Net Change Fiscal Year 2021 / 2022	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Human capital	3,178	\$551,725	3,180	\$579,872	3,400	\$635,477	220	\$55,605
Engagement support		\$6,489		\$9,711		\$14,765		\$5,054
Infrastructure operations		\$97,537		\$128,456		\$141,975		\$13,519
Center for Audit Excellence		\$1,004		\$2,100		\$2,100		0
Total budget authority	3,178	\$656,755	3,180	\$720,139	3,400	\$794,317	220	\$74,178
Offsets ^a		(\$26,764)		(\$59,000)		(\$50,000)		\$9,000
Appropriation		\$629,991		\$661,139		\$744,317		\$83,178

Source: GAO-21-407T

^aIncludes offsetting receipts and reimbursements from program and financial audits; rental income; training fees; collection of bid protest system user fees; supplemental funds for disaster audits; and for pandemic related audits.

GAO¹ requested FY 2022 funding level would enable GAO to continue to increase our capabilities to review the opportunities and challenges associated with evolving science and technology issues; complex and growing cyber security developments; and rising health care costs. Specifically

- **Science and Technology.** These resources will allow us to expand our science and technology capabilities in accordance with the 2019 plan provided to Congress to bolster our technology assessments and other science and technology (S&T) assistance to Congress, and help ensure that GAO has the bandwidth and expertise to support audits where this expertise is critical in addressing congressional priorities.
- **CyberSecurity.** GAO will continue to expand our expertise and ability to assess the cybersecurity challenges facing the Nation, including assessments of the implementation of the National Cyber Strategy, government global cyberspace strategies, and government and private sector efforts to address the impact of the SolarWinds intrusion; and
- **Health Care Spending.** GAO will continue to examine the sustainability and integrity of the Medicare and Medicaid programs and to oversee VA,

DOD, and Indian Health Service health care services. Health care spending now accounts for over 25 percent of the federal budget and is one of the fastest growing federal expenditures.

The FY 2022 budget also builds upon the planned investments in GAO's Information Technology Modernization efforts. This request prioritizes GAO's multi-year effort to ensure that it has the 21st century tools and technologies needed to support our workforce and achieve our mission, including enhanced cloud data management and storage solutions, and IT security upgrades to combat the ever-growing cybersecurity threats toward U.S. assets.

Further, this request supports significant investments in improving the health and safety environment of our facilities; enhanced building security requirements; and long deferred infrastructure maintenance needs in anticipation of our workforce returning to the workplace. The GAO workforce continues to be our most critical asset and it is imperative that GAO provide a safe and secure workplace.

Finally, I am looking beyond GAO's near-term and immediate needs. I am confident continued investments in GAO, coupled with the stellar talents of our diverse and professional workforce, will strengthen our ability to not only address today's highest priorities, but also provide Congress and the American public with timely insightful analysis on the future challenges facing the country.

Moving forward, GAO will continue to build on bodies of work related to our three broad strategic goals for supporting Congress and the Nation, to (1) address current and emerging challenges to the well-being and financial security of the American people; (2) help the Congress respond to changing security threats and the challenges of global interdependence; and (3) help transform the federal government to address national challenges.

Highlights from FY 2020 Results

GAO's mission is to support the Congress in meeting its constitutional responsibilities, and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people. Our FY 2020 performance results demonstrate GAO's unwavering commitment to our role as the Congress' watchdog.

Financial Benefits

In FY 2020, we documented \$77.6 billion in financial benefits for the government – a return of about \$114 for every dollar invested in us.

	<p>Examples of financial benefits we are reporting for this year included those contributing to</p> <ul style="list-style-type: none">• revisions to spending limits for Medicaid demonstration projects (\$29.4 billion);• termination of the Department of Energy's (DOE) Mixed Oxide Fuel Fabrication Facility (MOX) project to dispose of plutonium (about \$13.0 billion);• reductions and rescissions made to DOD's accounts for the development and procurement of weapons (about \$2.3 billion);• changes in DOD's payment policy to cover only FDA-approved drugs for compounded drugs in the TRICARE program (\$1 billion);• reduced appropriations for certain under-obligated Department of State (State) accounts in FY 2019 (\$950 million).
Legislative Impacts	<p>The Congress continues to use GAO's work to inform key legislative decisions, some of which will result in billions in future financial savings. Examples linked directly to GAO's work include</p> <p>Consolidated Appropriations Act, 2021 (December 2020) and Joint Explanatory Statements included numerous actions based on GAO's work, including the Congress</p> <ul style="list-style-type: none">• providing additional funding to continue the cleanup of the waste site of the radioactive and hazardous materials under the 324 Building at the Hanford site, and directing the implementation of a GAO recommendation for increased surveillance, maintenance, and risk reduction activities associated with legacy waste sites;• requiring the Social Security Administration, to the extent feasible, to provide Treasury's Do Not Pay Working System access to its full death data for a three-year period, beginning in December 2023, to prevent improper payments;• repealing a provision of the Middle Class Tax Relief and Job Creation Act of 2012 mandating that the Federal Communications Commission auction the T-Band radio spectrum, allowing law-enforcement, fire officials, and Emergency Medical Services to continue using the T-Band spectrum to operate their radios for day-to-day life saving operations [Don't Break up the T-Band Act (December 2020)]; and• directing IRS to report on progress toward implementing GAO's recommendations aimed at addressing the numerous deficiencies in the IRS's cyber controls that increased the risk that IRS's network devices

and systems could be used by unauthorized individuals to access sensitive taxpayer data.

The Fiscal Year 2021 **National Defense Authorization Act** (January 2021) and Joint Explanatory Statements included numerous actions based on GAO's work, including the Congress

- reviewing unobligated balances and reducing DOD's FY 2021 Operation and Maintenance Accounts;
- establishing the statutory National Cyber Director position in the Executive Office of the President with the authorities GAO identified;
- directing DOD take steps to assess its processes for dealing with contractors with violations of safety, health and fair labor standards; and
- directing DOD to clearly identify the associated goals, risks, and costs of re-designing the Autonomic Logistics Information System (ALIS), which is the information infrastructure used in the joint strike fighter.

The **Setting Every Community Up for Retirement Enhancement Act of 2019** (December 2020). Based on GAO's work, Congress expanded access to retirement plans for millions of long-term, part-time employees who previously were not eligible to save and invest in their employer-based retirement savings plans.

The **Federal Advance Contracts Enhancement (FACE) Act** (December 2020). Based on GAO's work, the Congress directed the Federal Emergency Management Agency (FEMA) to (1) update its advance contracting strategy, (2) issue new guidance to its contracting workforce on the use of advance contracts, (3) promote advance contracts to local and state governments, and (4) improve the use of the agency's program to track major acquisitions.

The **Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020** (January 2021). Based on GAO's work, Congress required the Department of Veterans Affairs (VA) to develop a plan to address all the GAO-identified high-risk areas; report on progress in implementing open priority recommendations, and to take actions addressing timely access, and monitoring of medical examiners' training.

The **Secure Federal Leases from Espionage and Suspicious Entanglements Act** (December 2020). Based on GAO's work, required the government to identify who owns the office space it leases in order to prevent possible security threats.

	<p>The STOP FGM Act of 2020 (January 2021). Based on GAO's work, the Act required certain federal agencies to report annually on, among other things, their efforts to educate and assist communities and key stakeholders about female genital mutilation.</p>
Other Benefits	<p>Many other benefits resulting from our work lead to program and operational improvements. In FY 2020, we recorded 1,332 of these other benefits.</p> <p>For example, our work on public safety and security</p> <ul style="list-style-type: none">• Led the Federal Aviation Administration (FAA) to take steps to improve its oversight of small unmanned aircraft systems (UAS or "drones")—to prevent these systems from endangering life and property—through better communication with its law enforcement partners about the information it needs on unsafe UAS operations; and• Led several federal agencies to take steps to more fully establish key elements of a cybersecurity risk management program and/or conduct an agency-wide assessment of cyber risks to better safeguard their agencies from the growing number of cyber threats. These actions included updating key policies and procedures to ensure that they are identifying, assessing, and responding to cyber risks. <p>Similarly, our work related to vulnerable populations</p> <ul style="list-style-type: none">• Prompted the FEMA to improve the services it provides to disaster survivors with disabilities by (1) using new registration-intake questions to better identify their needs, (2) establishing related objectives in its 2019-2022 Strategic Plan, and (3) seeking feedback on its new approach to service delivery;• Led to agreement by Customs and Border Protection to improve the (1) guidance it uses to process and track family separations at the southwest border, and (2) oversight mechanisms for delivering medical care to those in its custody; and <p>Furthermore, our work in the area of agency operations</p> <ul style="list-style-type: none">• Led to agreement by the National Aeronautics and Space Administration (NASA) to develop a solid business case for its mission to return U.S. astronauts to the moon by 2024, and include a comprehensive plan and full cost estimate for this mission; and

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- Helped inform a Senate legislative proposal to build on progress made under the Chief Financial Officers Act of 1990 to further improve federal financial management, such as preparing financial management plans and better linking cost to performance.

Building Bodies of Knowledge

Through the products issued this year, we continued to build on bodies of work related to our three broad strategic goals to (1) address current and emerging challenges to the well-being and financial security of the American people, (2) help the Congress respond to changing security threats and the challenges of global interdependence, and (3) help transform the federal government to address national challenges. Examples include

- **Protection of children and students.** We reported on the need to (1) update or replace the heating, ventilation, and air conditioning (HVAC) systems in about 36,000 K-12 public schools, which is of heightened importance given COVID-19; and (2) address the physical barriers, such as accessible door hardware and steep ramps, that make it challenging for students, teachers, and others with disabilities to use public schools facilities.
- **Veterans.** We reported on the need for (1) VA to improve how it tracks and analyzes the data on veteran suicides that occur on its campuses, such as medical facilities, to better understand and prevent such suicides; (2) VA to strengthen its oversight of the quality of state veterans homes, which provide skilled nursing and personal care to about half of eligible veterans—especially given COVID-19; (3) VA to take steps to more efficiently and effectively acquire medical and surgical supplies; and (4) the Office of Personnel Management (OPM) and agencies to better leverage data to improve the retention of veterans in federal jobs, which is lower than the retention of similar non-veterans.
- **Health care.** We reported on the need to (1) address infection control deficiencies in nursing homes to help safeguard residents from outbreaks like COVID-19; and (2) determine more precisely the magnitude of antibiotic resistance—which sickens about 2.8 million people annually—and strengthen federal efforts to minimize its effects.
- **Science and Technology.** We reported on (1) COVID-19—Coronaviruses, Social Distancing During Pandemics, COVID-19 Modeling, COVID-19 Testing, COVID-19 Vaccine Development, Herd Immunity, and Contact Tracing Applications; (2) policy options for the use of Artificial Intelligence to deliver health care services; (3) data quality considerations for modeling and analysis of infectious diseases, such as COVID-19; (4) algorithms used in forensic science for federal law

enforcement, such as DNA, fingerprints, and facial recognition; and (5) irrigated agriculture technologies, practices, and implications for water scarcity. In addition, we reported on federal agencies' use of the Internet of Things (IoT) devices. We also expanded our use of Science and Tech Spotlights that distill complex issues into a 2-page summary on topics covering CRISPR gene editing; 5G wireless technologies; and quantum technologies. We have issued over 20 Science and Technology Spotlights since its inception in late 2019 including the most recent, in February, on Vaccine Safety.

- **COVID-19 Response and Recovery.** As required under the CARES Act GAO has conducted ongoing monitoring and oversight of the federal government's \$2.9 trillion response to prepare for, respond to, and recover from the COVID-19 pandemic. This includes providing monthly briefings and reporting on a bimonthly basis until March 2021 and periodically thereafter. We are to report on, among other things, the effect of the pandemic on the public health, economy, and public and private institutions.

As of January 15th, 27 of GAO's previous 31 COVID-19 recommendations remained unimplemented. These include such critical areas as vaccine distribution and communications plans, medical supply chains, and workplace safety. GAO is pleased that the Consolidated Appropriations Act passed by Congress in December required a number of actions that are consistent with several of our open recommendations and we will monitor the implementation of the Act's requirements.

GAO highlighted key areas for improvement including vaccine rollout, testing, data collection, medical and drug chains, and strengthening program integrity and protecting against fraud. Implementing GAO's recommendations will be critical to improving the federal government's ability to effectively respond to this pandemic. We will continue to evaluate these actions moving forward and continue to monitor any further steps taken by the new administration and Congress.

- **Disaster Preparedness, Recovery, and Resilience.** In FY 2020 alone, we used supplemental disaster audit funding to issue 32 products and made 56 recommendations in four key areas: (1) National preparedness, including the need for FEMA to address national emergency management capabilities based on information known about states' and territories' response and recovery capabilities; (2) FEMA workforce, including its efforts to assess how it deploys its disaster workforce to meet mission needs; (3) Disaster loans, including the need to mitigate and identify risk—such as extended power outages—to disaster loan processing, and, (4) Survivor assistance, such as the need for FEMA to better explain its program information and eligibility decisions to

applicants. We also issued a Disaster Resilience Framework to help the federal government promote resilience to natural disasters.

Between November 2017 and January 2021, we issued 50 reports and identified three Matters for Congressional Consideration and 126 recommendations to 16 agencies, including FEMA, the U.S. Department of House and Urban Development (HUD), and SBA. As of the end of FY 2020, 26 percent of the recommendations made between FY 2018 and FY 2020 were implemented. Since implementing our recommendations, FEMA can better (1) identify survivors' disability-related needs; (2) estimate the number of staff needed to administer Public Assistance recovery efforts; and (3) help ensure that its contracting personnel know to reach out to state and local governments to create and use contacts before disasters hit.

While one of our Matters had been fully implemented by year end, which we will discuss later, we also provided the Congress with technical assistance on draft legislation in five areas: (1) potential reforms to the National Response Framework, (2) possible creation of a national disaster safety board, (3) loans to fund disaster resilience efforts, (4) reforms to federal advance contracts, and (5) permanently authorizing the Community Development Block Grant Disaster Recovery program. As of January 2021, we had 19 disaster-related audits underway.

- **High risk areas.** In March 2021 we issued the biennial update of our High Risk Report to focus attention on government operations that are vulnerable to fraud, waste, abuse, and mismanagement or need transformation—offering solutions to 36 high-risk problems (See Enclosure I). In most areas, progress since our last high risk update has been limited. In five areas the ratings declined, while in seven areas they improved. One area—DOD Support Infrastructure Management—improved to the point of removal from the list. Two new areas—National Efforts to Prevent, Respond to, and Recover from Drug Misuse, and Emergency Loans for Small Businesses—are being added to the list. Where progress has been made addressing high risk areas, the results have been substantial. For example, over the past 15 years (FY 2006 through FY 2020) financial benefits totaled nearly \$575 billion, or an average of about \$38 billion per year. Since our last update in 2019, we have recorded approximately \$225 billion in financial benefits. In FY 2020 alone, our high-risk work yielded \$54.2 billion in financial benefits, 606 other benefits, 168 reports, and 26 testimonies.
- **Fragmentation, overlap, and duplication.** In 2020, we issued our tenth annual report. It identified 168 new actions in 29 new areas (and 10 existing areas) that could reduce fragmentation, overlap, and duplication, or provide other cost savings and opportunities to enhance revenue

across the federal government. From 2011 to 2019, we identified 908 such actions. As of March 2020, the Congress and executive branch agencies had fully addressed 519 of these actions and partially addressed 202, yielding about \$429 billion in financial benefits—\$393 billion between 2010 and 2019, and \$36 billion more projected in the future.

Serving Our Clients

In FY 2020, we received 550 requests for work from 90 percent of the standing committees of the Congress—supporting a broad range of congressional interests. We issued 586 reports and made 1,459 new recommendations. We were asked to testify 59 times before 43 separate committees or subcommittees on topics including COVID-19; disaster preparedness, response, and recovery; 2020 U.S. Census; the Chief Financial Officers Act; and the nation's fiscal health. GAO also delivered five member briefings, and we were asked to submit (1) four Statements for the Record in lieu of testifying; and (2) responses to 27 sets of Questions for the Record, which become part of the official hearing records. GAO executives also participated in seven roundtables sponsored by congressional committees, subcommittees, or working groups. Moreover, GAO's work was cited by Members of the Congress and witnesses in 79 hearings beyond those at which we testified.

The following, are examples of topics GAO addressed in testimony in FY 2020.

Figure 1: Selected GAO Fiscal Year 2020 Testimony Topics

Goal 1: Address Current and Emerging Challenges to the Well-being and Financial Security of the American People

- Meeting Growing Demand for Veterans' Long-Term Care
- Addressing Persistent Challenges with FDA Inspections of Foreign Drug Manufacturers
- Ensuring the Qualifications and Competence of VA Health Care Providers
- Improving the Accuracy of Medicaid's Enrollment Practices to Reduce Improper Payments
- Advancing FAA's Efforts to Promote a Robust, Diverse Workforce for Aviation Maintenance
- Reducing the Potential for Fraud in Recovery Homes for Substance Use Disorder
- Implementing Consumer Protections for Airline Passengers
- Improving Facility Security Assessments for Federal Land Management Agencies
- Improving Resilience to Climate Change Through Strategic Investment of Federal Resources
- Addressing Weaknesses That Limit Delivery of Federal Tribal Programs
- Using a Strategic Approach to Assess Federal Agencies' Environmental Justice Efforts
- Improving Oversight of Nursing Homes to Better Protect Residents from Abuse
- Improving DOD Oversight of its Exceptional Family Member Program
- Developing Needed Aviation-Preparedness Plan for Communicable Disease Outbreaks

Goal 2: Respond to Changing Security Threats and the Challenges of Global Interdependence

- Improving Early Implementation of the Nation's Biodefense Strategy
- Addressing Remaining Challenges with Recent Disaster Recovery Efforts
- Managing VA's Supply Chain under COVID-19
- Improving Workforce Diversity at the State Department
- Enhancing the Transportation Security Administration's Efforts to Improve Airport Security Areas
- COVID-19: FEMA's Role in the Response and Related Challenges
- Improving CBP's Oversight of Funds, Medical Care, and Reporting of Deaths at the Southwest Border
- Learning from Past Efforts to Acquire Missile Defense Systems
- Addressing Challenges to the Coast Guard's Arctic Capabilities
- Improving NSA's Efforts to Modernize the Nation's Nuclear Weapons Through Portfolio Management
- Addressing Challenges to Help DOD Sustain a Growing Fleet of F-35 Aircraft
- Strengthening DOD's Oversight of Privatized Military Housing
- Addressing Persistent and Substantial Delays in Ship and Submarine Maintenance

Goal 3: Help Transform the Federal Government to Address National Challenges

- Addressing Significant Challenges to Information Security at VA and Other Federal Agencies
- Improving SBA's Oversight of Tribal 8(a) Firms
- Addressing Challenges for the 2020 Census with Operations Underway
- Improving IT Management and Cybersecurity at OMB and Other Agencies
- Addressing Challenges to Better Ensure Equal Employment Opportunity in the DHS Workforce
- Providing Enhanced GAO Capabilities for Oversight, Insight, and Foresight on Science and Technology Issues
- Safeguarding Federal Employees Returning to the Workplace During Pandemics
- Addressing the Nation's Fiscal Health
- Building on Progress Made Under the CFO Act of 1990 to Improve Federal Financial Management
- Clearly Communicating Public Comment Posting Practices for Federal Rulemaking
- Using Established Transition Planning Practices for Telecommunications to Help Agencies Prevent Costly Delays
- COVID-19: Opportunities to Improve Federal Response and Recovery Efforts

Source: GAO | GAO-21-407T

I continued to meet with the Chairs and Ranking Members of congressional committees to obtain their views on GAO's work, including their priorities, and to discuss opportunities and challenges facing our Nation. In addition, GAO continued to highlight the status of key

recommendations in our annual duplication, fragmentation, and overlap report—citing progress made and the benefits of full implementation.

In FY 2020, agencies implemented 77 percent of our recommendations against a target of 80 percent matching our 2019 performance. I also continued to send letters to the heads of most federal departments, recognizing their progress in implementing our priority recommendations and calling attention to those still requiring action. These letters were also sent to congressional committees of jurisdiction to inform their oversight and published on our website.

Supporting Our People

The hard work and dedication of our diverse and professional multidisciplinary staff positioned GAO to achieve a 93 percent on-time delivery of our products in FY 2020. Our performance also indicates that staff received the support needed to produce high-quality work. We met or exceeded the targets for six of our seven people measures exceeding our targets for, retention rates with and without retirements, staff development, staff utilization, effective leadership by supervisors, and organizational climate. For the people measure of how satisfied GAO employees are with their IT tools, we fell short of our goal of 80 percent by 11 percentage points, at 69 percent. Although we did not meet our goal in this area, we did experience a 13-percentage point satisfaction increase over fiscal year 2019 and continue to seek areas of IT improvement.

FY 2022 Resource Planning and Deployment

In planning our audit work for FY 2022, we are requesting resources that will lay the long-term foundation that allows GAO to continue to provide the Congress with the high quality products it has come to rely on that focus on both the longstanding as well as emerging issues that concern the Nation. A key focus will be increasing our current focus on science and technology areas. In addition we will also bolster resources for identifying government-wide cybersecurity risks and the increasing cyber threat to the nation's critical infrastructure. Another critical audit area this request will support are the challenges associated with growing health care costs.

In addition to these audit resources, GAO has internal needs to allow our auditors to better serve Congress. These internal investment needs include: accelerating IT modernization and cloud data management and storage solutions, as well as infrastructure enhancements and improvements to address remaining health and safety issues. Another internal high priority is to address the deferred maintenance backlog at GAO's HQ Building, which includes multiple HVAC replacements.

GAO's Science and Technology Program

GAO's newest unit—the Science, Technology Assessment, and Analytics (STAA) team—helps address congressional science and technology needs in a variety of ways, including

- in-depth evaluation and oversight of federal science and technology programs;
- foresight on new and emerging technologies;
- evaluation of the effects and policy implications of science, technology, and innovation on society;
- innovating to support evidence-based policymaking through data analytics;
- exploring emerging technologies and supporting congressional modernization efforts;
- development of policy options that may help policymakers enhance the benefits and mitigate challenges of technologies; and
- proactive and on-demand technical assistance on science, technology, and innovation issues.

GAO's vision for STAA is to provide Congress with critical foresight, oversight, and insight of science and technology issues and harness the power of advanced analytics in order to ensure continued American security, innovation, and competitiveness in a rapidly changing world.

GAO continues to successfully conduct science and technology-related work, providing Members of Congress and their staffs with a variety of products and services. This has included issuing specialized reports known as technology assessments. In 2019, we committed to expanding resources to meet Congressional needs by establishing STAA, a team dedicated solely to S&T. Through our rigorous, fact-based foresight and oversight work, we can help Congress navigate the increasingly complex S&T advances it must oversee, including artificial intelligence (AI), quantum computing, infectious disease modeling, and rapid vaccine development and through our collaboration with the National Academies of Sciences, Engineering, and Medicine.

In 2020, STAA devoted significant resources to address the COVID-19 pandemic. For example, it issued a Science & Tech Spotlight on coronaviruses in early March, providing a high-level overview of what they are and how they are transmitted. It followed this with six additional Spotlights on COVID-19 topics, including social distancing, testing, contact tracing apps, and herd immunity. STAA staff also contributed

significant S&T expertise to the CARES Act reports. Currently we have work underway on a Spotlight on vaccine safety, and a report on Operation Warp Speed (OWS) vaccine development and manufacturing was issued in mid-February.

STAA has played an important role in GAO's oversight of the federal response to the COVID-19 pandemic, further building our base of science and technology knowledge. Throughout the pandemic, STAA has provided Congress with technical assistance on COVID-19 on numerous occasions, on topics such as: how well face mask materials filter droplets and aerosols, differences among three prominent COVID-19 models, and the effectiveness of certain filtration systems in reducing respiratory disease transmission on airplanes. STAA also analyzed four COVID-19 vaccine developers' clinical trial protocols and reported in November on information the trials will provide and their limitations. STAA's work related to Operation Warp Speed features a first-of-its-kind digital dashboard to provide up-to-date details on vaccine technology development, manufacturing, and rollout.

Over the past year, STAA has also continued to expand its capacity to meet Congressional needs on other topics. STAA issued technology assessments on capabilities and challenges related to 5G wireless technology and artificial intelligence in health care, among other topics.

- *5G Wireless.* For the 5G wireless technology assessment (with key support from the National Academy of Sciences), GAO reported that new technologies will be needed to reach the full potential of 5G and noted several challenges, including that spectrum demand will likely continue to exceed supply and that 5G will exacerbate existing cybersecurity and privacy concerns.
- *Artificial Intelligence.* STAA partnered with the National Academy of Medicine to deliver a joint technology assessment focused on the use of Artificial Intelligence (AI) tools to augment patient care, the second in a three-part series on AI in health care.¹ GAO assessed both clinical and administrative AI tools and found that they show promise for improving health outcomes, reducing provider burden, and using health resources more efficiently. However, there are several challenges to developing and deploying these tools, including difficulties with obtaining sufficient high-quality data to create effective algorithms; challenges with scaling up and

¹ The first report in this series focused on the potential of Artificial Intelligence to expedite drug development (GAO-20-215SP, December 2019).

integrating these tools across different health care settings, such as rural vs. urban settings; and uncertainty over liability in the event of inaccurate results.

STAA also has additional technology assessments underway on topics including blockchain, AI in medical diagnostics, contact tracing apps, the use of forensic algorithms by law enforcement, quantum computing and communications, detection and remediation of per- and polyfluoroalkyl substances (PFAS) in drinking water, and technologies to provide military navigation capabilities in the absence of GPS. In addition, in FY 2021 STAA plans to begin technology assessments on topics including decarbonization technologies, forensic attribution of chemical weapons, gene editing and engineering, and the environmental and other effects of satellite constellations.

STAA also issued 17 Science & Tech Spotlights in 2020, on a broad range of topics, including nuclear microreactors, CRISPR gene editing, consumer electronics recycling, and deepfakes. Furthermore, STAA conducted numerous S&T-related performance audits on topics such as infectious disease modeling; antibiotic resistance; sexual harassment in science, technology, engineering, and mathematics ("STEM"); how the Patent and Trademark Office assists small businesses and inventors; and policies to address foreign influence in federal research. STAA also issued a new guide on best practices to assess the adoption and use of Agile software development and finalized a guide on using technology readiness assessments in complex technical acquisitions and projects such as the Navy's Columbia Class Nuclear Submarine program.

In addition to addressing numerous Committee or individual Member requests for on-demand technical assistance, we also provided services to Congress more broadly. In October, at the request of the House Committee on Administration, we hosted an S&T policy symposium for the House of Representatives to provide information to Members and staff on a range of topics, such as COVID-19, congressional modernization, and the innovation economy. The Committee included the symposium in the New Member Orientation Training that was provided to all incoming Representatives of the 117th Congress.

Another core area of STAA is the Innovation Lab, which aims to explore, pilot, and deploy new advanced analytic capabilities to enhance audit products. In 2020, the Lab initiated a first-of-its-kind collaborative effort across key agencies to enhance payment integrity. The Lab also implemented GAO's first advanced cloud infrastructure to support

leading-edge development of data science prototypes, with the goal of conducting GAO's work to more effectively support evidence-based policymaking. The Lab is developing a data literacy curriculum to use across the agency to enhance GAO's oversight work overall.

A final area of progress for STAA was further expansion of our network of S&T experts to increase the depth, breadth, and diversity of knowledge available to meet congressional needs. On October 15, 2020, we held our inaugural meeting of the newly established Polaris Council, a group of exceptional science, technology, and policy leaders and experts from many fields, to advise us on emerging S&T issues facing Congress and the nation. In addition, STAA participated in 210 external speaking events in 2020 to further broaden our expert networks.

To accomplish all of these contributions, STAA grew its S&T workforce in accordance with the plan provided to Congress in April 2019. At the beginning of fiscal year 2020, the STAA team included about 70 members, and as of January 2021 it was up to 104 members. These STAA staff had advanced degrees in a wide variety of fields, such as microbiology, quantum mechanics, public health, and chemical engineering.

Our FY 2022 request is based on our plans to continue and build on STAA's current pace of meeting congressional needs, and our plan to further grow STAA's staff. Our goals in doing so are to: 1) increase the number of technology assessments we conduct each year; 2) increase the number of short-to-medium turnaround products; 3) improve access to and absorption of our work through the use of a variety of digital publishing tools, such as online "dashboards;" and 4) pilot and deploy multiple advanced analytics prototypes to greatly enhance congressional oversight and support.

Sustaining our Focus on Cybersecurity

Cyber threats can have a serious, or even potentially catastrophic, impact on federal systems, the nation's critical infrastructure, and the privacy and safety of the general public. Since 2010, we have made over 3,300 recommendations to federal agencies aimed at addressing cybersecurity challenges facing the government. More than 750 of the recommendations had not been fully implemented as of December 2020. Until these shortcomings are addressed, federal IT systems and data will be increasingly susceptible to cyber threats. In FY 2020, our work in this area resulted in numerous recommendations to help agencies address cyber threats. For example, we

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- recommended ways to better oversee the National Cyber Strategy and highlighted the need to clearly define a central leadership role to coordinate government cybersecurity efforts;
 - made 15 recommendations to four agencies to strengthen the cybersecurity of DHS's continuous diagnostics modernization program;² and
 - assessed the progress that FCC made in addressing 136 technical recommendations that we made to improve the agency's cybersecurity posture.
 - examined government-wide IT supply chain risks and made a total of 145 recommendations to 23 agencies, which were directly related to vulnerabilities that led to the SolarWinds intrusion (December 2020).

More recent high-profile and widespread cyberattacks on federal agencies and national infrastructure have further highlighted the urgent need to address the long-standing cybersecurity challenges facing the nation. For example, in December 2020 DHS's Cybersecurity and Infrastructure Security Agency (CISA) reported that an advanced persistent threat actor, likely of Russian origin, inserted a "backdoor" into a genuine version of a network management software product developed by SolarWinds.³ The malicious actor used this backdoor, among other techniques, to initiate a cyberattack campaign against U.S. government agencies, critical infrastructure entities, and private-sector organizations that use the compromised network management software product. According to CISA, this threat poses a grave risk to the federal agencies and our nation's critical infrastructure, among others.⁴

Congress continues to turn to GAO for insightful analysis and advice to address these cybersecurity challenges. Moreover, it has shown strong

² The continuous diagnostics modernization program provides agencies with the tools that identify the hardware and software on their networks and check for vulnerabilities and insecure configurations.

³ A "backdoor" is a malicious program that can potentially give an intruder remote access to an infected computer.

⁴ Critical infrastructure includes systems and assets so vital to the United States that incapacitating or destroying them would have a debilitating effect on national security. These critical infrastructures are grouped by the following 16 industries or "sectors": chemical; commercial facilities; communications; critical manufacturing; dams; defense industrial base; emergency services; energy; financial services; food and agriculture; government facilities; health care and public health; information technology (IT); nuclear reactors, materials, and waste; transportation systems; and water and wastewater systems.

bicameral interest in learning more about the SolarWinds attack. Thus, recruiting top-tier cyber talent to augment our current audit workforce is critical. GAO plans to continue to recruit talent with specialized cybersecurity knowledge, skills, and expertise to augment our Information Technology and Cyber Security Team's capabilities, including within our Center for Enhanced Cybersecurity. This center is responsible for performing technical cybersecurity reviews, including vulnerability assessments and system configuration reviews of complex networks and systems.

Using our cadre of cybersecurity experts, we plan to continue our focus on four major challenges of our cyber High Risk area: (1) establishing a comprehensive cybersecurity strategy and performing effective oversight, (2) ensuring the security of federal information systems, (3) protecting cyber critical infrastructure, and (4) protecting privacy and sensitive data. Over the next 2 years, our planned efforts include assessing the

- federal response to the significant cyber incident, discovered in December 2020 and involving a supply chain compromise of the Solar Winds network management software, that was carried out against federal agencies and critical infrastructure entities;
- federal oversight, coordination, and implementation of the National Cyber Strategy;
- strategy for global cyberspace, such as global cybercrime and cyber diplomacy; and
- federal government's role in strengthening the nation's cybersecurity, including addressing ransomware activity.

Assisting Congress with Health Care Challenges

The COVID 19 pandemic has underscored the importance of effective administration and oversight of the federal government's health care programs and spending. In response to the pandemic, the government launched new programs and directed hundreds of billions of dollars to new and existing health care programs and providers.

In addition to our work on the pandemic, we continued to provide robust and timely analysis of other critical health care issues. In particular, in April 2020, we identified the federal government's efforts to address drug misuse as a high risk issue, noting at the time that this issue required immediate attention and action as the pandemic could further exacerbate the alarming drug misuse trends. In December 2020, CDC issued an alert indicating that provisional data show that drug overdoses have accelerated during the pandemic. We have ongoing work that will

continue to examine the effects of the pandemic on behavioral health, including substance abuse, as well as the federal government's funding for efforts to combat opioid misuse and abuse and the scheduling of fentanyl-related substances.

Last year we also shed light on important FDA oversight issues, including the agency's oversight of federal high-containment laboratories—those that conduct research on hazardous biological agents and operate under specific safety protocols—and overseas drug manufacturing. As of August 2020, nearly 60 percent of the 4,200 establishments that manufactured drugs for the U.S. market were located overseas. More than one-third of the foreign establishments supplying the U.S. market were in China and India. We testified before the Senate Committee on Finance on the challenges that FDA faces in trying to provide effective oversight of these establishments, and we continue this work to explore how these challenges can be addressed.

We have also continued to examine health care spending, which accounts for more than 25 percent of the federal budget. Putting the nation on a sustainable fiscal path requires that we better understand and restrain the growth in health care spending, including spending on prescription drugs. In January 2021, we issued a report that provides a comprehensive look at how drug prices compare across Medicare and VA and the drivers of the observed price differences. We also have forthcoming reports that examine prescription drug prices in the U.S. compared to those in other countries and how direct-to-consumer advertising may affect federal health care spending.

In FY 2021, we will also continue to examine the sustainability and integrity of the Medicare and Medicaid programs, which together accounted for over one trillion dollars in expenditures and an estimated \$129 billion in improper payments in FY 2020. In addition to eroding public trust, the scope of improper payments in these programs jeopardize the government's ability to provide care for those who most need it in the future. We have ongoing work examining how recent federal actions, such as the various telehealth and other flexibilities made available to providers, has affected the sustainability, administration, and integrity of the Medicare and Medicaid programs. In addition, we have ongoing work examining the efficiency of certain Medicare payment policy issues and how market structures, such as private equity ownership of nursing homes, affect the delivery of services.

Finally, we will continue to provide oversight of VA, DOD, and the Indian Health Service (IHS) health care services. For example

- In September 2020, we made recommendations to VA how it could improve the budget estimates for its community care program—through which a growing proportion of veterans are receiving care—to better inform decision-making and planning. Our report in February 2021 also exposed vulnerabilities in the credentialing and privileging processes for VA community care providers that could put veterans at risk, and we made recommendations to address this risk. We plan to continue to review different aspects of the care provided through this program, including the quality, timeliness, and cost-effectiveness.
- In October 2020, we issued a report that found VA's data on on-campus suicides were unreliable and recommended that VA improve this data, noting that such data are key to understanding and addressing this disturbing trend. We have ongoing work that further examines VA suicide prevention efforts as well as work examining DOD's efforts to prevent suicide among service members.
- In November 2020, we recommended that IHS address issues we found with lack of consistent, agency-wide oversight processes that resulted in limited and inconsistent oversight of health care facilities' decisions about the use of funds. We also have work planned or underway examining a range of quality of care issues at IHS, including how it determines current and projected health care needs, and the extent that IHS relies on outside providers for treatment of certain diseases.

Managing Our Internal Operations

In FY 2020, GAO again received an unmodified or "clean" opinion from independent auditors on our financial statements for FY 2020 and our internal control over financial reporting. There was no reportable noncompliance with provisions of applicable laws, regulations, contracts, and grant agreements tested. We demonstrated that all detailed performance and financial information is complete and reliable in order to achieve high standards for accuracy and transparency.

We also continued efforts to support our fourth strategic goal to maximize our value by enabling quality, timely service to the Congress and being a leading practices federal agency. We made progress addressing our three internal management challenges: managing a quality workforce; improving the efficiency of our engagements; and ensuring the confidentiality, integrity, and availability of GAO's information technology services. With this budget request, we are planning to achieve and maintain 3,400 FTE in FY 2022.

In FY 2021 GAO completed deployment of our platform to edit, fact check and distribute our reports (New Blue). New Blue will streamline the publishing processes to enable efficient and scalable publication of products in a responsive web-based format to accommodate demand for content that is accessible on mobile devices. As such, Congressional staff and users on the go can quickly and easily navigate through our reports. GAO leveraged this platform for all our CARES Act bimonthly reports and will utilize it to republish previously issued products—thus making our key reports more accessible.

**GAO's Information
Technology Resources**

GAO has made great strides in our IT modernization efforts. In fact, the work completed in FY 2019 and FY 2020 positioned the agency well for an immediate and smooth transition to maximum telework during the COVID-19 pandemic. Valuable operations to support auditing, evaluation, and investigative services for the Congress have continued without interruption. However, IT requires continued investment and nurturing to stay current, and even more, to stay ahead of the ever-changing and evolving world of technology. I am confident this budget request keeps GAO on the right path.

For FY 2022, GAO is requesting funds to continue implementing efforts identified in our IT modernization plan to increase GAO's flexibility to evolve IT services as GAO mission needs change, strengthen information security, increase IT agility, and maintain compliance. We will increase speed and scalability to deliver capabilities and services to the agency, create a more predictable and consistent ISTS budget, and adhere to the GAO-adopted government Cloud Smart policy in planning for its enterprise IT architecture.

Major FY 2022 planned efforts

- *Cloud Smart Migration Plan.* GAO's Cloud Smart Migration Plan will help reduce our reliance on a physical IT infrastructure; reduce capital investment spending spikes; and increase flexibility to support business requirements more responsively. GAO will begin execution of multi-phased GAO Cloud Smart migration plan. The implementation of the migration plan will enable GAO to progressively move data center capabilities to the cloud such as virtual desktop infrastructure, databases, storage, failover, development / test environments, and other required computing resources.
- *Enterprise Content Management (ECM) Solution.* GAO will acquire and implement a cloud-based modern Enterprise Content Management (ECM) solution that will enable retirement of GAO's legacy document and

records management system. The ECM system will also provide support for additional content types (e.g., multimedia), data encryption, workflow automation, enhanced search capabilities, and enable better content reuse.

- *Modern Devices and Hardware.* GAO staff rely on a variety of computer devices (e.g., towers, laptops, zero clients, and associated peripherals) to conduct work whether in-office, remote, or mobile. The vast majority of GAO computers are now several years well beyond their supported normal life cycle which causes problems with system reliability and performance. The FY 2022 request will allow GAO to put new devices into the hands of GAO staff so they have modern, secure, and reliable equipment to conduct GAO business.
- *New Blue enhancements.* GAO's New Blue solution enables digital distribution of audit reports in a mobile friendly web-based format that can be read on-line by any computer or mobile device. Additional funding will allow GAO to enhance New Blue to enable additional GAO product types, support for multi-media, and provide improved capabilities to enforce business rules and quality controls to the content creation process.
- *Enterprise Project Management Tools.* GAO staff execute thousands of projects a year. Additional use of automated tools is needed to improve project management practices. The FY 2022 requested funding level will enable GAO to continue to implement and expand the use of Enterprise Project Management Tools to help GAO staff plan and manage work in a more standardized manner.
- *IT Portfolio Management Solution.* GAO's largest funding category outside of personnel costs are for information technology. The current methods to plan, project, and track IT operations and investment costs are reliant on manual processes and disparate data sources. Requested funding supports investments in an automated portfolio management solution which automates processes and data management associated with IT portfolio management across the IT investment lifecycle.
- *Cybersecurity.* GAO must protect data collected from other agencies. Security threats are dynamic in nature and change quickly. GAO will use funding to enhance security monitoring for both on premise and cloud based assets through implementation of new tools, services, and enhanced processes.
- *Government-wide Shared Solutions.* GAO seeks to continue to add improved automated solutions to support its financial management functions. With the requested funding, GAO will be able to adopt Government Invoicing and integrated Asset Management solutions. The

Treasury Department provides software to allow federal agencies to improve the quality and efficiency of intragovernmental billing and collection transactions via its G-invoicing software. This software replaces the current Inter Governmental Billing and Collections (IPAC) process and will be mandated for agencies. In addition GAO seeks to modernize its legacy asset management system with a modern asset management system integrated with the Momentum financial management system.

With these planned improvements we will enhance GAO's work agency-wide. GAO will execute transformative plans to protect data and systems while maximizing the use of cloud computing and minimizing risks associated with customized software. We will continually assess our technical architecture and services to identify opportunities for automating manual processes and reducing duplicative and outdated solutions, as well as leveraging more standard and government-wide shared solutions.

GAO's Facilities, Building, and Security

GAO's building and security services program includes funds to support the management of GAO-owned and leased facilities as well as the safety and security of occupants and visitors.

Budget constraints in recent years have necessitated the deferral of reinvestment in certain elements of our building's infrastructure and have prevented us from maximizing efficiencies. The requested increase will allow GAO to move forward with critical headquarters building initiatives that have been deferred over several years.

In FYs 2021 and 2022, GAO plans to:

- Begin a multi-year project to replace air handlers installed in the 1950s with new units that includes HEPA filtration to filter out bacteria and many viruses, and UV light to prevent dangerous mold growth on cooling coils and potentially kill additional viruses. As the headquarters building of two federal agencies (GAO and the Army Corps of Engineers), and as a backup site for Congressional operations if Capitol Hill Buildings are shut down, it is critically important for government continuity of operations that the GAO Building have modern, safe air handling equipment that will protect GAO staff its tenants.
- Begin making critical repairs and/or replacements to end-of-life building systems. As identified in its FY 2020 financial statements, GAO has a growing backlog of deferred, but necessary, maintenance at its headquarters building, which currently totals over \$82 million. GAO has begun a multi-year effort to reduce the backlog of maintenance to ensure

the reliability and safety of the headquarters building for staff and tenants. In addition to multiple heating and air-conditioning projects, other initiatives include the fourth floor consolidation, the STAA Innovation Lab, the parking garage structural study and design, and the asset management plan update.

- Continue work to relocate the Chicago field office into a federally-owned space. Work is underway to relocate the Huntsville field office to a permanent location, and the Dallas field office renovation will resume once the site is reopened post-pandemic. We are also working on identifying and planning relocation field sites for Atlanta, Los Angeles, Norfolk, and Seattle.

During FY 2021, GAO will also continue to implement recommendations from the agency-wide security risk assessment that was completed in FY 2018, to include the completion of the electronic security system installations in Seattle, Chicago, and Huntsville as well as continue upgrading the system at the headquarters building. GAO also plans to replace its aging security radio system to better ensure effective operations and compatibility with other agencies.

GAO continues to receive an increasing number of statutory mandates and congressional requests that result in engagements that rely heavily on classified and sensitive information. To that end, in FY 2021 GAO will continue to evaluate and enhance the resources available to staff who are responsible for conducting these audits. GAO will begin the construction of several Secure Video Teleconference (S-VTC) rooms at strategically chosen GAO field offices. These S-VTCs will enhance the ability of field and HQ staff to collaborate securely across multiple GAO locations as well as with other federal agencies.

Legal Work Update

Our Office of the General Counsel (OGC) handled over 2,100 bid protests and issued more than 500 decisions on the merits. With respect to our appropriations law function, in testimony before the House Committee on the Budget, the General Counsel explained how our role in providing information and legal analysis on appropriations law matters ensures respect for the Congress's constitutional power of the purse, and discussed legislative proposals that would help us continue to advance and protect such power. Following this testimony, we continued to demonstrate how we protect the Congress's constitutional prerogatives by notifying the Congress of four violations of the Anti-deficiency Act for which the agencies failed to make the legally required report. We also issued a number of decisions addressing significant, novel legal issues.

arising from federal agencies' use of appropriated funds during the partial government shutdown that occurred in FY 2019

During FY 2019 and FY 2020, OGC increased the number of attorneys assigned to the appropriations law team as encouraged by Congress, and this effort is continuing in FY 2021. The additional funding requested for FY 2022 will allow GAO to further enhance the resources allocated to its important appropriations law functions

Strategic Planning

GAO's most recent Strategic Plan for Serving the Congress and the Nation – FYs 2018 to 2023. As the nation confronts a series of both new and long-standing challenges, this plan describes our goals and strategies to support the Congress to identify cost savings and other financial opportunities, to make government more accountable, efficient and effective, and ultimately to improve the safety, security, and well-being of the American people. GAO's Strategic Plan provides a comprehensive roadmap for how the agency will support the most important priorities of Congress and the Nation.

This plan reflects the full scope of the federal government's operations, as well as emerging and future trends that may affect government and society. As part of our strategic planning process, we emphasize foresight, continuous environmental scanning, and trend analysis as essential to helping inform our decision-making and long-term planning.

The plan is comprised of three sections: strategic goals and objectives, key efforts, and trends that provide overall context supporting our long-range planning. There are eight trend areas in GAO's 2018 – 2023 plan including:

1. Domestic and Global Security: Global conditions affecting U.S. and international security;
2. Fiscal Outlook and the Debt: The federal government's long-term unsustainable fiscal path;
3. Economics and Trade: Global response to challenges posed by divergent economic growth;
4. Jobs and Education: Technological advances and their impact on preparing the workforce of the future;
5. Demographics and Society: Demographic changes and their implications for U.S. society and economy;

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- 6 Science and Technology Five emerging technologies and scientific advances that could potentially transform society (Genome Editing, Artificial Intelligence and Automation, Quantum Information Science, Brain/Augmented Reality, and Cryptocurrencies and Blockchain),
 - 7 Government and Governance Increasingly complex governance relationships and practices, and
 - 8 Environment and Sustainability Balancing competing natural resource and sustainability needs

The current strategic plan framework (Enclosure II) summarizes these global trends affecting government and society, as well as the strategic goals and objectives that guide our work. We plan to issue an updated GAO strategic framework in FY 2022.

Center for Audit Excellence

The Consolidated and Further Continuing Appropriations Act, 2015, enacted in December 2014, authorized GAO to establish a Center for Audit Excellence (CAE) to build institutional auditing capacity and promote good governance by providing training and assistance to federal, state, local and other national audit offices around the world. The Center uses former senior-level GAO executives and auditors on an intermittent basis to provide a wide range of training and technical assistance services to audit organizations and is authorized to charge fees for its services which are used to offset Center operating costs.

In FY 2020, despite the impact of the global pandemic which curtailed travel and in-person training classes for the last half of the year, the Center collected more than \$800 thousand in fees and provided technical assistance or training to 11 domestic accountability organizations and audit organizations in six countries. The Center has reached nearly every region of the world—providing custom training courses, mentorship and coaching, institutional capacity building, and needs assessments.

Moving forward the Center seeks to bolster its operations as demand for its services continues to expand, particularly with international organizations. Building the capacity of National Audit Organizations across the globe helps produce high-quality auditing functions which can improve oversight of U.S. foreign assistance and hold governments accountable for using public funds efficiently and effectively and deterring and identifying corruption.

Following the onset of the pandemic, the Center began offering virtual training classes in lieu of in-person classes. In FY 2021 and FY 2022, the

Center plans to significantly expand the number of virtual training classes. This initiative will enable the Center to offer domestic and international organizations a range of service delivery options during and beyond the pandemic.

Examples of Working with International Organizations

- Currently, with USAID support, the Center is helping to improve the capacity of national audit institutions in five countries including the Philippines, Dominican Republic, Ethiopia, Armenia and Georgia. For example, the Center is helping to enhance the Philippine national audit office's capacity to conduct performance audits via a multi-year \$1.5 million agreement. The Center will also be providing training and technical assistance services to audit organizations in Ethiopia and Armenia under multi-year agreements valued at \$1.3 million and \$1 million, respectively.
- With World Bank support, the Center is helping to conduct a capacity building needs assessment of a national audit organization in Europe.

Examples of Working with Domestic Organizations

- The Center continues to provide high quality training to federal inspectors general as well as multiple state and local audit organizations.
- The Center recently acquired an online registration system and the capability to offer virtual classes for federal, state and local auditors using a software platform.

Concluding Remarks

We value the opportunity to provide Congress and the nation with timely, insightful analysis on the challenges facing the country. Our FY 2022 budget request provides a foundation to ensure that GAO is well-positioned and prepared to address both emerging and long-term priorities of the Congress.

Our request will allow us to continue building our staffing level for critical audit arenas and provide our people with the appropriate resources and support needed to serve the Congress effectively. This funding level will also allow us to continue efforts to promote operational efficiency and address long-deferred investments and maintenance. Also of great importance, our proposed FY 2022 budget helps us ensure the health and safety of all GAO employees while they work on GAO premises.

As is our standard practice, we will continue to explore opportunities to generate revenue to help offset our costs.

I appreciate, as always, your careful consideration of our budget and your continued support. I look forward to discussing our FY 2022 budget request with you.

Enclosure I: GAO's High Risk List as of March 2021

GAO's 2021 High-Risk List

Strengthening the Foundation for Efficiency and Effectiveness

- Strategic Human Capital Management
- Managing Federal Real Property
- Funding the Nation's Surface Transportation System^a
- Modernizing the U.S. Financial Regulatory System^a
- Resolving the Federal Role in Housing Finance^a
- USPS Financial Viability^a
- Management of Federal Oil and Gas Resources
- Limiting the Federal Government's Fiscal Exposure by Better Managing Climate Change Risks^a
- Improving the Management of IT Acquisitions and Operations
- Improving Federal Management of Programs That Serve Tribes and Their Members
- Decennial Census
- U.S. Government's Environmental Liability^a
- Emergency Loans for Small Businesses (*new*)

Transforming DOD Program Management

- DOD Weapon Systems Acquisition
- DOD Financial Management
- DOD Business Systems Modernization
- DOD Approach to Business Transformation

Ensuring Public Safety and Security

- Government-wide Personnel Security Clearance Process^a
- Ensuring the Cybersecurity of the Nation^a
- Strengthening Department of Homeland Security Management Functions
- Ensuring the Effective Protection of Technologies Critical to U.S. National Security Interests
- Improving Federal Oversight of Food Safety^a
- Protecting Public Health through Enhanced Oversight of Medical Products
- Transforming EPA's Process for Assessing and Controlling Toxic Chemicals
- National Efforts to Prevent, Respond to, and Recover from Drug Misuse (*new*)

Managing Federal Contracting More Effectively

- VA Acquisition Management
- DOE's Contract and Project Management for the National Nuclear Security Administration and Office of Environmental Management
- NASA Acquisition Management
- DOD Contract Management

Assessing the Efficiency and Effectiveness of Tax Law Administration

- Enforcement of Tax Laws^a
-

Enclosure I. GAO's High Risk List as of March
2021

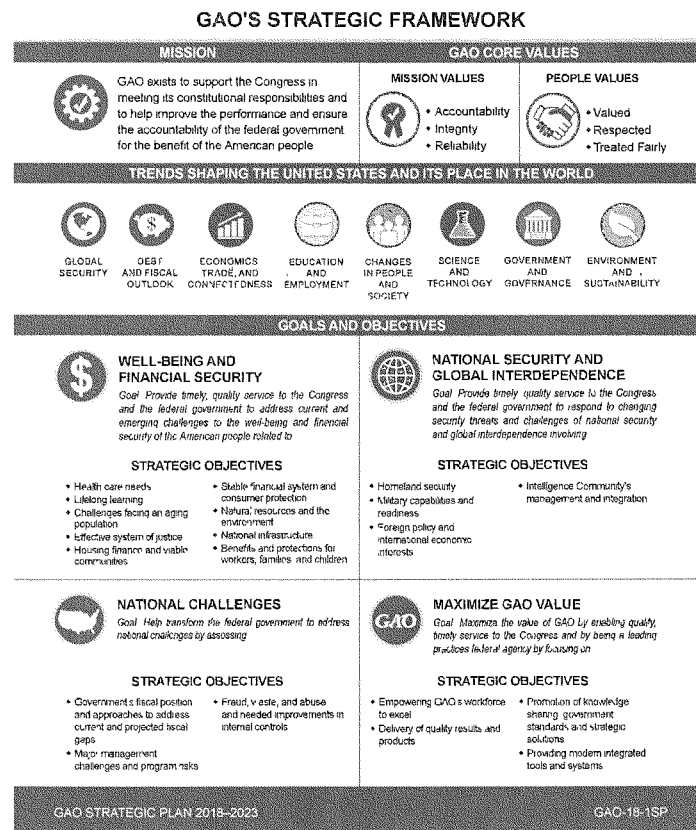
Modernizing and Safeguarding Insurance and Benefit Programs

- Medicare Program & Improper Payments
 - Strengthening Medicaid Program Integrity^a
 - Improving and Modernizing Federal Disability Programs
 - Pension Benefit Guaranty Corporation Insurance Programs^a
 - National Flood Insurance Program^a
 - Managing Risks and Improving VA Health Care^a
-

Source: GAO-21-1195P | GAO-21-407T

^aLegislation is likely to be necessary in order to effectively address this area

Enclosure II: GAO's Strategic Plan Framework



Source: GAO. | GAO-21-407T

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Mr. RYAN. Thank you, sir, appreciate it.

We are going to proceed to the question and answers, and I am going to begin with the ranking member, the distinguished gentlelady from Washington State, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

Mr. Dodaro, every time when you go through that whole list, my mind just goes into several different places, you know, cost of controlling, how we control healthcare spending and get the debt under control, and there are so many different things that are critical.

I actually wanted to ask you about both intelligence oversight by the GAO and how that is going because I know there have been challenges; it is not as easy for you to get that information. And then making sure that audits are being filled or the recommendations are being taken up in a timely manner. GAO reports its 4-year implementation rate of recommendations by Federal agencies was 77 percent in 2020, but the implementation rate after 2 years was just 51 percent. So increasing responsiveness of agency implementation is absolutely critical, and so I would like you to speak to that.

Let me also ask in that question about a GAO report from about 4 years ago that has to do with the Police Board. And it wasn't a super—it didn't seem like a super indepth report. I guess I should say it didn't seem to be unearthing new information, but it was really just trying to apply best practices and incorporate transparency and accountability.

In light of kind of the uptake of recommendations by agencies, is it possible for you to—I know this is kind of—you weren't prepared for this. Is it possible to speak to whether that has had any implementation or any of the things have been done?

Mr. DODARO. First, with regard to the intelligence community, our work there continues. We have not had a lot of classified work during the pandemic, and we are not yet able to keep apace of our pre-pandemic workload in that area. So it has really not been a good year to test whether we are getting increasing cooperation.

Ms. HERRERA BEUTLER. So it is going the wrong direction during the pandemic.

Mr. DODARO. Well, it was just a consequence of the pandemic. It wasn't because of a lack of cooperation. GAO couldn't put our people in harm's way until we could figure out how to do classified work in a safe environment.

We have figured that out now. We are starting back up. We expect cooperation. I have already reached out to the new Director of DNI, Ms. Avril Haines, and I plan to talk to her to elicit her cooperation. So far, it is going well. I will report back if we are having any problems. I expect cooperation, and I expect we will be able to continue to do our work in that area.

Now, with regard to getting our recommendations implemented, I send priority letters to the head of all major departments and agencies every year outlining open GAO recommendations. I will be following up with all of our new leaders as they are confirmed by the Senate.

I have already had a discussion with Secretary Mayorkas at Homeland Security. And as people get confirmed and in place, I

will have conversations with them. Those letters are made publicly available, and the Congress gets copies of those letters as well so they can follow up.

The Congress also passed legislation that now requires every agency as they put forward their budget submissions each year, to include all GAO open recommendations and what they are planning to do to implement them. So that is transparent to the Congress. That has only just occurred—last year was the first year that it started. The budget submission this year will be the second year. We are hopeful. Congress intended that the new legislation would give more attention to the fast implementation of GAO recommendations.

Now, with regard to the Capitol Police Board, I will ask our Chief Operating Officer, Kate Siggerud, to respond to our prior work and recommendations. I am recused from the current work we are doing right now. One of my sons-in-law is a Capitol Hill policeman. And so Kate Siggerud has been handling that work.

Kate.

Ms. SIGGERUD. Thank you, Gene.

I will start out, Ms. Herrera Beutler, by replying to your question about the 2017 report. That report focused on the structure of the Board. It did have recommendations about updating the manual for the Capitol Police Board. And those recommendations, to our knowledge, have not been implemented.

In fact, the Police Board has not responded to our efforts to understand whether the recommendations have been implemented. So that is not something we have information on, and it is unfortunate that they haven't been responsive.

That report also outlined a number of options for the Congress to consider if it wanted to make some changes to the decision-making and transparency of the Capitol Police Board, including some that could be made under current authorities and others where the statutes might have to be changed in order to accomplish that. Thank you.

Ms. HERRERA BEUTLER. Thank you, Ms. Kate.

Thank you, Chairman Ryan. I really appreciate it.

Ms. SIGGERUD. Thank you.

Mr. RYAN. You got it.

Ms. Clark. Also, Ms. Clark, before you go, evidently my microphone was off and I need to say, without objection, your written testimony will be part of the record, Mr. Dodaro. So a little housekeeping.

Ms. Clark, you have the floor.

Ms. CLARK. Thank you so much, Mr. Chairman.

And thank you, Comptroller Dodaro, for being with us today. We really appreciate it, and we appreciate your work and your celebration of 100 years of fact-based work, which is music to all of our ears.

I would like to take a minute to ask about your capacity to fulfill report requests made by Congress. In your budget request, you state that you were able to fill 90 percent of the requests you get from standing committees—I am sorry. You state that GAO received requests for work from 90 percent of the standing committees, and you were able to fulfill 586 reports.

Can you give me a sense of how many Member requests you were not able to respond to and what might be some of the primary reasons, especially is it one of capacity?

Mr. DODARO. Yes. We have worked out with the Congress a set of protocols that outline the priorities in which we address requests from the Congress.

Priority one are mandates. These are statutory requirements for our work or conference or committee reports that outline requirements from GAO, requests for us to do our work.

Second are priority requests from chairs and ranking members of the committees of jurisdiction. We treat both parties the same as part of our nonpartisan status. So they have equal access to our work.

Priority three are recommendations from individual Members of Congress for our work.

We have not been able to fulfill requests from individual Members for probably 15 years now because of a lack of resources. So, right now, in order to get access to our resources, individual members have to get a committee to sponsor a request or get it into a statutory requirement in law or in a conference or committee report.

Now, we are able to get to all the requests that we accept. We may not be able to get to them as fast as the committees would like. So what I have been doing for many years now is meeting with the committee chairs and ranking members, as many as I can, and we have worked to prioritize their requests to make sure that we get to their highest priorities as soon as possible.

One of the reasons I asked for additional resources is so we can get to more requests, and we can get to many of them faster if we have additional resources available at GAO. That would help us be more responsive. But we get to everything that is a priority from all the committees across the Congress as soon as possible.

Ms. CLARK. And maybe you can submit it later, but it would be helpful that if you had another number of the requests that are unfulfilled, you just can't get to, that would be great, just to give us an idea of the scope.

Mr. DODARO. We would be happy to submit that for the record. We can. We get to all of them, but it takes longer than I know people would like. Additional information provided for the Record: As of April 23, 2021, GAO's queue of unstaffed requests is 72. This number changes daily as new requests are added and others are removed as we staff them.

Ms. CLARK. Right. Okay.

I wanted to follow up a little bit on the intelligence agency cooperation that the ranking member was asking you about. And I understand your testimony is that, with the pandemic, you really haven't had a chance to assess this, but you seemed optimistic that better cooperation from when you testified back in 2019 that you needed better cooperation.

Do you feel confident that will be coming? And are there any other changes you need in law or in report language requiring the expansion or edit of the Intelligence Community Directive 114?

Mr. DODARO. Well, we have been getting better cooperation since 2011, when the Congress required the intelligence community, the

Director of DNI, to establish a directive to resume cooperation with GAO. Prior to that time, we didn't have good cooperation at all.

So it has been gradually building. We are getting feedback from the defense and the intelligence community that our work is useful to them, which is helpful. The Intelligence Committees are providing more support. That is the one area where we can always use help is from the Intel Committees to provide support and back us up.

The only problem we have run into recently was one area where we couldn't get the budget request fully from the intelligence communities, and so we had to scope that work a little differently, but we were able to respond to the request.

I have met with every DNI Director since Director Clapper. I have met most recently with Director Ratcliffe, and he promised cooperation, and we are getting cooperation. Our teams are meeting with the intel community, and it seems like we are getting cooperation with the new administration. As I mentioned, I am going to meet with the Director of DNI, Ms. Haines, in the coming weeks.

So I am hopeful. I don't think we need any other help right now other than the support of the intelligence committees. So we are continuing to meet with them. And, as long as they are supportive, that sends the right signal to the intelligence community to cooperate with GAO.

Ms. CLARK. Thank you very much.

I see I am out of time. Thank you, Mr. Chairman.

Mr. RYAN. Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman.

Good morning, Mr. Dodaro, a pleasure to see you again.

Mr. DODARO. Good morning, nice to see you.

Mr. NEWHOUSE. Thank you. Thanks for your testimony. You brought up the PPE and the EIDL loans, the programs that we have done many things to try to help businesses continue to survive during the pandemic. We have also done a lot of things in response to the working folks in the country as well.

So I wanted to ask, since you brought up the topic of our appropriated funds to help prop up the economy, we did send a lot of Federal dollars to States to help bolster their unemployment programs and benefits for those people that were put out of work because of government restrictions on small businesses.

Several States, including my own home State of Washington, unfortunately, those programs were defrauded of hundreds of millions of dollars by foreign thieves. And those moneys were meant to help those people most in need.

So my question, as the Government Accountability Office, your title would indicate, first of all, do you have a role in ensuring that these dollars are spent as Congress intended? And if that is the case, can you tell me if you will be investigating these instances, such as happened in Washington, I believe California and Massachusetts; at least those are the States that I am aware of.

Can you tell me what will be taking place, or maybe if you have already done some work in this area, can you update me as far as what that looks like as well?

Mr. DODARO. Sure, I will be happy to. First of all, I am very concerned about the situation with unemployment insurance. One of

the things that we have done since Congress gave additional resources to the inspectors general as well as GAO is to work to coordinate with the inspectors general across the government.

And so, with the Department of Labor, we tried to avoid duplication of efforts. Labor IG was investigating fraud and program integrity aspects of the unemployment insurance area.

Thus, GAO decided to focus on what kind of challenges the States are having targeting funds properly. We are looking more at the programmatic aspects of whether the government achieved its objectives of helping the people who needed the help. So the IG at the Labor Department is focused more on the fraud aspect.

Now, most of the criminal investigators in the government in the accountability area are in the inspectors general offices. We don't have or do criminal investigations in GAO. The IG criminal investigators work for the Justice Department, the FBI, and others. I will be coordinating with the individual State auditors and with the Justice IG as we go forward.

One of the questions I got along this line last week when I testified before the House and Senate on our high-risk list was why wasn't this area on the high-risk list. So I am going back, and I am taking another look at it. It didn't actually come up to us because the IG is doing the fraud and abuse area, and we are focused on another area. But I want to take a broader look at it, including all the work done by State auditors and by Federal auditors.

Now, the problems here this is a little different because it is all administered at the State level. And a lot of the States have antiquated systems, and they are responsible for program integrity. We don't normally make recommendations to States. We mostly focus at the Federal level.

So I want to figure out what is appropriate for us to recommend to the Labor Department. We have already made several recommendations to them about getting overpayments back and also reporting better data. The data reported on initial unemployment claims was misleading because there was a backlog of claims. I could talk about that later if you are interested. But that is the extent of it.

So I am focused on it. We are going to follow up and do more work on it. And I think we need to work with the States to transform the unemployment insurance program so that it can accommodate future situations, where we have economic downturns or a need to scale up, in a much better fashion than they have been able to handle this current situation.

Mr. NEWHOUSE. So—and I know I am out of time, Mr. Chairman, but just curious if we send money to—

Mr. RYAN. Mr. Newhouse, take your time.

Mr. NEWHOUSE. Oh, thank you.

You know, this is not an uncommon thing that we send money to States in lots of different forms. And if it is not up to the Government Accountability Office to make recommendations as to how those programs at least have some input on how that money is utilized, then whose responsibility is that? Are we leaving it totally up to the States then at that point?

Mr. DODARO. Well, in this particular program, the way it has worked historically is the States tax employers within the States, and the States decide what the rules are for unemployment.

Mr. NEWHOUSE. But this was Federal. These are Federal dollars.

Mr. DODARO. In this case, we added Federal money, but it normally doesn't work that way unless there is some kind of an emergency. It is a unique situation in this particular case.

I will be looking to make recommendations to the Labor Department to work with the States to reform these things because Labor has a role in making sure the States execute the programs properly. So we will be looking at it—

Mr. NEWHOUSE. Okay.

Mr. DODARO [continuing]. And to get recommendations in place to make sure that the States are better prepared.

The States have had to borrow over \$40 billion that they are going to have to pay back to the Federal Government later in order to pay for the benefits that they are responsible for in addition to the Federal benefits. The States have a lot of vested interest—

Mr. NEWHOUSE. Sure.

Mr. DODARO [continuing]. In making sure they have better systems too. And I think it is a matter of how to get a good intergovernmental partnership in place—

Mr. NEWHOUSE. Yes.

Mr. DODARO [continuing]. In order to produce a better result. I don't think anybody is happy with the outcome under the current situation, Federal or State.

Mr. NEWHOUSE. And I am not advocating the Federal Government always to be telling the States how to run their businesses, but in this kind of an instance, we certainly want to make sure that the aid is getting to the people that we intended it to. And it seems like we have a responsibility at least to have some input, and so I am glad you are looking at what our options might be.

Mr. DODARO. There are also legislative options for Congress to mandate some things. And I think in the interest of getting money out earlier, the signal that was sent was to move quickly to get the money out and to not put a lot of barriers in place. Sometimes you need some speed bumps in order to make sure these things don't happen. And we will be looking at that as well, Congressman.

Mr. NEWHOUSE. Good. Well, I think that is something we all are interested in.

I appreciate very much your indulgence, Mr. Chairman. Thank you, and I yield back.

Mr. RYAN. Thanks for the good questions, Mr. Newhouse.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

Good morning, Mr. Dodaro. Good to see you again. Thank you very much for your team's incredible service throughout a very difficult time.

We have had discussions in past years about assuring that the components of GAO that are focused on highly specialized, highly technical areas, for example, science and technology and cybersecurity, are adequately resourced within GAO so that GAO can provide not only, you know, world-class, objective views to Congress,

but also so that it is not reliant on external sources for that expertise.

And we have discussed in past Congresses how there was some concern that we were relying too much on the administration, the executive branch, for that expertise and/or external sources.

And so, along these lines, are you comfortable that you have the resources to recruit and retain the highest quality folks to provide us independent, objective advice, especially in these really highly specialized areas?

Your past testimony has been yes, that folks do want to work for the GAO. And that is great news, but, you know, sometimes people want to work for an organization, but they simply can't for whatever reason, financial or otherwise.

Are you comfortable that you have access to that level of expertise?

Mr. DODARO. Yes. We have continued to build our capacity in that area, Congressman Case. Last year, when we started out 2019, we had 70 people in that area. We now have 104 people, and we are recruiting additional people. We are hoping to get to 120 people this year.

We have been able to bring on new hires who have expertise in a wide range of fields, like microbiology, quantum mechanics, public health, chemical engineering, aerospace engineering. I am very pleased with our progress, even during the pandemic, and we have continued to hire and build the capacity in that area.

The request for next year would get us to 140 people in that specialized Science, Technology and Analytics Team, which was the original plan I submitted to the Congress in 2019. I am hopeful that we will get enough additional support to make that target.

But we are proving that we can hire. We hired our first chief data scientist, and we have established an Innovation Lab. So I am very pleased. We have had the ability to hire a lot of people. In the cybersecurity area, we hired 30 experts too.

About 90 percent of all these people we are hiring are staying with GAO. We are able to retain them. So I feel confident that we are able to build that capacity. And with additional support from the Congress, we will achieve the goals necessary to fully support the Congress. We have never had a situation where we haven't responded to a request from the Congress in the science, technology and analytics area.

Mr. CASE. Okay. Thank you.

And then, you know, in your opening statement, you cited \$78 billion, I think it was, worth of financial benefits resulting from your reviews and assessments. I mean, can you generalize as to whether there are kind of common areas where you have identified areas for improvement and for, you know, financial savings? What are some of the thematic areas that you tend to see results a little bit more?

Mr. DODARO. Well, not surprisingly, it is where the biggest amount of money is, which is in the healthcare area and the Defense Department area.

In weapon systems, there is often a lot of problems with cost growth and schedule delays, and we end up getting less capabilities than we planned for. So we try to target those things early to alert

the Congress to where maybe technology is not mature; it is not ready to go into production yet.

In the healthcare area, I think there is a wide range of options in that area. But it is really across government.

Now, the other area, Congressman Case, is the revenue side of government. We have made recommendations to the Congress. Most recently, we suggested to the Congress that they move up the dates of when the W-2s are sent to IRS. Previously, they weren't sent till April and sometimes later by the employers, so they weren't available to IRS in processing returns in the January-February timeframe. That led to a lot of identity theft. Now they are able to match it with the filed returns, and so billions of dollars of potential theft has been stopped, and we are collecting more money in the revenue side of things too.

Those are the critical areas. I would ask my colleague, Kate Siggerud, if she has any other recommendations, but I want to emphasize our savings go across the board. I mean they are all aspects of the Federal Government. Those are the ones that have the highest dollars, so they are going to have a tendency to have more opportunities for savings.

Kate.

Ms. SIGGERUD. Well, Gene, I think you got the main points that I would have made.

With regard to savings, I do want to point out that we do also receive a fair number of requests that are focused a little bit differently than just on efficiency and savings, things like consumer protection and safety and issues like that, where we need to focus our resources in areas that are important to the Congress and important to the American people, but may not produce a savings to the taxpayer. Thank you.

Mr. CASE. Thank you very much.

Mr. RYAN. Thank you.

Mr. Espaillat.

Mr. ESPAILLAT. Thank you, Mr. Chairman.

Yes, thank you to the presenters. My question is to Comptroller Dodaro. In the past, the GAO has had a backlog of study requests from Congress, meaning some requests have often been put off or put on the back burner. Do you know what your current backlog is?

Mr. DODARO. I would ask Ms. Siggerud to respond to that. I don't really know what the number is offhand.

Kate.

Ms. SIGGERUD. I am sorry, Gene. I was trying to respond to a question from the hearing administrator to improve your video, which is stuck. So, if you could repeat the question for me, I would appreciate it.

Mr. DODARO. It was what the number of backlog requests are.

Ms. SIGGERUD. I don't have a good number for that, but I would like to get that to you for the record. Our approach overall is to prioritize requests that we receive in law or from ranking members and chairs of committees of jurisdiction.

So those tend to get the highest priority and get resources first among our teams. There are teams that are a bit oversubscribed

in GAO, and I would mention in particular our healthcare team, given the COVID-19 work that we have been asked to do.

What I would like to do is get you a more precise answer for the record on that issue. Thank you. Additional information provided for the Record: As of April 23, 2021, GAO's queue of unstaffed requests is 72. This number changes daily as new requests are added and others are removed as we staff them.

Mr. ESPAILLAT. Is your budget request seeking to address the backlog?

Ms. SIGGERUD. Yes, it is, absolutely.

Mr. DODARO. Absolutely, yes.

Mr. ESPAILLAT. During the 116th Congress, the Committee on Modernization provided an array of recommendations. Could you tell me how your budget reflects modernization efforts recommended by the committee?

Mr. DODARO. Well, the committee request, from my understanding, would go to the inner workings of the Congress. So that wouldn't involve GAO. We are an independent organization.

Mr. ESPAILLAT. Oh, okay.

Mr. DODARO. We worked with that committee, actually at Congressman Newhouse's request. So we have lent our technical expertise to the Modernization Committee.

Mr. ESPAILLAT. I got you.

Mr. DODARO. But their recommendations are not okay.

Ms. SIGGERUD. Gene, this is Kate. I might just add that that committee did focus on trying to improve overall IT services within the Congress, and we have occasionally also been asked within GAO to consult on that topic.

Mr. ESPAILLAT. Thank you.

Mr. Chairman, I yield back my time.

Mr. RYAN. Thank you, Mr. Espailat.

Mr. Amodei here? I want to give him an opportunity. All right. Thank you, Mr. Espailat.

Mr. Dodaro, several of these issues are very interesting to me. You talked about the unemployment insurance. Boy, we had a hell of a time in Ohio with unemployment insurance, people getting their checks. I know you touched on a little bit of the backlog and transforming unemployment insurance throughout the State.

Some of us are pushing a proposal to have almost like, you know, as unemployment goes up, almost have an automatic UI, you know, push money out into the economy. And, you know, you think about ideas like that. Without the proper technology or process in place, it would be nearly impossible.

So can you talk, you know, with what you know, I know you talked about coordinating with the IG and the fraud piece, but can you dive a little deeper into the backlog and inefficiencies in some of the State UI systems?

Mr. DODARO. Yes, I would be happy to.

I would also point out, Mr. Chairman, that we have an open matter recommendation for the Congress to put a system in place that would provide additional assistance in a more timely way for Medicaid during times of high unemployment that would target it earlier, phase it in and phase it out selectively rather than nationally.

It was similar to the concept that you mentioned on unemployment insurance. That is why I bring that up.

On the unemployment insurance area, from my understanding, a number of these systems that the States have are decades old. They are antiquated, and they need to be modernized. And this was an issue.

At least one Senator called me before the original CARES Act and asked about how they could target better to make sure that people wouldn't get more money on their unemployment than they would have gotten before. But we looked into this a little bit informally, and the State systems weren't able to do that. So we ended up having to just give the flat amount to everybody because targeting would have thrown everything into turmoil.

Now, in another case we made a recommendation. In some of the areas they gave everybody the minimum amount with so much additional Federal assistance, and they were supposed to go back later and then give them the amount that they were supposed to, and in some cases, they haven't done that yet.

While we have talked a lot about the fraud part of it, there are some people that didn't get the full benefits that they were legitimately entitled to. We made recommendations that it be addressed. That has been one of the focuses from the GAO standpoint.

So this is a big technology issue. It is also a question of what the balance will be between the Federal Government and the States of who designs how unemployment is provided within the States. I mean, there is a wide range of State decisions now about who gets unemployment and who doesn't on a regular basis and how much they receive.

But, clearly, if the Federal Government wants to use them on a more regular basis during economic downturns or other emergencies, we need to have a better system in place, and I am happy to work on that.

Ms. SIGGERUD. Gene, if I could just add—this is Kate Siggerud speaking.

Mr. DODARO. Yes.

Ms. SIGGERUD. There are grants that are made to States to try to improve their IT and replace legacy systems. Part of our work going forward is to look at the use of those grants and whether there is something that could be done to improve that program.

Mr. RYAN. I mean, that just was, you know, the frustrating part because a lot of constituents call our congressional office even though, you know, it was a Federal benefit but the State was administering the program.

And I think, like many issues that are facing the country, the pandemic, you know, exposed them in a very, very big way, whether it is the digital divide or access to healthcare or public health issues, you know, kind of the off-shoring of all of our PPE, those kind of things. But the most heartbreaking one of the whole thing really was that people who weren't able to get their unemployment insurance in the middle of a pandemic.

So part of what we have to do, as the leaders of Congress, is to make sure that we are better prepared in the institutions and, you know, areas of government are ready to be modernized so that, next time this happens, we are in a much, much better place.

Mr. Dodaro, we have had this conversation before. And every time we talk, the issue of healthcare costs come up as a significant part of the budget that kind of squeeze out a lot of other investments that we need to make. And we have had the conversation too around prevention and using food as medicine and those kind of things.

Can you give us a little bit of information on some of the information that you may have on the modernizing of our healthcare system and our food system to help point us in the right direction.

Mr. DODARO. Yes. As you point out, the pandemic has stressed a lot of different systems and laid bare their frailties. And it is certainly very true in the public healthcare system, both in terms of the decentralized nature of it, and the lack of investment over time.

Now, in the nutrition area, we are doing additional work to make sure that we are focused on that. We did one report on nutrition education to have USDA take actions to assess the effectiveness and coordination of programs and the leverage of those programs. But now we are taking a deeper dive into the relationship between people's diets and chronic diseases.

And, preliminarily it is showing that the chronic diseases remain very prevalent, very costly, and among the leading cause of death. And there are more than 170 diet-related efforts across 21 Federal agencies and departments to deal with this problem, to deal with people at risk of chronic diseases, but there is not an effective strategy in place, a national strategy.

This reminds me of the reason why we put the drug misuse area on there. There are a lot of activities going on underway, but there is not a national strategy that deals both across the Federal Government but with State and local governments, public health officials, and others that are relevant to that area. So there is clearly a role for more prevention that can deal with these issues.

You have also seen during the pandemic the racial inequality and the disparity in the underlying healthcare conditions of people of color and low-income people. And they have been disproportionately affected, but it is largely because of the underlying conditions that haven't been dealt with effectively over time.

We have got a lot of inequality. There are opportunities for a greater role for prevention and education and earlier treatment, Congressman. And this needs to be done because the costs are going up in healthcare, not just because we are aging as a population. They are going up because the cost per person every year keeps going up in addition to that.

And while people are living longer lives, that is not true for everybody. And so there are a lot of issues that need to be dealt with here to make sure that the money that we are putting in, it is not for lack of funding, but we are not getting the high-quality results we need out of the system.

Mr. RYAN. Have you looked at all—and my time is coming to an end here. Have you looked at all at—one of the dynamics in the country that drives me crazy is that how our system is set up with our schools, our K–12 schools, and how much money we spend on feeding our kids breakfast and lunch, sometimes a snack after school, which is entirely appropriate that we would want to make

sure our kids have food, but I question the food that they are being fed. Very highly processed, lots of sugar, additive sugar.

And when you look at a lot of the schools have 60, 70, 80, 90 percent of the kids in the school are Medicaid, and so we cover them on the Medicaid healthcare plan. And over time, one of the diseases, chronic diseases you mention was type 2 diabetes.

So, I mean, and you wonder why the taxpayer is insane about how the government spends money. So we buy a bunch of bad food, feed it to our kids, cover them with healthcare. They get diabetes. We make sure they have access to healthcare, and then the taxpayer pays for that too, as opposed to creating a system where we actually feed them the kind of food that would prevent that from happening, prevent chronic disease, reverse chronic disease potentially with some people, and start trying to bend that cost curve a little bit.

Have you looked into anything like that at all? And, if not, I may have another assignment for you.

Mr. DODARO. In the past, we have looked at some of the nutrition standards for the school lunch program in place. I know there were some changes during the Obama administration to move in the direction that you are talking about, and there have been some recent changes.

We will go back and look at what we have already done. But I would be happy to take on another assignment in this area. When you talk about your children, I see Ms. Herrera Beutler has her small child with her today. Today, I am waiting for my eighth grandchild to be born, so that is going to happen.

I am very interested in making sure that our children are properly taken care of. And, in fact, I did a special study a few years ago. There is no advocacy for children across the board. There are a lot of these different programs in place, but there is no national strategy to look at children holistically at the Federal Government level.

I made a recommendation to the administration to put that under a cross-cutting priority initiative, but they never have. So I think it is a shame, and we ought to be focused more on that. But I would be happy to look at the nutrition issue in schools that you talk about.

Mr. RYAN. Yeah, I would appreciate that. So we will circle back with it with the staff to get moving on that. I know we already have a healthcare research project that you guys are working on for us with the Tufts University and Dr. Hyman and others who are interested in that.

So that is the whole thing. There is a whole move afoot in the country that has not made its way out into broader society around using food as medicine and, you know, really using and seeing diet as prevention and that kind of thing.

So, anyway, I am going to open it up for one last question, if anybody has something for the good of the order.

Ms. Herrera Beutler?

Ms. Clark? I see you are still here.

Anyone else?

All right. We are good. Good? Kat?

Ms. CLARK. Can I ask one quick question, Mr. Chairman?

Mr. RYAN. Yes, absolutely.

Ms. CLARK. I just wanted to comment. I recently saw the issue of deepfakes has been in the news, posing safety and security risks. And on the GAO's website is a report on science and technology spotlight on deepfakes.

I wasn't aware you produced these kinds of reports, and is this part of your effort to enhance your science and tech portfolio?

Mr. DODARO. Yes, it is. Those are our Science and Technology Spotlights. GAO has produced 12 of them in the past year out of the Science, Technology Assessment and Analytics team. Topics have included deepfakes and CRISPR gene editing technology. We did several on coronavirus, both in testing, and in infectious disease modeling. We have done deep works on that. So, yes, it is part of our effort. In the nuclear area, we have done them too, and we will continue to do those.

Those are to meet a specific need that was identified in the Congress for quick explainers about the technology. They are two pages. They are meant to be produced quickly. They outline what the technology is, what some of the benefits of the technology are, what is the status of the development of the technology, and what are some of the challenges and policy implications of the technology.

And then we do more deep analysis, like on 5G. We have done two reports on artificial intelligence and how it could be used to more rapidly get drug developments done and also in medical diagnostics. We are looking at the forensic algorithms for law enforcement, the DNA, and other testing.

And we are also going to be coming up with a framework for evaluating artificial intelligence algorithms because you have to make sure there is no bias in artificial intelligence and that the data that goes into it is high quality and produces a good result. We are doing all these things in this new team.

This is one of my highest priorities. It has been that way during my entire tenure. I have been building the capacity here. With Congress' support recently, we are expanding it. And that is why I am asking for more support. For instance, we need to look at decarbonization technologies. It is important to the environment, medicine, weapon systems development, and the nuclear area as well. We are prepared to deal with these issues now, but we will even be better prepared with additional support from the Congress.

Ms. CLARK. Thank you for that. They are terrific resources. We appreciate it.

Mr. DODARO. Thank you.

Mr. RYAN. So I have got one last question, Gene. You are talking about the issues around carbon, carbon capture and that. What is the latest that you are seeing technology-wise with carbon capture?

Mr. DODARO. We have done an earlier piece on that subject, which I will provide to your staff, Congressman, that basically talked about it being in a rather incipient stage, and that it wasn't commercially viable yet to produce on a wide scale.

But that is something we did maybe 2, 3 years ago. So we are going to take another look at the technologies now. That is in our plans.

[The information follows:]

Correction: The prior study (GAO-00091080) was issued in 2008.

Mr. RYAN. Okay. Great. Well, I can't thank you enough. Mr. Dodaro and Kate, thank you for your time today. And, like I said, I always love this. I wish we could just have a nice long dinner, like, every couple of weeks and we can just ask you questions. So we may have to do that off the record with the committee.

But best of luck with the new grandbaby and your family and everything. It is great to have another Italian-American baby in the world. So God bless you.

Thanks for all your great work, and please let your team know how much we appreciate them and how much we rely on them. And we look forward to staying in close contact and interfacing with your office.

So, with that, we want to say thank you. This hearing will be in recess for 10 minutes as we switch panels. So I want to just make sure to advise the members to say logged on, and we will be back here in a few minutes.

This particular hearing is adjourned.

[Questions, answers, and additional material submitted for the record follow:]

The Honorable Tim Ryan
Chairman
GAO Record Questions
GAO FY22 Budget Hearing

1. Is your new Science and Technology Assessment team seeing an increase in requests from Congress for technology assessments? Have you seen a spike since the COVID-19 pandemic started last year? Or is it true that Congress doesn't know what it doesn't know and hasn't asked?

Response

Yes. GAO has seen growth in requests from Congress for technology assessments and our increased resources have allowed us to meet this demand. We have delivered a greater number of technology assessments than previous years. Specifically, we have issued six technology assessments since 2019 and have eight underway. All of our issued technology assessments have congressional requesters from various committees of jurisdiction. Most of these technology assessments have had multiple congressional clients. Moreover, we have issued 23 Science & Tech Spotlights, which are two-page overviews or explainers of scientific or technical topics for policymakers and the public. Across all types of products, GAO's Science, Technology Assessment, and Analytics team (STAA) has produced 57 products since the team's establishment.

In addition, since the start of the COVID-19 pandemic, we have also seen an increase in requests for specific science and technology (S&T) related technical assistance—support provided directly to the committee, member of Congress or their staff. Throughout the pandemic, STAA has provided congressional committees and individual Members with technical assistance on topics such as how well facemask materials filter droplets and aerosols, differences among three prominent COVID-19 models, and the effectiveness of certain filtration systems in reducing respiratory disease transmission on airplanes.

STAA has issued nine Science & Tech Spotlights related to COVID-19. For example, we issued a Science & Tech Spotlight on coronaviruses in early March 2020. This was followed by eight additional Spotlights related to COVID-19, including topics such as social distancing, testing, contact tracing apps, herd immunity, and vaccine safety. In all, we have produced or contributed to 19 COVID-related S&T products since the beginning of the pandemic.

We continue to work with Congress to raise awareness about emerging S&T issues. In 2021, we are continuing to enhance our outreach across Congress to expand congressional awareness of the team and its capabilities. As part of this outreach, we will be contacting staff and members who have not engaged with GAO on S&T issues before, but who may have unmet S&T support needs or who could otherwise benefit from our products and services. This includes new members who may be unfamiliar with GAO or the team's recent work.

Finally, during early outreach when standing up the team, some staff stressed the importance of STAA not solely relying on requests to initiate work on emerging S&T topics. Recognizing that it is sometimes incumbent upon us to identify emerging areas, we also have begun work under the Comptroller General's authority, which allows us to undertake work that is of broad interest.

or warrants Congressional attention. Under our Congressional Protocols, this enables any interested Member to become an addressee of the work and it allows us to brief any interested Member on the work as it is being conducted.

--Knowing that your new team is still in its infancy, are you seeing a shift toward shorter, quicker turn-around reports, as many have advocated for?

Response

Yes, GAO's STAA team has issued a number of shorter, quicker turnaround products in addition to our full length, evaluative work. We employ a variety of approaches that we tailor to meet congressional needs for each unique product. For example, when appropriate, we are using new approaches to develop descriptive, medium-scale technology assessments on a shorter timeframe. We also issue Science & Tech Spotlights, designed to be developed in 4-6 weeks, to more quickly address emerging needs. In addition, we have developed a digital dashboard on key federal COVID-19 vaccine efforts to provide certain information in real time.

Lastly, all of GAO's mission Teams, including STAA continue to offer Congress on-demand technical assistance, which allows us to quickly answer Members' questions. For STAA, this is consistent with increasing the congressional absorption of GAO's S&T information as recommended by the National Academy of Public Administration (NAPA) in its Science and Technology Policy Assessment report issued in October of 2019. Since its inception, GAO has been innovative in addressing congressional needs and will continue to do so in the future.

--Tell us more about the data lab you have created for the technology assessment team. What have some of the outcomes of the lab been over this past year? Are there changes you need to make in order to make the lab more effective?

Response

The mission of the Innovation Lab is to provide GAO with enhanced capabilities and the capacity to tackle evolving accountability challenges through data analysis and emerging technologies. We recognize that technology is advancing every day—and oversight should too—especially with respect to providing key support to evidence-based policymaking activities.

The Innovation Lab focuses on tackling difficult problems spanning topics like improper payments and strategic S&T foresight scanning. Some of our efforts over the past year, include

- Engaging on a collaborative, cross-agency effort to strengthen payment integrity, including developing a multi-node blockchain prototype across multiple agencies to prospectively understand how properties of distributed ledger technologies (DLT) could impact payment integrity;
- Operationalizing GAO's first cloud-based advanced analytics infrastructure to develop and deploy complex data science prototypes,
- Deploying a public-facing, oversight data dashboard on the federal vaccine program formerly known as Operation Warp Speed (i.e., program expenditures, vaccine technology development, manufacturing, and program governance),

- Organizing a CG Forum on AI and Algorithmic Oversight to establish a set of leading practices and evaluation criteria, such as model performance, operational governance, and disparate impacts;
- Delivering data literacy training and enhancing data governance capacity to strengthen audit and oversight, and
- Leveraging existing data to develop GAO's internal COVID-19 data dashboard to support local/regional analysis for GAO's operational risk management decision-making from the earliest stages of the pandemic

Ensuring the effectiveness of the Innovation Lab going forward depends on the continued support of GAO's budgetary request to accelerate its development. GAO has leveraged available specialized hiring, acquisition, and operational flexibilities to better enable the Innovation Lab to provide benefits to the Congress.

GAO has a long history of analytical excellence in support of our engagements. The Innovation Lab can expand upon that excellence by enabling GAO to be even more effective in driving impactful insights, foresights, and oversight. The Innovation Lab can also serve as a resource for the congressional committees, staff, and member offices—in the form of technical assistance, advice, and support—to gain prospective and contemporaneous understanding across a range of data science and technology challenges and emerging issues. For example, STAA in conjunction with the GAO's Information Technology and Cybersecurity team have provided ongoing technical assistance throughout the pandemic to the Committee on House Administration regarding electronic voting, bill markup, and videoconferencing technologies in support of House legislative operations.

For more on the status of STAA and the Innovation Lab, see GAO's March 12, 2021 correspondence to the Senate and House Legislative Branch Subcommittees, Committees on Appropriations. (See attachment.)

--Can you further elaborate on the switch to cloud-based services and any cybersecurity threats you're aware of by switching to this model? Will this data be stored on-site or at another location?

Response

In many ways, adopting a cloud-first strategy for the Innovation Lab has enhanced our cybersecurity posture while requiring far fewer human capital resources to operate, as there are no physical infrastructures to maintain. Our multi-tenant, multi-account cloud architecture allows us to segregate mission-specific computing environments from experimental "sandboxes" easily and securely while driving a more vigilant threat response through a consistent ecosystem of cybersecurity tools and controls. GAO is required by law to protect information it receives from other agencies to the same level as the agencies it originated from, and the cloud environment is following this requirement. To protect this cloud-based information, we use cyber security systems and tools specifically designed for use in cloud environments (i.e., "cloud native").

Unless prevented specifically by existing agreements, the Innovation Lab stores data and critical information assets in the cloud.

--How are you making new Members of the 117th Congress aware of your services in STAA?

Response

We have been taking a number of steps to increase outreach to Congress, including new Members, and to share the results of our S&T work as broadly as possible. For example,

- In October 2020, at the request of the House Committee on Administration, we hosted an S&T policy symposium for the House of Representatives to provide information to Members and staff on a range of topics, such as COVID-19, 5G wireless technology, congressional modernization, and the innovation economy. The committee included the symposium in the New Member Orientation Training that was provided to all incoming Representatives of the 117th Congress.
- In December 2020, GAO participated in a panel on Congressional oversight as part of new Member Orientation Training hosted by the House Minority where we discussed GAO's services and products, including STAA's.
- GAO launched its 2021 Presidential and Congressional Transition Webpage in December 2021, which includes Science and Technology as one of the featured key areas. This website is specifically intended to help orient new Members to GAO's products and services, including those offered by STAA.
- STAA sends our Science & Tech Spotlights to potentially interested Members that sometimes includes hundreds of addressees, including new Members.

Going forward, we have developed plans to enhance our outreach across Congress to continue to expand congressional awareness of GAO's STAA and its capabilities, including with new Members. As part of this outreach, we also will be contacting members who have not engaged with us before, but who may have unmet S&T support needs or who could otherwise benefit from our products and services. This includes new members who may be unfamiliar with GAO's products and services and STAA's recent and ongoing work.

2. The CARES Act and the American Rescue Plan, along with the other COVID-19 emergency packages were some of the largest spending bills our federal government has ever passed. What does it look like for GAO to periodically report on the effect of the pandemic on the public health, economy, and public and private institutions?

Response

Since the onset of the Coronavirus Disease 2019 (COVID-19) pandemic, GAO has performed robust real-time oversight of the full range of the federal government's unprecedented response to COVID-19 resulting in 72 recommendations aimed at improving the federal response to the pandemic. These comprehensive bimonthly reports covered indicators of changes in health care and indicators, the public health response, and use of funds to provide assistance to individuals, public and private institutions, among others. These oversight efforts have primarily involved two complementary components—(1) comprehensive bi-monthly reports that address the full range of the federal government's response to COVID-19 and (2) a broad portfolio of in-depth individual reports focused on specific COVID-19-related issues. From June 2020 through March

2021, GAO issued six comprehensive bi-monthly reports on the federal government's response to COVID-19, as required by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). As of April 23, 2021, we have issued over 40 stand alone COVID-19-related products related issues, including reports, testimonies, and STAA Spotlights

Beginning in July, our periodic reporting will consist of quarterly comprehensive reports on the federal response to the COVID-19 pandemic that will continue to focus on the public health response, the economy, and public and private institutions, including the CARES Act and the American Rescue Plan as well as other laws related to the federal response to the pandemic

Moreover, we will continue issuing more focused reports on topics such as assistance to state and local governments, SBA's small business loan programs, pandemic unemployment insurance, federal contracting, vaccine safety, K-12 and Higher Education, agency operations during the pandemic, aviation assistance, among dozens of others that span the federal landscape. GAO will continue to coordinate with the Pandemic Response Accountability Committee and agency Inspectors General as well as the Congressional Oversight Commission as we carry out our oversight responsibilities

Finally, GAO's periodic reporting also includes continuing to provide monthly briefings to the CARES Act committees, as amended (Senate Appropriations, Health, Education and Welfare, Finance, Homeland Security and Government Affairs, House Appropriations, Energy and Commerce, Homeland Security, Oversight and Government Reform, and Ways and Means) on our oversight efforts and findings across these areas

- **Has GAO implemented any more of the 31 COVID-19 recommendations since January 2021?**

Response

As noted above, since we reported in January 2021, the Administration has implemented two additional recommendations. Therefore, as of April 15, 2021, 6 of our 72 COVID-19 recommendations have been implemented and actions are underway to address many others

3. Your request this year asks for a 52% increase in engagement support, most of that increase for travel. Can you go into more detail on this increase will support your overall mission at GAO? Do you have a contingency plan if we aren't able to fund that whole amount?

Response

The COVID pandemic sharply curtailed GAO travel in fiscal years 2020 and 2021. The requested funds for travel represent an increase of 6 percent over FY 2019, accounting for inflation and higher costs related to the lingering impact of the pandemic. In fiscal year 2022, we expect that the need for travel will return to pre-pandemic levels to enable GAO to complete new and ongoing audits. If GAO does not receive its full budget request, it will look to adjust all operational areas to maintain its support for the highest priorities of Congress

4. What progress is GAO making to implement the GAO IG's recommendations?

Response

GAO has worked diligently to implement OIG recommendations, usually within one year, and has made progress closing several outstanding recommendations. OIG reported 16 open recommendations as of September 30, 2020. We have closed 12 since then leaving four Federal Information Security Modernization Act-related recommendations that we plan to implement in calendar year 2021. In addition, OIG issued three new recommendations in FY 2021, which we also plan to implement by year end.

5. What is your expected attrition (rate and numbers) in FY22? Of that, how many are expected to be retirements?

Response

GAO expects its attrition rate to be 6 percent, or 190 staff, in FY 2022. Of these, about 81 are expected to result from retirements.

6. Can you give us a better breakdown of the 220 requested FTEs? How many of these FTEs would be to fill vacancies and how many are new positions?

Response

Our FY 2022 request translates to 362 total hires, of which 190 would be used to fill expected vacancies due to attrition and 172 for new positions. This hiring is projected to result in a net FTE increase of 220. The additional hires will be directed toward expanding our analyst entry-level pipeline through our professional development program, as well as recruiting experts/specialists to support our work in science and technology, health care, cyber security, and defense.



Increasing GAO Implementation Rates

GAO reports that it's 4-year implementation rate of recommendations by federal agencies was 77% in 2020. But the implementation rate after 2-years was just 51%. Increasing the responsiveness of agency implementation to GAO recommendations seems like it would be a good return-on-investment.

How can we help improve the timeliness of agencies responsiveness to your recommendations?

Response

Congress could continue to build on its past actions to help improve the timeliness of GAO's recommendations. Specifically, hearings are an effective way to bring attention to GAO findings and spur agency action. Consistent with Congress' desire for greater agency responsiveness, for the last several years GAO has sent letters to agency heads from the Comptroller General that identify open recommendations that GAO has determined are the highest priority for implementation. These letters are also provided to Congress and published on GAO's website. Additional focused oversight and attention from Congress on these priorities could also enhance agencies' responsiveness.

The Appropriations Committees have also had success in requiring agencies to report on the status of recommendations that are of particular interest to them as part of the appropriations process. Moreover, others have enacted legislation in committee and conference reports to implement open recommendations or required agencies to address open GAO recommendations.

Finally, recognizing the need to improve agency responsiveness to GAO's recommendations, Congress passed the Good Accounting Obligation in Government Act (GAO-IG Act) in 2019. The act requires each federal agency, in its annual budget justification, to include a report on each public GAO recommendation that is designated as "open" or "closed, unimplemented" for a period of at least one year preceding the date on which such justification is submitted, along with the implementation status of each such recommendation. To further enhance agency responsiveness, this provision could be strengthened by adding a requirement for agencies to state the reason(s) why each recommendation is designated as "open" or "closed, unimplemented" and the agency's planned time frame for fully implementing it, if applicable.

Could GAO provide an annual estimate of the cost of unimplemented recommendations to the government to help Congress and the public understand the consequences of agencies failing to answer your recommendations in a timely manner?

Response

Each year GAO publishes a report on duplication, overlap, fragmentation, and cost savings (GAO-20-440SP) that identifies actions Congress and agencies can take and in many cases estimates a notional amount of benefits that could be realized from implementing selected recommendations—e.g., "billions annually" or "hundreds of millions." We believe implementation of these recommendations could save tens of billions of dollars. For example, in 2019, we identified the following areas where additional action could potentially result in financial benefits of \$1 billion or more.

Examples of Areas with Open Actions with Potential Financial Benefits of \$1 Billion or More		
Area name and description (year-number links to Action Tracker)	Mission	Potential financial benefits* (Source)
*DOE's Treatment of Hanford's Low-Activity Waste (2018-17) The Department of Energy (DOE) may be able to reduce certain risks by adopting alternative approaches to treating a portion of its low-activity radioactive waste. (GAO-17-306)	Energy	Tens of billions (GAO)
*Advanced Technology Vehicles Manufacturing Loan Program (2014-13) Unless the Department of Energy can demonstrate demand for new Advanced Technology Vehicles Manufacturing loans and viable applications, Congress may wish to consider rescinding all or part of the remaining credit subsidy appropriations. (GAO-14-343SP)	Energy	\$4.3 billion (DOE)
Federal Shared Services (2019-05) The Office of Management and Budget and the General Services Administration could better position themselves to achieve their cost savings goals and reduce inefficient overlap and duplication by strengthening their implementation of selected federal shared service reform efforts. (GAO-19-94)	General government	\$2 billion over 10 years (Office of Management and Budget)
*Oil and Gas Resources (2011-45) Congress may wish to provide additional guidance or take additional actions to direct the Department of the Interior to improve management of federal oil and gas resources. (GAO-19-531, GAO-15-39, GAO-14-50, GAO-10-313, GAO-09-74, GAO-08-691)	Energy	\$1.7 billion over 10 years (Department of the Interior)
*U.S. Enrichment Corporation Fund (2015-16) Congress may wish to permanently rescind the entire \$1.7 billion balance of the U.S. Enrichment Corporation Fund. (GAO-15-404SP)	Energy	\$1.7 billion (GAO)
*Tobacco Taxes (2013-31) By modifying tobacco tax rates to eliminate tax differentials between similar tobacco products, Congress could reduce federal revenue losses from substitution, which were as much as \$2.5 to \$3.9 billion between April 2009 and September 2018. For example, if the pipe tobacco tax rate were equal to the higher rate for similar products, it could increase revenues by an estimated \$1.3 billion between fiscal year 2019 and fiscal year 2023. (GAO-19-467, GAO-12-475)	International affairs	\$1.3 billion (GAO)
Medicare Clinical Laboratory Payments (2019-25) The Centers for Medicare & Medicaid Services should take steps to avoid paying more than necessary for clinical laboratory tests. (GAO-19-67)	Health	\$1 billion, or billions (GAO)
*Medicare Payments by Place of Service (2016-30) Medicare could have cost savings if Congress were to equalize the rates Medicare pays for certain health care services, which often vary depending on where the service is performed. (GAO-16-189)	Health	Billions annually (MedPAC and Bipartisan Policy Center)

Additional Opportunities to Improve Internal Revenue Service Enforcement of Tax Laws (2013-22)	General government	Billions (GAO)
The Internal Revenue Service can realize cost savings and increase revenue collections by billions of dollars by, among other things, using more rigorous analyses to better allocate enforcement and other resources (GAO-13-156, GAO-13-151)		
Department of Energy Environmental Liability (2019-20)	Energy	Billions (GAO)
DOE could develop a program-wide strategy to improve decision-making on cleaning up radioactive and hazardous waste (GAO-19-28)		
*Navy Shipbuilding (2017-18)	Defense	Billions (GAO)
The Navy could achieve cost savings by improving its acquisition practices and ensuring that ships can be efficiently sustained (GAO-20-2, GAO-17-211, GAO-16-71)		
Identity Theft Refund Fraud (2016-22)	General government	Billions (GAO)
The Internal Revenue Service could improve the agency's efforts to prevent refund fraud associated with identity theft (GAO-20-174, GAO-18-418, GAO-16-508)		
*Internal Revenue Service Enforcement Efforts (2012-44)	General government	Billions (GAO)
Enhancing the Internal Revenue Service enforcement and service capabilities can help reduce the gap between taxes owed and paid by collecting billions in tax revenue and facilitating voluntary compliance (GAO-12-176, GAO-11-493, GAO-09-238, GAO-08-956)		
*Tax Expenditures (2011-17)	General government	Billions (GAO)
Periodic reviews could help identify ineffective tax expenditures and redundancies in related tax and spending programs, potentially reducing revenue losses (GAO-16-622, GAO-15-83)		

Legend * = Legislation is likely to be necessary to fully address all actions in this area

Source: GAO | GAO-20-440SP

Note: All estimates of potential savings are dependent on various factors, such as whether action is taken and how it is taken. Actual savings may be less, depending on costs associated with implementing the action, unintended consequences, and the effect of other factors that could and should be controlled. The individual estimates in this table should be compared with caution, as they come from a variety of sources, which consider different time periods and utilize different data sources, assumptions, and methodologies.

*GAO developed the notional estimates, which are intended to provide a sense of potential magnitude of financial benefits. Notional estimates have been developed using broad assumptions about potential benefits which are rooted in previously identified losses, the overall size of the program, previous experience with similar reforms, and similar rough indicators of potential benefits. GAO generally determines the notional label ("millions" vs. "tens of millions" vs. "hundreds of millions") using a risk-based approach that takes into account such factors as the possible minimum and maximum values of the cost savings estimate (where available), the quality of the data underlying those values, the certainty of those values, and/or the rigor of the estimation method used.

GAO believes that these areas are most likely to result in significant cost-avoidance or savings and have therefore, quantified their potential savings. While this is our best estimate, but it is possible that there are additional savings from other open recommendations. We will provide updated potential savings information in our 2021 duplication report, which will be available in May at www.gao.gov

Would putting deadlines on recommendations in your reports to apply pressure and provide transparency about agencies' responsiveness be worth consideration to expediate the implementation rate?

Working closely with Congress, GAO has considered a range of actions to encourage agency responsiveness to its recommendations. GAO has opted to prioritize among the open recommendations each year in the letter sent to agency heads to identify those recommendations that will have the greatest impact if implemented, regardless of the time frame it will take to implement them. Adding deadlines to all recommendations could result in agencies shifting their attention away from the highest priority recommendations to those with the nearest recommended deadline, which could be counterproductive in the long run. GAO's

knowledge of when other audit offices have included deadlines with their recommendations suggests that doing so could create additional implementation challenges that offset potential gains in agency responsiveness

Fostering Independence inside GAO's STAA Team

In 2019, GAO formed the new Science, Technology Assessment and Analytics team, which has continued to grow under your leadership. The issue has been raised concerning providing greater autonomy to the STAA (pronounced S, T double-A).

How can Congress best ensure that the STAA has the autonomy and flexibility it needs to provide timely science and technology advice to Congress?

Response

The best way to continue to support STAA is to continue to support GAO's budget request. GAO has demonstrated that it has provided STAA substantial autonomy and flexibility to provide timely science and technology advice to the Congress (see attached GAO March 12, 2021, letter to Legislative Branch Subcommittees, Appropriations Committees). We employ a variety of approaches that can be tailored to meet congressional needs. Examples include technology assessments, Science & Tech Spotlights, technical assistance, performance audits, and outreach. As such, we have been and will continue to be innovative in addressing congressional needs. GAO stands ready to keep Congress abreast of the status of STAA via regular briefings and reporting.

Our STAA staff are accessible and available to provide advice whenever needed. Like all of our mission teams, we make our experts available to committees, members, and their staff to answer questions, offer advice, and provide technical assistance. For example, we frequently provide technical assistance to individual Members to meet quick-turnaround needs. Technical assistance is a service that GAO provides to any committee or individual Member of Congress. For example, we provide briefings on our prior work; short-term analyses; technology primers, and support for hearings, including background information and potential questions. We quickly answer many highly technical questions from an array of committees and Members, thanks to our broad mix of expertise.

During the COVID-19 pandemic, STAA provided technical assistance to Congress related to COVID-19 on at least 20 occasions from March to December 2020. For example, to answer a question about how textiles perform in facemasks, we assembled a team of GAO staff including an experienced clinician, a microbiologist, a biomedical engineer, and a geneticist. Their combined knowledge allowed them to quickly comb the existing scientific literature, evaluate studies, and draw conclusions.

We also provide Congress with information about emerging topics through our Science & Tech Spotlights. Spotlights are two-page overviews or explainers of scientific or technological topics for policymakers and the public. We launched Spotlights in 2019 in direct response to conversations with Members of Congress who expressed interest in short, quick turnaround information on emerging issues. Each Spotlight describes an emerging S&T development, the opportunities and challenges it brings, and the relevant policy context. Spotlights inform

Congress of key developments in a timely and efficient manner, generally before congressional requests for deeper inquiries. It takes about one month to issue a Spotlight.

STAA's work directly supports congressional interests, and our congressional protocols are intentionally flexible to help ensure we can meet the needs of the Congress. We conduct all of our work either 1) in direct response to mandates or requests from committees or Members, or 2) under the Comptroller General's authority (CGA) in recognition of broad congressional interest in a topic. STAA has never turned down a request for assistance from the Congress, including from individual Members. We have found that our protocols have given STAA the flexibility to meet congressional needs in a variety of ways and do not warrant changes at this time. This is also consistent with NAPA's recommendation that GAO use the same system to prioritize our work as we use for prioritizing performance audits. (The National Academy of Public Administration (NAPA) also issued a report to Congress that recommended that an enhanced STAA become the locus for studies and analyses that are critical for congressional committees to conduct business, including technology assessments and short-to-medium term studies.)

Do you believe there is value in this Committee increasing our visibility into the STAA's operations by giving the STAA its own appropriations line item and requesting an annual budget justification from that office?

Response

GAO and STAA are always available to discuss STAA's operations or provide periodic updates. There are other ways to achieve the intended goal. For example, within GAO's annual budget justification and testimony, we provide detailed information on STAA and its operations as it is an integral part of GAO's operations. We have testified on the status of STAA and more recently, we provided a status update to both Senate and House Legislative Branch Appropriations Subcommittees. (Copy provided for the record). Going forward, we plan to continue to provide similar updates about STAA's operations. In addition, we would be happy to schedule regular briefings about its operations.

As an integral part of GAO and its strategic vision, breaking STAA's operations out as a separate appropriations line would result in organizational inefficiencies. The current approach allows maximum flexibility and enables us to meet unanticipated resource demands from STAA by drawing from other parts of the agency. If STAA becomes its own line item, we would have less flexibility to do this, which could lead to unintended consequences of other demands to isolate GAO resources for other high-priority needs.

Finally, we recognize the importance of STAA and all of our mission teams being nimble enough to respond to emerging issues, including science and technology issues. As a result, STAA has substantial autonomy to prioritize work, interact with clients, and innovate.

Oversight of Improper Payments

In 2020, the Government Accountability Office reported that the federal government made \$175 billion in improper payments. I am interested to discuss how the GAO can

increase its oversight of improper payments, which is a significant source of wasted spending for the federal government.

Specifically, how can the data analytics team that GAO has established within the Science, Technology Assessment, and Analytics team be used to more aggressively monitor and prevent improper payments?

Response

Yes. GAO's new Data Innovation Lab will play an integral role in strengthening payment integrity. Specially, the Innovation Lab is collaborating with GAO's Financial Management and Assurance (FMA) Team, the Office of Management and Budget, the Office of Personnel Management, and the Treasury Department under the Joint Financial Management Improvement Program (JFMIP).

The Innovation Lab is designing a simulation model aimed at measuring impacts of integrating controls related to verify a recipient's identity (identity proofing). This complex model is being developed by a cross sectoral group of experts within the federal financial community. The goal is to incorporate performance measures (including those concerning societal equity) to lay the foundation for future data-driven policymaking. In addition to agency officials, the Innovation Lab will leverage an expert panel to help identify key practices for reducing improper payments through identity verification.

In another area, the Innovation Lab under the JFMIP is collaborating with the Treasury Department's Bureau of Fiscal Service to deploy a multi-node blockchain prototype across multiple agencies to prospectively understand how properties of distributed ledger technologies (DLT) could impact payment integrity through

1. real-time and transparent availability of validated and immutable payment information,
2. operational and resilience considerations of distributed ledgers across collaborating agencies, and
3. evaluation (including cybersecurity), audit, and monitoring of the DLT itself.

We also have an existing body of work on improper payments that has highlighted long-standing, widespread, and significant problems with improper payments in the federal government. Our work has identified issues in how federal agencies

- assess the risks for improper payments,
- estimate and report on improper payments,
- take corrective actions to reduce improper payments, and
- establish effective control activities to prevent improper payments.

Based on our audit work, we have made numerous recommendations to agencies to improve their processes for identifying and reducing improper payments. In addition, our work has informed Congress on legislative changes that can be made to improve the transparency and effectiveness of agency efforts in this area. Given the pressures resulting from today's fiscal environment, we plan to continue monitoring agencies' actions for payment integrity to help ensure that funds are spent effectively and are used for their intended purposes.

It seems possible that applying continuous oversight governmentwide could realistically yield tens of billions in savings per year. Is the GAO exploring ways in which it could use the innovation lab within the Science Technology Assessment, and Analytics to focus on

improper payments by conducting continuous oversight?**Response**

Yes. Across the financial management community, there have been long-standing discussions on approaches to continuous auditing but to date, we have not identified any viable operating solution, either through commercial products, accounting/auditing organizations or through service providers. Potential benefits include greater efficiencies and effectiveness. Continuous auditing practices are surfacing complex methodological and independence questions.

The Innovation Lab, in collaboration with GAO's financial auditors, is currently working on a prototype of a continuous auditing solution using graph databases, which help map relationships across data and metadata in a persistent way. The intent of this long-term project is ultimately to broaden analytical coverage by lessening reliance on statistical sampling—while at the same time leveraging new data science capabilities that are highly effective at retrospective analyses (e.g., detecting anomalies, errors, fraud, and redundancies) as well as prospective forecasting and simulations. Continuous auditing also allows oversight entities to shift labor inputs from time-consuming data collection and preparation towards evaluation of patterns and behaviors that may constitute emerging risks.

In the shorter term, we are pursuing the initiatives mentioned above related to payment integrity and improper payment.

Prioritizing Oversight Work

A recent review of GAO's annual reports between 1999 and 2019 found that a significant share of GAO's savings during that period has resulted from oversight of the Defense (\$275 billion) and HHS (\$128 billion) Departments.

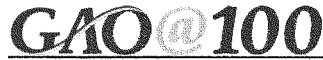
In your opinion, would it be worth prioritizing GAO's work to focus on areas that will result in significant savings and government improvements?

Response

Your findings reflect GAO's long-standing strategic approach about how best to allocate our resources to achieve the largest return on investment while balancing the broader oversight needs of the Congress. Specifically, GAO prioritizes work in defense and healthcare areas by allocating substantial resources to teams doing work in these areas, which account for a substantial percentage of the federal budget. Health care spending is the largest component of federal spending and spending on defense is the largest component of discretionary spending—factors that influence how GAO allocates its resources. For example, our Defense Capabilities and Management and Health Care teams are among the largest mission teams within the agency and feature prominently in our annual budget requests. A third team, our Contracting, National Security and Acquisitions Team is responsible for all the acquisitions and procurement work GAO conducts at DOD.

In addition to generating financial savings, GAO contributes a range of nonfinancial benefits that contribute to the efficiency and effectiveness of the government. GAO's financial and non-financial benefits also result from our reviews of other federal agencies and functions at the

request of nearly every Committee in the Congress. While it is important to emphasize recommendations related to these large federal programs and functions, there are opportunities across the federal government, so allocating a portion of our resources to these Congressional priorities is also important. These areas span all of government and therefore, GAO must be responsive to and able to support the needs of all congressional committees and their portfolios of work. This work is also critically important to GAO's mission to support the Congress in carrying out its constitutional responsibilities, including Congress's role in authorizations, legislative initiatives and oversight across government.



U.S. GOVERNMENT ACCOUNTABILITY OFFICE
A Century of Non-Partisan Fact-Based Work

441 G St. N.W.
Washington, DC 20548

Comptroller General
of the United States

March 12, 2021

The Honorable Jack Reed
Chairman
The Honorable Mike Braun
Ranking Member
Subcommittee on the Legislative Branch
Committee on Appropriations
United States Senate

The Honorable Tim Ryan
Chairman
The Honorable Jaime L. Herrera Beutler
Ranking Member
Subcommittee on the Legislative Branch
Committee on Appropriations
House of Representatives

GAO's Science, Technology Assessment, and Analytics Team: Progress and Ability to Address Congress's Needs

The United States Government Accountability Office (GAO) established the Science, Technology Assessment, and Analytics (STAA) team in January 2019, as encouraged by Congress.¹ The joint explanatory statement accompanying the Consolidated Appropriations Act, 2021, acknowledged the progress GAO has made since establishing the team and submitting a plan to Congress for expanding the team over time.² This report provides an update on GAO's progress in implementing that plan in support of Congress. It also responds to the provision in that statement that GAO provide an analysis of GAO's protocols used by STAA and our abilities to address technology assessment requests from Congress.

Rapid developments in science and technology (S&T) are transforming virtually every sector of society, including medicine, transportation, communication, defense, commerce, and culture. Like all technological change, each of these developments brings opportunities—for economic growth and improved quality of life, for example—and the potential for unintended consequences. The ability of Congress to understand and prepare for such changes will be critical for the United States to remain safe, secure, innovative, and globally competitive. Congress has continued to invest in STAA because of a bipartisan recognition that science, technology, and innovation challenges require increased focus.

GAO provides Members of Congress and their staffs with an array of professional services in the domains of foresight, insight, and oversight to help them carry out their constitutional

¹H. R. Rep. No. 115-929, at 213 (2018) (Conf. Rep.) (encouraging GAO to reorganize its technology and science function by creating a new, more prominent office within GAO)

²166 Cong. Rec. 8720 (Dec. 21, 2020) (joint explanatory statement)

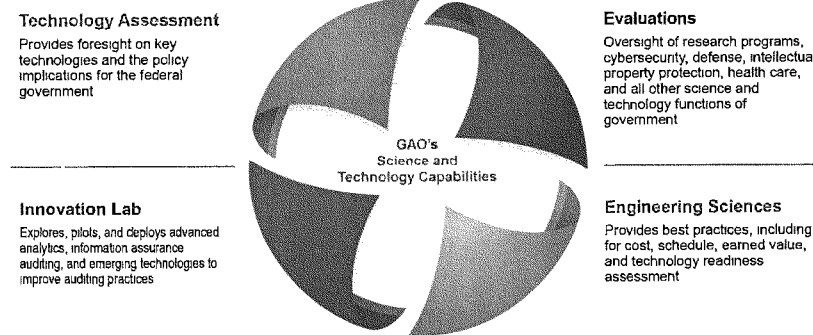
responsibilities as they relate to the nation's S&T enterprise. Our expertise, research, and analyses help address a number of specific congressional needs, including,

- in-depth evaluation and oversight of federal S&T programs,
- foresight on new and emerging technologies,
- evaluation of the effects and policy implications of science, technology, and innovation on society,
- innovation to support evidence-based policymaking through data analytics,
- exploration of emerging technologies and support for congressional modernization efforts,
- development of policy options that may help policymakers enhance the benefits and mitigate the challenges of technologies, and
- proactive and on-demand technical assistance on science, technology, and innovation issues

GAO continues to successfully conduct S&T-related work, providing Members of Congress and their staffs with a variety of products and services. This includes issuing specialized reports known as technology assessments. By continuing to build our expertise and focus on S&T, we will be even better positioned to help Congress navigate the increasingly complex technologies it must oversee, including rapid vaccine development, artificial intelligence (AI), and quantum computing.

Since the launch of STAA in January 2019, GAO has significantly increased its resources—including staff—to produce a growing volume of accessible, timely, and relevant S&T information, across a broader range of topics. We have organized our S&T activities into four groups, as is shown in figure 1.

Figure 1: Science, Technology Assessment, and Analytics Key Science and Technology Activities



Source: GAO.

Further expanding STAA's capabilities and resources would provide extensive S&T foresight, insight, and oversight to an increasing array of committees and Members at an unprecedented time in our nation's history, as our nation faces both significant challenges and opportunities.

Since we issued our plan, the National Academy of Public Administration (NAPA) also issued a report to Congress that recommended that an enhanced STAA become the locus for studies and analyses that are critical for congressional committees to conduct business, including technology assessments and short-to-medium term studies. It included several recommendations regarding GAO's support for Congress. We also provide information on GAO's actions related to those recommendations below.

Variety of Means to Address Congressional Needs

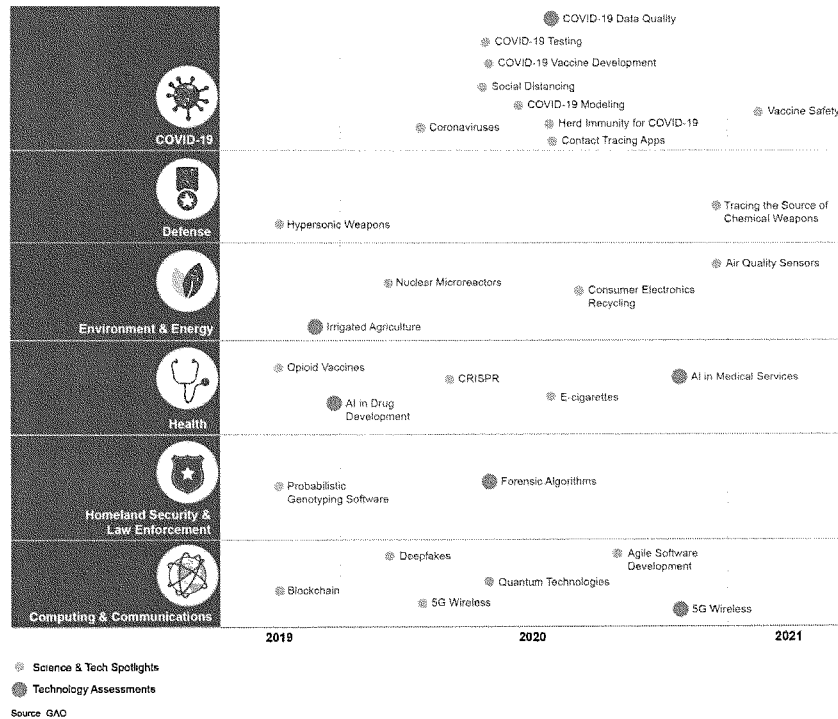
We employ a variety of approaches that can be tailored to meet congressional needs. Examples include technology assessments, Science & Tech Spotlights, technical assistance, performance audits, and outreach. As such, we have been and will continue to be innovative in addressing congressional needs.

Technology assessments. GAO technology assessments analyze the latest developments in science and technology, draw attention to the implications of technological change, and provide options policymakers could consider to help enhance or mitigate the challenges of a technology. They may highlight potential short-, medium-, and long-term impacts of scientific advancement and/or technological development, elaborate on and communicate the risks and benefits associated with a technology, including early insights into the potential impacts of technology, or highlight the status, viability, and relative maturity of a given technology—especially in the context of a complex acquisition program. Technology assessment timeframes depend on their scope, but some can be completed in several months.

Science & Tech Spotlights. We also provide Congress with information about emerging topics through our Science & Tech Spotlights. Spotlights are two-page overviews or explainers of scientific or technological topics for policymakers and the public. We launched Spotlights in 2019 in direct response to conversations with Members of Congress who expressed interest in short, quick turnaround information on emerging issues. Each Spotlight describes an emerging S&T development, the opportunities and challenges it brings, and the relevant policy context. Spotlights inform Congress of key developments in a timely and efficient manner, generally before congressional requests for deeper inquiries. It takes about one month to issue a Spotlight.

We have issued technology assessments and Science & Tech Spotlights on a wide variety of topics since we were established in 2019, as is shown in figure 2. A complete list of our Spotlights is included in appendix I.

Figure 2: GAO's Issued Technology Assessments and Science & Tech Spotlights Since Establishment of the Science, Technology Assessment, and Analytics Team



Technical assistance. We frequently provide technical assistance to individual Members to meet quick-turnaround needs. Technical assistance is a service that GAO provides to any committee or individual Member of Congress. For example, we provide briefings on our prior work, short-term analyses, technology primers, and support for hearings, including background information and potential questions. We quickly answer many highly technical questions from an array of committees and Members, thanks to our broad mix of expertise. We provided technical assistance to Congress related to COVID-19 on at least 20 occasions from March to December 2020. For example, to answer a question about how textiles perform in face masks, we assembled a team of GAO staff including an experienced clinician, a microbiologist, a biomedical engineer, and a geneticist. Their combined knowledge allowed them to quickly comb the existing scientific literature, evaluate studies, and draw conclusions.

In addition to pandemic-related assistance, we provided technical assistance on several other topics. For example, we provided a detailed analysis of selected technical approaches to how the House of Representatives could carry out its business during the COVID-19 pandemic.

WEDNESDAY, MARCH 10, 2021.

HOUSE OFFICERS

WITNESSES

E. WADE BALLOU, JR., LEGISLATIVE COUNSEL, U.S. HOUSE OF REPRESENTATIVES, ON BEHALF OF OFFICE OF LEGISLATIVE COUNSEL
HON. TIM BLODGETT, ACTING SERGEANT AT ARMS, U.S. HOUSE OF REPRESENTATIVES

KEMBA HENDRIX, DIRECTOR, U.S. HOUSE OF REPRESENTATIVES, ON BEHALF OF OFFICE OF DIVERSITY & INCLUSION

HON. CHERYL L. JOHNSON, CLERK, U.S. HOUSE OF REPRESENTATIVES
DOUGLAS N. LETTER, GENERAL COUNSEL, U.S. HOUSE OF REPRESENTATIVES, ON BEHALF OF OFFICE OF THE GENERAL COUNSEL

MICHAEL T. PTASIENSKI, INSPECTOR GENERAL, U.S. HOUSE OF REPRESENTATIVES, ON BEHALF OF OFFICE OF INSPECTOR GENERAL

RALPH V. SEEP, LAW REVISION COUNSEL, U.S. HOUSE OF REPRESENTATIVES, ON BEHALF OF OFFICE OF THE LAW REVISION COUNSEL

HON. CATHERINE L. SZPINDOR, CHIEF ADMINISTRATIVE OFFICER, U.S. HOUSE OF REPRESENTATIVES

Mr. RYAN. The committee will come to order.

For our second panel, I would like to welcome the officers and officials of the House of Representatives to present the fiscal year 2022 budget request. Testifying before us today we have the Honorable Cheryl L. Johnson, Clerk of the House; the Honorable Tim Blodgett, Acting Sergeant at Arms; the Honorable Catherine Szpindor, Chief Administrative Officer; Mr. Wade Ballou, Chief Legislative Counsel; Mr. Douglas Letter, General Counsel; Mr. Michael T. Ptasienski, Inspector General; Mr. Ralph V. Seep, Law Revision Counsel; Ms. Kemba Hendrix, Director of Office of Diversity and Inclusion. Thank you all for joining us today. We welcome you back to our subcommittee.

Before we begin with the testimonies, I would like to thank all the officers, officials, and their staff for the extraordinary work over the past year. Through the pandemic, a violent mob of domestic terrorists, and just life on Capitol Hill, you continue to serve this body and ensure the Members of Congress can continue to work. Your work is invaluable to getting the taxpayer the most from their tax dollars, and we hold you and your staffs in very high regard.

The request for the House of Representatives is \$1.737 billion, an increase of \$260 million over what was provided last year. While this is a healthy request and would provide Members and committees the resources necessary for us to represent our constituents, I am afraid that the subcommittee allocation may not be increasing at a reciprocal rate. As you know, budgeting is unfortunately a zero-sum game, and it will be hard to accommodate the full re-

quest, but we will do our best. I look forward to your testimony today.

And at this point, I would like to yield to the ranking member, my friend and colleague from Washington State, home of the largest dam in the United States, Jaime Herrera Beutler, for any opening comments that she may like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And thank you, welcome back to Ms. Johnson, our Clerk of the House, and welcome to our Acting Sergeant at Arms, Mr. Blodgett, and our new Chief Administrative Officer, Catherine Szpindor. Congratulations on your new positions and your first budget testimony before this subcommittee.

The House of Representatives has been challenged by the COVID-19 pandemic and, more recently, with the assault on the Capitol on January 6. Collectively, our House officers are working around the clock to ensure that the legislative process can continue to function and our staff have the resources they need to work from home or safely from the office.

Your offices have shown ingenuity and flexibility to ensure the people's House continues its work throughout this past year, and I thank each of you for your hard work under very tough circumstances. As the committee reviews your budget request for fiscal year 2022, I look forward to hearing more about the challenges you have overcome as well as how you will continue to grow and adapt as we move forward. Thank you for that.

And I will yield my time back to the gentleman whose home State has the world's largest basket. It is seven stories tall and used to be an office building. We think it is vacant now.

Thank you, and I yield back.

Mr. RYAN. Thank you.

So, without objection, all of the written testimonies will be made part of the record. As we have a large panel, I ask that the Clerk of the House, the Acting Sergeant at Arms, and Chief Administrative Officer summarize their statements for the members of the committee.

Ms. Johnson, we will begin with you, then Mr. Blodgett, and, finally, Ms. Szpindor. Please begin.

Ms. JOHNSON. Good morning. Chairperson Ryan and Ranking Member Herrera Beutler, Members of the Subcommittee, thank you for your support and for the opportunity to testify about our operations and fiscal year 2022 budget request.

Since our previous Appropriations hearing on March 3, 2020, we have witnessed an unprecedented challenge to the continuity of business in the U.S. House of Representatives. The Office of the Clerk has been deeply immersed in efforts to ensure that the critical functions of the House continue uninterrupted throughout an unfolding global pandemic. Because of the high level of professionalism in the Clerk's Office and the longstanding culture of preparedness and nimbleness, we were able to seamlessly adjust to these disruptions.

Regarding the pandemic, in just a few weeks, the Clerk's Office developed new systems to permit the electronic submission of legislation, additional cosponsors, and Congressional Record inserts. At

the risk of falling ill with the coronavirus, Clerk staff worked daily to process more than 4,500 bills in the last year.

Under the eHopper system, there has been a 157-percent increase in bills introduced during pro forma sessions. As a result, staff spend hours processing bills long after the House concludes its daily business. For example, the January 28 pro forma session yielded 155 introduced bills, of which all but four were introduced through the eHopper. Clerk staff worked more than 12 hours to process those bills.

In addition, we have processed 7,909 proxy votes and made all proxy letters available on the Office of the Clerk's website.

In addition to its myriad of responsibilities in support of daily legislative operations, the Clerk's Office has nearly 200 duties related to the biennial transition from one Congress to the next. Those duties include everything from updating the Electronic Voting System to working with State election officials to collect and review certificates of election for every Member, Delegate, and Resident Commissioner.

The ongoing pandemic made this year's preparedness especially challenging, but in the end, the Office of the Clerk ensured that, on opening day, January 3, 2021, a new Congress could begin carrying out its constitutional mandate. On January 6, the Clerk's Office and the Parliamentarian worked with Senate officials on the official counting of electoral votes, which was completed despite the terrible challenges of that day.

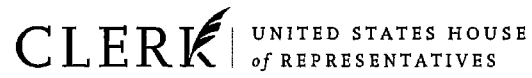
We appreciate the subcommittee's ongoing support for the operations of the Office of the Clerk. For fiscal year 2022, we respectfully request \$35,857,000 to carry out our existing and new responsibilities to the House, of which 90 percent supports personnel salaries, training, and technology. The request is a net increase of roughly \$4 million, or 12 percent, above the fiscal year 2021 enacted funding level.

A major component of that increase would support nonpersonnel items, primarily mandatory maintenance of the Electronic Voting System, the Comparative Print Project, further development of the eHopper, and continued modernization of the Legislative Information Management System. These projects are all critical to the flow of legislative operations.

Working closely with our partners in the House, from quite literally living rooms and dining room tables, Clerk staff have successfully supported the House through a remarkable time in history. They have done so while shouldering the personal impact of this pandemic by serving unexpectedly as school teachers and family caretakers. I am honored to work with such dedicated staff.

Thank you again for your continued support, and I look forward to any questions.

[The information follows:]



**STATEMENT BEFORE THE HOUSE APPROPRIATIONS
SUBCOMMITTEE ON THE LEGISLATIVE BRANCH
ON THE OFFICE OF THE CLERK FY2022 BUDGET REQUEST**

THE HONORABLE CHERYL L. JOHNSON

MARCH 10, 2021

Chairperson Ryan and Ranking Member Herrera Beutler, Members of the Subcommittee: Thank you for your ongoing support for the Office of the Clerk and for the opportunity to testify about our office's operations and FY2022 budget request.

Since our previous Appropriations hearing on March 3, 2020, we have witnessed an unprecedented challenge to the continuity of business in the U.S. House of Representatives. The Office of the Clerk has been deeply immersed in efforts to ensure that the critical functions of the House continue uninterrupted throughout a rapidly unfolding global pandemic. Because of the high level of professionalism in the Clerk's Office and the longstanding culture of preparedness and nimbleness, we have been able to seamlessly adjust to these disruptions.

With regard to the pandemic, in just a few weeks, the Clerk's Office developed new processes and systems to permit the electronic submission of legislation, additional cosponsors, and *Congressional Record* inserts. Since the Speaker announced a new policy on April 7, 2020, Clerk staff, risking falling ill with the coronavirus, have worked daily to process more than 4,500 bills in the last year.

Under the new eHopper system, there has been a 157-percent increase in bills introduced during pro forma sessions. As a result, staff spend hours processing bills long after the House concludes its daily business. For example, this year's January 28 pro forma session yielded 155 bills, of which 151 were introduced through the eHopper. Several Clerk staff collectively worked more than 12 hours to process these 155 bills.

In addition, we have processed 7,909 proxy votes, made all proxy letters available on the Office of the Clerk website, and provided a quick guide to ensure compliance with H. Res. 965 (116th Congress), which authorized remote voting by proxy. We have continued to receive and process financial disclosure documents, lobbying disclosure documents, travel authorization forms, stationery orders, and franked envelope requests. We partnered with the House Historian to commemorate the 150th anniversary of the election of Joseph H. Rainey, the first

African-American Member of the U.S. House of Representatives. The Clerk's Office also supported the House Historian's work to publish *Women in Congress, 1917–2020*, a nearly 1,200-page volume.

Working closely with our institutional partners from—quite literally—living rooms and dining room tables, Clerk staff have successfully supported the House during a remarkable time in history. And, they have done so while shouldering the personal impact of this pandemic by serving unexpectedly as schoolteachers and family caretakers.

HOUSE OPERATIONS

On January 3, 2021, as the House Clerk, I led Opening Day activities in the Chamber through the election of the Speaker. To prepare for the new Congress, Clerk staff updated the Electronic Voting System (EVS) and all other systems as well as Floor materials, including Roll Call books, *House Journal* files, and manual tally sheets. The Office also worked with Secretaries of State and other state election officials to review all Certificates of Election. During 2020 the Office of Legislative Operations processed 4,108 introduced measures (with 62,693 cosponsors) and supported 565 hours of Floor activity.

In addition to its myriad of responsibilities in support of legislative operations, the Clerk's Office has nearly 200 duties related to the biennial transition from one Congress to the next. Those duties—which range from publishing a new Members Directory to collecting Certificates of Election for every Member, Delegate, and Resident Commissioner—were a critical focus of the Office of the Clerk during the second half of 2020.

The ongoing pandemic made this year's preparations especially challenging. But, in the end, the Office of the Clerk, as it has for 232 years, ensured that on Opening Day a new Congress could begin carrying out its constitutional mandate. And, on January 6, 2021, the Clerk's Office and the Parliamentarian worked with Senate officials on the official counting of electoral votes,

which was completed despite the terrible challenges of that day, thanks to heroic work by our staff and many others.

During the past year we upgraded all workstations and printers in the EVS network. We have also implemented centralized logging and monitoring within the EVS network to enable rapid response to outages on network devices. At present, we are continuing to work with our vendor to upgrade the display server for the EVS.

In addition to supporting the legislative work of the House on the Floor, the Clerk's Office supports the work of House Committees. The official reporters provide reporting services for all Committee markups, hearings, and depositions as well as for many investigative interviews. Also, our Legislative Computer Systems (LCS) division maintains the Committee Repository, which is publicly available at docs.house.gov. As part of our change of Congress activities, Clerk and Parliamentarian staff offered to all Committee staff two training sessions about the services our offices provide to the Committees. More than 150 committee staff attended the sessions, during which CAO and CRS staff also discussed services they provide to Committees.

Operation of Vacant Offices

Per federal law and House Rules, the Clerk becomes the employing and certifying authority when a Member vacancy occurs, and we work with the vacant office's remaining staff to continue operations and provide constituent services until a successor is elected. The Clerk's Office is managing three vacant offices presently. We also managed the office for the 22nd Congressional District of New York until the election was certified.

Website Redesign

On July 7, 2020, we went live with the redesigned Office of the Clerk website clerk.house.gov, along with live.house.gov, which makes available live video streaming of the House Floor and real-time information on legislative activity. The mobile-friendly website incorporates modern responsive front-end design that automatically adjusts to end-user devices. We thoroughly revamped the data backend with services-based architecture that facilitates future enhancements and ease of integration with other applications. We continually update and improve the website to meet demands.

BUDGET REQUEST FOR FISCAL YEAR 2022

We appreciate the Subcommittee's ongoing support for the operations of the Office of the Clerk. For Fiscal Year 2022, we respectfully request \$35,857,000, of which 90 percent would support salaries and training, and technology, to carry out our existing and new responsibilities to the House. The request is a net increase of \$3,882,000 (12.14 percent) above the FY2021 enacted funding level. A major component of that increase is for special projects, including required maintenance of the EVS, the Comparative Print Project, continuing development of the eHopper, and ongoing modernization of the Legislative Information Management System (LIMS), all of which are critical to the flow of legislative operations.

Seventy-four percent or \$26,552,000 of the overall request is salary-related expenses, including personnel compensation, cost of living adjustments, overtime for existing positions, and the establishment of six requested new positions. Eleven percent or \$4,073,000 would fund technology contractor support. Three percent or \$1,016,000 is for IT systems and processes maintenance and warranties, and two percent or \$567,000 is for equipment, including software, computer hardware, and furniture.

The remaining ten percent or \$3,649,000 of the FY2022 request is for nonpersonnel expenses associated with business continuity/disaster-recovery activities (\$251,000), staff

development and training (\$287,000), closed captioning services (\$482,000), stenographic reporting (\$800,000), and other miscellaneous expenses such as nontechnology contractor support (such as curation and exhibitions), telecommunications, supplies, subscriptions, transportation of things, travel, and printing/reproduction (\$1,829,000).

During our internal budget formulation process for FY2022, we reviewed all programs and thoroughly scrubbed each one to exclude all nonrecurring costs. Our FY2022 request would also support our many ongoing initiatives, including the following key priorities:

- Hiring of additional official reporters and technology staff
- Lifecycle replacement of the EVS
- Continued development of the Comparative Print Project
- Continued modernization of LIMS
- Contractor support for information dissemination and legislative operations, such as the Office of the Clerk website, Financial Disclosure System, Lobbying Disclosure System, and the eHopper
- Maintenance of the House Collection and scheduled rotations of exhibitions

Mr. RYAN. Thank you.

Mr. Blodgett.

Mr. BLODGETT. Good morning, Chairman Ryan, Ranking Member Herrera Beutler, and members of the committee. I appreciate the opportunity to present the Office of the Sergeant at Arms' budget request for fiscal year 2022. It is an honor and a privilege to serve this institution, and I look forward to continuing to partner with the committee as this year progresses.

I first want to thank the employees of the Office of the Sergeant at Arms. I have been serving as Acting Sergeant at Arms for 2 months. During that time, I have learned that my success depends on the success of my employees. I can fail on my own, but success requires the commitment and skills of multiple employees working together to fulfill the mission. My success is dependent on them, and I thank them. Their support means more to me than I can express.

These hearings serve as a useful time to both look back and look forward. Since the Office of the Sergeant at Arms' last budget hearing, the COVID-19 pandemic has drastically altered how my office and Congress has done its business. Longstanding processes have had to change in order to keep us safe. My staff have had to shift their mission in all areas, from Chamber operations to coordinating personal protective equipment distribution.

In addition, the needs of the Office of the Sergeant at Arms has changed considerably since January 6. We are focusing on realigning our workforce to better serve Members, staff, and visitors. This includes structuring ourselves in a way that allows us to hold both our organization and our law enforcement partners more accountable for the security services we provide you, your fellow Members, your staff, and our visitors.

Unfortunately, because of the budget submission cycle, the identified needs for the Sergeant at Arms, including more needs identified by the report produced by General Honore this past week, will grow from what was originally submitted. My staff and I will continue to work with the subcommittee on investments that the subcommittee can make that would help better secure Members, staff, and visitors.

With that background in mind, I would like to present the Sergeant at Arms' fiscal year 2022 request. For fiscal year 2022, I am requesting further funding for the Joint Audible Warning System, or JAWS, project. This is a shared effort with the Senate Sergeant at Arms, Architect of the Capitol, and Capitol Police to replace the aging wireless emergency enunciator system.

One of the items I have testified to this subcommittee about is how communications in times of crisis needs to improve. The existing wireless enunciator system was introduced as a temporary measure following the events of 9/11. The system components are beyond their end-of-life dates. The requested funding will help procure a new joint system with encrypted transmission capabilities and new devices for all offices in the House. The JAWS effort, in conjunction with other existing notification capabilities, will provide notification resiliency.

I am also requesting funding to continue providing security services to Member district offices through the Sergeant at Arms' Dis-

district Office Security Program. Today we are only responsible for providing a security system for one district office per Member. I believe the District Office Security Program should be expanded to allow security systems to be provided by the Sergeant at Arms' program to all appropriate district offices.

To date, with the support of this committee and the Committee on House Administration, we have more than 450 active systems, with new systems coming online each month. While this is a measurable improvement from the beginning and is a positive sign, our work isn't done, and I believe that we can provide more for the district staff, who play a critical role in the functioning of Congress. Therefore, I view the District Office Security Program as a necessary and basic investment in ensuring security.

Employees of the Sergeant at Arms' Office are our strongest asset. Fiscal year 2022, I am requesting funding for two new FTEs. Within the Division of Police Services and Law Enforcement, an additional FTE would work on coordinating security installations and providing administrative support for the District Office Security Center. Also, within the Division of Police Services and Law Enforcement, an additional FTE will provide the staffing needed for the increasing requirements to coordinate and support event planning efforts with our law enforcement partners. This includes working with our partners to develop written plans for large events, like the national special security events, and smaller scale events, like committee field hearings.

While this FTE request was provided in late fall, January 6 demonstrated a clear need for this role to both assist our office and to hold our law enforcement partners accountable for meaningful documented planning efforts.

Nonpersonnel expenses for fiscal year 2022 will continue to support, among other items, travel, including Sergeant at Arms-approved Capitol Police travel in advance and support of overseas leadership codels and other large-scale off-campus events attended by Members, and the biennial purchase of Member and spouse identification pins, plates, parking permits, and safes.

Thank you once again for the opportunity to appear before the committee. I am so appreciative for the committee's support and partnership, and I am happy to answer any questions you may have.

[The information follows:]

**Office of the Sergeant at Arms
Fiscal Year 2022 Budget Submission
Statement of Timothy P. Blodgett
Acting Sergeant at Arms**

Good morning Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Committee. I appreciate the opportunity to present the Office of the Sergeant at Arms budget request for fiscal year 2022. It is an honor and a privilege to serve this institution, and I look forward to continuing to partner with the Committee as this year progresses.

I first want to thank the employees of the Office of the Sergeant at Arms. I have been serving as Acting Sergeant at Arms for two months. During that time, I have learned that my success depends on the success of my employees. I can fail on my own, but success requires the commitment and skills of multiple employees working together to fulfill our mission. My success is dependent on them.

These hearings serve as a useful time to both look back and look forward. Since the Office of the Sergeant at Arms's last budget hearing, the Covid-19 pandemic has drastically altered how my office and Congress has done its business. Longstanding processes have had to change in order to keep us safe. My staff have had to shift their mission in all areas, from changing how the floor operates to coordinating Personal Protective Equipment (PPE) distribution.

In addition, the needs of the Office of Sergeant at Arms has changed considerably since January 6th. We are focusing on realigning our work force to better serve Members, staff, and visitors. This includes structuring ourselves in a way that allows us to hold both our organization and our law enforcement partners more accountable for the security resources we provide you, your fellow Members, your staff and our visitors. Unfortunately, because of the budget submission cycle, the identified needs for the Sergeant at Arms — including more needs identified by the report produced by General Honoré this past week— will grow from what was originally

submitted. My staff and I will continue to work with Subcommittee staff on investments that the Subcommittee can make that would help better secure Members, staff, and visitors.

During this past year, our District Security Service Center partnered with our Emergency Management Division, the Office of the Attending Physician and the CAO to serve as the primary conduit for coordinating COVID-19 outreach and support. This is on top of their primary responsibilities of upgrading security systems and providing security guidance and support to district staff. Their work incorporated ongoing surveys with district staff to monitor operating status during COVID, meeting with each freshman Member office to educate them on the security resources available, coordinating security system deactivations with outgoing Members and documenting nearly 5,500 unique security related interactions with district staff over the past year. Additionally, this past year, the team contracted with an additional national vendor to provide Member offices with better resources and options for district office security upgrades. Although the program itself is just shy of four years old, as you'll see in our requests, we believe there is more we can provide to support Member security in their home district.

I am very proud of the work that has gone into these initiatives and the services my team provides to the House community.

With that background in mind, I would like to present the Sergeant at Arms FY22 requests.

For FY22, I am requesting further funding for the Joint Audible Warning System, or JAWS project. This is a shared effort with the Senate Sergeant at Arms, Architect of the Capitol, and Capitol Police to replace the aging wireless emergency annunciator system. One of the items I have testified to this Subcommittee about is how communications in times of crisis needs to improve. The existing wireless annunciator system was introduced as a temporary measure following the events of 9/11. The system components of these pager-like devices (which are located in all DC offices) are beyond their end-of-life dates, the technology is old, battery

components are no longer produced, and system support by the vendor is limited. Eighteen years after implementation, the requested funding will help procure a new joint system, with encrypted transmission capabilities and new devices for all offices in the House. It is critical for us to replace the system components.

With the new JAWS system, emergency voice notifications will be sent via secure radio frequency to all offices and meeting spaces throughout the campus. This radio frequency system will not rely on cell towers or IP-based networks and will provide a separate and critical system that will work in parallel with the other notification systems in place, to provide critical life-safety information to everyone in the House. Importantly, the encryption capability will help ensure messages are sent from trusted, authorized officials to verified devices.

The JAWS effort, in conjunction with other existing notification capabilities – the Joint Emergency Mass Notification System (or House Alert currently available on desktops and cellphones) and the Public Address System (the loudspeaker system in office hallways) – will provide notification resiliency. Collectively, they will use multiple delivery methods, including email systems, cell towers, network systems, and radio frequencies, to send emergency messages to Members and staff. The requested amount for FY22 is \$3,080,000 (which includes funding for the annunciator annual license and maintenance agreement) and represents a portion of the Sergeant at Arms requested budget increase.

I am also requesting funding to continue providing security services to Member district offices through the Sergeant at Arms District Office Security Program. The district office security systems form the backbone of the support that my office provides to district offices. Today, we are only responsible for providing a security system for one district office per Member. I have spoken to Committee staff, and General Honoré has identified that the District Office Security program should be expanded to allow security systems to be provided by the Sergeant at Arms to

all appropriate district offices. When the district security program began just over three and a half years ago, we were aware of roughly 150 offices that had some type of security system. I'm happy to report today, with the support that this Committee and the Committee on House Administration, we have more than 450 active systems with new systems coming online each month. While this measurable improvement has raised the bar and is a positive sign, our work isn't done, and I believe we can provide more for the district staff who play a critical role in the functioning of Congress. Therefore, I view the District Office security system program as a necessary and basic investment in ensuring security for Members, staff and constituents when they are visiting a Member's district office.

Employees of the Sergeant at Arms Office are our strongest asset. For FY22, I am requesting funding for two new FTE.

Within the Division of Police Services and Law Enforcement, an additional FTE will work on coordinating security installation and providing administrative support for the District Office Security Center. As the program has matured, and more vendors are brought online, it is helpful to have a centralized point of contact for coordinating installs. In addition, it is more responsible for these projects to be managed by a federal government, rather than contracted employee, because of the different vendors and cost.

Also, within the Division of Police Services and Law Enforcement, an additional FTE will provide the staffing needed for the increasing requirements to coordinate and support event planning efforts with our law enforcement partners. This includes working with our partners to develop written plans for large events like Inaugurations, joint sessions of Congress, other National Special Security Events (NSSEs) and smaller scale events like committee field hearings, Congressional retreats or demonstrations here on the Hill. While this FTE request was provided in late fall, January 6th demonstrated a clear need for this role to both assist our office

and to hold our law enforcement partners accountable for meaningful, documented planning efforts.

Non-personnel expenses for FY22 will continue to support travel, including Sergeant at Arms approved Capitol Police advance and support of overseas Leadership CODELs, and other large scale off-campus events attended by Members of Congress. Funding will continue to provide critical job-specific training for Sergeant at Arms staff in the areas of project management, physical protection systems, leadership and management, information technology and customer service. Telecommunications funding will support cell phone, air cards and wireless service for all divisions of the Sergeant at Arms. Printing funding will support general printing needs and the preparation of emergency, security and District Office training materials. Supplies and materials funding will be utilized for the purchase of office supplies, ID supplies, the lifecycle replacement of parking security uniforms, and the biannual purchase of Member and spouse identification pins, plates, and parking permits. Finally, general equipment funding is requested for the lifecycle replacement of PCs, software systems, laptops, wireless devices, cellphones, and desktop phones.

The FY22 Sergeant at Arms budget request has been prepared in the spirit of zero-based budgeting, without jeopardizing mission-critical services provided to the House community. To fund ongoing efforts, the Office of the Sergeant at Arms requests \$24,309,000 for fiscal year 2022. This includes \$14,693,000 for personnel to fund 166 FTE plus 2 new FTE and \$9,616,000 for non-personnel items.

Thank you once again for the opportunity to appear before the Committee. I am so appreciative for the Committee's unyielding support and partnership as we strive to maintain the delicate balance between strong security measures and free and open access to the Capitol complex. I am happy to answer any questions you may have.

Mr. RYAN. Thank you.

Ms. Szpindor.

Ms. SZPINDOR. Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, thank you for the opportunity to present the fiscal year 2022 priorities and subsequent budget request for the Office of the Chief Administrative Officer.

The CAO remains committed to its 5-year strategic plan and its goals to, one, align Member needs; two, modernize and transform; three, protect the House; and, four, foster and engage. In meeting these goals, the CAO is guided by its organizational motto: Member focused, service driven. The CAO strives to improve communications with Members and staff, institute rigorous execution and delivery of promised initiatives, enhance our support for the well-being of the House employees, and promote and foster an inclusive and diverse workplace within the CAO.

The fiscal year 2022 budget request for the CAO is \$191.3 million, an increase of \$14.1 million, or approximately 8 percent, above the fiscal year 2021-enacted funding level. The increase includes \$5.3 million for new initiatives, including the design and upgrade of House office websites to ensure they are accessible to all Americans, including those with disabilities; upgrades and designs to make CAO services easily accessible through modernized and streamlined technology; contract support for committee broadcast operations; Member and staff training and course development; and software upgrades for financial and IT systems.

Additionally, \$4.5 million of this request increase supports ongoing critical activities, including our technology support to Members and staff, the continued strengthening of the House's cybersecurity posture, additional licensing for audio and videoconferencing tools, and cloud software for daily operations and telework, support for the Member- and staff-specific services, and the migration of House websites to a more secure and resilient cloud platform.

An increase of \$862,000 allows our Logistics and Support staff to refurbish existing furniture and implement new furniture and acquire software enhancements to streamline the House inventory processes, eliminating the need for Member offices to conduct self-inventories, and reducing paperwork and the amount of time Logistics and Support staff spend in Member offices.

Cybersecurity remains a critical priority, as an average of 6,000 House employees log in to the House network remotely each day. In 2020 alone, the Office of Cybersecurity blocked 40.1 billion unauthorized scans, probes, and connections aimed at the House. To ensure and maintain a strong cybersecurity posture, our request includes funding for remote network surveillance and monitoring and related support.

Our Employee Assistance team supports the health and well-being of Members and staff and continues to be crucial as we navigate the COVID-19 pandemic and cope with trauma-related issues. The fiscal year 2022 request also includes \$280,000 for our House Wellness Center to fund in-person and online wellness courses on topics like mindfulness, nutrition, fitness, and stress management.

The CAO continues to manage the delivery of workforce rights and responsibility education, cybersecurity, financial systems training, and support for mandatory ethics training. Our House-wide

training program develops and delivers courses designed specifically for job roles within the Member and committee offices. Our request includes \$350,000 for expansion of this custom curriculum development.

The personnel component of our fiscal year 2022 budget includes \$3.5 million, or a 4-percent increase, in current funding for staff longevities and projected 2.6-percent cost-of-living adjustment.

Before closing, I would like to highlight the CAO's stewardship with the resources that we have opportunity to use. We decreased our budget request by a total of \$5.8 million by eliminating obsolete equipment, software, and contracts.

Thank you for your support, for the opportunity to present our fiscal year 2022 budget request, which directly supports each Member of the people's House and the staff who support it. I look forward to answering any questions you may have. Thank you.

[The information follows:]



Statement Before the House
Appropriations Subcommittee
on the Legislative Branch
on the Office of the Chief Administrative Officer, FY2022

The Honorable Catherine L. Szpindor
March 10, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee. Thank you for the opportunity to present the fiscal year (FY) 2022 priorities and subsequent budget request of the Office of the Chief Administrative Officer (CAO). Having taken on the role of CAO just over two months ago, I would like to thank all of the Members of this Subcommittee, as well as my fellow Officers, for their support and collaboration, especially as we come together in the aftermath of the January 6 attack on our Capitol and as we support the operations of the U.S. House of Representatives through the COVID-19 pandemic.

SUPPORT THROUGH THE COVID-19 PANDEMIC

Since its last budget hearing in March 2020, the CAO has faced unprecedented challenges and has risen to the occasion to meet the needs of the House community. The CAO plays an integral role in ensuring the continuation of House operations during the COVID-19 pandemic. Among the many efforts to meet the unique challenges presented by the pandemic, the CAO deployed thousands of laptops and mobile devices to Members and staff so they could work safely from home, acquired and provided secure video and audio conferencing tools to facilitate official Committee proceedings and daily office operations, and distributed personal protective equipment both in D.C. and in the districts.

A majority of the CAO workforce itself also transitioned to telework. However, due to the nature of their jobs, many CAO staff reported and continue to report to Capitol Hill alongside Members and their staff to provide the services required to facilitate daily operations at the House, including food services, office moves related to the 117th Congressional Transition, and logistical and administrative support of official proceedings and on-campus events.

STRATEGIC PLAN

The CAO remains committed to following its five-year strategic plan and its four goals to 1) Align to Member Needs, 2) Modernize and Transform, 3) Protect the House, and 4) Foster and Engage. The work to achieve our goals is driven by our organizational motto: **Member Focused. Service**

Driven, which focuses the organization on our vision to be an essential resource for every Member of the People's House.

To further accomplish the goals set out under our strategic plan, the organization will continue to improve its communications with Members and staff; institute rigorous planning, prioritization, and execution of projects; enhance its support of the well-being of House employees; and promote and foster an inclusive and diverse workplace within the CAO.

FISCAL YEAR 2022 BUDGET REQUEST

I appreciate this opportunity to share with you the ways in which the CAO meets the needs of the House community, as well as the ways in which this FY22 budget request will allow the organization to advance its mission and goals. The FY22 budget request for the CAO is \$191.3 million, an increase of \$14.1 million, or approximately 8 percent above the FY21 enacted funding level.

This funding will allow the CAO to execute critical initiatives and projects. The increase includes: \$5.3 million for new initiatives, including the design and upgrade of Member, Committee, and Leadership office websites to ensure they are accessible to all Americans, including those with disabilities; upgrades and redesigns to make CAO services more easily accessible through modernized and streamlined technology; contract support for Committee broadcast operations through the House Recording Studio; development of courses tailored specifically to job roles within Member and Committee offices; and software upgrades for critical financial and IT systems.

Additionally, \$4.5 million of this requested increase will be used to fund ongoing critical activities, including our Technology Partner program that provides around-the-clock technology support for desktops and mobile devices to Member, Committee, and Leadership offices; the continued strengthening of the House's cybersecurity posture; additional licensing for Microsoft Office 365 and other cloud software to facilitate daily operations, as well as telework; ongoing support for Committee Field Hearings; and the migration of House websites to more secure and resilient cloud platforms.

In support of our Logistics and Support team, we are requesting an increase of \$862,000. This will fund the refurbishment of existing furniture and the implementation of new furniture. This increase will also fund software that enhances and streamlines House office inventory processes, eliminating the need for Member offices to conduct self-inventories and reducing the use of paper and the amount of time Logistics and Support staff need to spend in Members' offices.

The FY22 budget request includes \$3.5 million, or a 4 percent increase in current personnel funding for staff longevities and a projected 2.6 percent cost of living adjustment.

By emphasizing strong stewardship with House resources during our budget development process, we search for opportunities to eliminate costs. During the FY22 budgeting process, we were able to decrease our budget request by a total of \$5.8 million by eliminating obsolete equipment, software, and contracts.

The FY22 request directly supports the CAO's ability to execute its projects and initiatives, to continue to improve the services we currently provide, and to offer new services that provide the greatest strategic benefit for Member, Committee, and Leadership offices. In addition to the initiatives outlined above, our FY22 request will fund the wide array of ongoing services provided by the CAO, as well as the following priorities and initiatives.

CYBERSECURITY

Cybersecurity remains a paramount concern for the CAO. Our steadfast dedication to maintaining a strong cybersecurity posture was on display as the January 6 attack on our Capitol unfolded. During and after the attack, the Cybersecurity team ensured the House's information technology infrastructure remained secure and the devices and data of House offices were protected.

With upwards of 6,000 House employees logging into the House network remotely each day, the House faces new and unique cybersecurity challenges. In 2020 alone, the Office of Cybersecurity blocked 40.1 billion unauthorized scans, probes, and connections aimed at the House. In order to meet

these new and unique challenges, part of our request includes funding for remote network surveillance and monitoring and related support to ensure and maintain the security of the House technology infrastructure and network.

FACILITATION OF REMOTE PROCEEDINGS AND OPERATIONS

The CAO continues to provide House-wide enterprise subscriptions to video and audio conferencing platforms, which make today's remote Committee hearing possible. The cost of licenses and support for these platforms, originally covered by funding from the CARES Act, has now transferred to the CAO. As many House offices continue to operate through telework, these platforms remain critical.

Additionally, the Microsoft Office 365 platform is a valuable tool to facilitate the daily operations of House offices. Since March 2020, the House information technology infrastructure has supported more than 22 million chat messages, 510,000 virtual meetings, and averaged over 6,000 remote workers on any given day. Members and staff averaged 830 Teams meetings each day over the past six months.

STAFF WELL-BEING

Supporting the health and well-being of House staff is also a top priority for the CAO. These services are more important than ever as we navigate through the COVID-19 pandemic and cope with the trauma of the January 6 attack on the Capitol. In 2020, our Employee Assistance team had more than 6,000 individual contacts with Members and staff, nearly double the number of interactions from the prior year. The team also handled more than 1,500 individual interactions with Members and staff, and provided trainings, seminars, and educational resources following the January 6 event.

Our House Wellness Center is also a crucial resource to foster the well-being of the House community. Our FY22 budget request includes \$280,000 to fund in-person and online wellness courses for staff both on Capitol Hill and in the districts, as well as individual and group consultations on topics such as mindfulness, nutrition, fitness, general health, and stress management.

HOUSE-WIDE TRAINING AND PROFESSIONAL DEVELOPMENT

To help maintain the integrity of the House workforce, the CAO continues to manage the delivery of Workplace Rights and Responsibilities Education, cybersecurity training, and financial systems training and provides support for mandatory ethics training.

Our House-wide training program also develops and delivers courses designed specifically for job roles within Member and Committee offices. Current courses offered include Committee Clerk training, writing courses for Caseworkers and crafting Floor remarks, and a Legislative Counsel 101 course. Our FY22 budget request includes \$350,000 for further expansion of this custom curriculum development. As we develop instruction, we aim to improve and adapt it to accurately reflect and incorporate the job-specific skills needed by House staff to better serve their Members and constituents, provided by instructors with Member office experience.

CONCLUSION

The investments, priorities, and initiatives outlined in our FY22 budget request directly support each Member of the People's House and the staff who support it. We constantly review and analyze all aspects of our services to identify improvements and opportunities to better serve the House community. It is critical to our mission that we ensure the security of House technology and data, we provide services and resources that ease administrative burdens, and Members and their staff have easy access to modern and effective tools to carry out their constitutional duties.

Thank you again for your support and for the opportunity to present our FY22 budget request.

SECOND SESSION OF THE 116TH CONGRESS



The Office of the Chief Administrative Officer (CAO) provides the U.S. House of Representatives with administrative, technical, and operational solutions so Members can perform their Constitutional duties. Below are some of the highlights of the CAO's work during the Second Session of the 116th Congress.

HOUSE INFORMATION RESOURCES

40.1 BILLION unauthorized scans, probes, and connections aimed at the House blocked

24 MILLION+ messages processed in the Communicating with Congress system

70% reduction in greenhouse gas emissions through migration to new carbon-neutral data center

\$320,000 in monthly savings through renegotiated cellular plans for House offices

67 new websites **22** website redesigns

Average **6,000+** remote workers supported each day during COVID-19

Supported more than **18 million** chat messages

Supported **402,076** virtual meetings

ACQUISITIONS

7,744 small purchase orders **10,510** Contracts and purchase orders awarded totalling **\$250M+**

\$53,134.97 Member office savings on small purchases **1,491** pieces of teleworking equipment acquired through L719 funds

FINANCE

263,474 payments processed **134,837** vouchers processed

102,630 payroll transactions **24,555** student loan payments made

1,578 Payroll and Benefits webinars/trainings/briefings **0** reported significant deficiencies in the 22nd consecutive clean audit opinion for FY19

93% Member offices utilizing House Paid Interns

CUSTOMER EXPERIENCE CENTER

337 notary requests **20,550** incoming calls

1,622 special event room reservations **4,133** Customer Advocate interactions

1,681 House Creative Services work orders fulfilled

817 special events supported by the Capitol Service Center

\$15+ million in postage & production cost savings

51,136 people trained in Staff Academy classes including **13,793** individuals trained in Workplace Rights and Responsibilities

LOGISTICS & SUPPORT

1,373 core furniture items refurbished **\$1.15 million** savings from refurbishing furniture

3,326 PPE shipments to district offices **2,707** boxes of PPE delivered to House campus offices

HUMAN RESOURCES

168 HR + Logistics & Support office safety consultations

176 House office workshops and retreats

1,950 Well-being application accounts

WOUNDED WARRIOR FELLOWSHIP PROGRAM

120 total active Fellows in 2020

HOUSE RECORDING STUDIO

761 Committee Hearings Broadcast **307** fully remote hearings

Mr. RYAN. Thank you for all of your remarks. We appreciate you, and we are going to go to the question and answer.

I don't know if Chairwoman DeLauro is on?

The CLERK. She is not.

Mr. RYAN. She is not, okay.

Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Hi. Thank you so much for that.

I would like to start with Acting Sergeant Blodgett.

I know you referenced in your remarks that the task force review was made public this week and had a number of recommendations in it that I found really interesting and really helpful, honestly.

Specifically with regard to the Capitol Police Board decision-making during emergencies, they said that the CPB's deliberate decisionmaking process proved too slow and cumbersome to respond to the crisis in January, delaying request for critical supplemental resources. We recommend to give the USCP chief the authority to request external law enforcement and National Guard support without CPB preapproval in extraordinary emergency circumstances.

Do you support—I would just—do you support that recommendation? You are on mute.

Mr. BLODGETT. Nothing like doing that right out of the gate. I apologize.

I think General Honore's report to start is a—can be the starting point for constructive dialogue on how to provide the chief, who is the day-to-day operational commander of the Capitol Police, the ability to utilize extra resources available, whether it is through mutual aid agreements or National Guard—

Ms. HERRERA BEUTLER. I am going to just step in really quick because I don't have a lot of time.

Mr. BLODGETT. Sure.

Ms. HERRERA BEUTLER. So, just specifically, on that recommendation, do you support that recommendation?

Mr. BLODGETT. Yes, I support that we can find a mechanism to get the chief that authority, yes.

Ms. HERRERA BEUTLER. To get him the ability to make immediate requests for law enforcement, National Guard support [inaudible] In an emergency—

Mr. BLODGETT. I think there is a mechanism to do that, to provide enough of oversight to do that to allow the chief to have that flexibility and capability.

Ms. HERRERA BEUTLER. Well, obviously, I am asking in large part because one of the things that we have been challenged to figure out is who did what and said what before, you know, with regards to National Guard, and then, as the emergency was happening, who had the authority. And I think it has been very—it has been widely observed that the Board really seemed to slow down the process and/or the former Sergeant at Arms. I mean, it is hard to understand who did what.

And we just had the GAO in the hearing before us, and I asked about a report done a few years ago with regard to bringing accountability and transparency and more effectiveness to the Police Board, and the GAO just informed us that the Board has not adopted almost any of those recommendations.

And I know you are somewhat new to the role, but you have been there. Are you aware of this report, the GAO report, and is that something that you can assure us as we give you this new budget that you are going to be implementing their recommendations or at least asking for their assistance in getting to that goal?

Mr. BLODGETT. Ma'am, I am aware of that report. As you are aware, the dynamics on the Board, you know, the House, Senate, and the Architect have—you know, play a role in how things were implemented. I know that Mr. Irving had been pushing to do that, and I will continue to push those that are——

Ms. HERRERA BEUTLER. To get their recommendations adopted by the Board?

Mr. BLODGETT. To get it considered and those that we can get consensus to to be adopted, yes.

Ms. HERRERA BEUTLER. So would you say the challenge has been that other—maybe other voting members on the Board don't share the GAO's recommendations?

Mr. BLODGETT. I think——

Ms. HERRERA BEUTLER. Unmute. There you go.

Mr. BLODGETT. I think that there were, in the past, I can't speak for the present Sergeant at Arms, that there was a reluctance on the Senate and other members to, you know, to not engage.

Ms. HERRERA BEUTLER. Can I ask, and this is a little bit different tack because I am trying to follow what is being said in the Senate and what is happening here, and just, honestly, I am trying to piece together who was in charge so that we can make changes so that we never go through what we went through again. And I don't mean me personally; I mean the U.S. Capitol and the seat of our democracy.

Was anybody on your staff, either the previous Sergeant at Arms or yourself or any of your staff, in direct communication with anyone on the leadership staff with regard to the request to have National Guard come before the 6th, so anytime January 6 or in the week before? Had anybody on your staff either requested that or had communicated a need for that to the Speaker's Office, and did you guys connect with anybody in the Speaker's Office about that prior to or on January 6?

Mr. BLODGETT. I can say I did not. As to what Mr. Irving may or may not have done, that would be a question best directed towards him. You know, I can't—you know, that is outside my personal knowledge on what was discussed.

Ms. HERRERA BEUTLER. Oh, so you think there was a discussion?

Mr. BLODGETT. I don't know. I don't know one way or the other. That would be a question best directed at Mr. Irving.

Ms. HERRERA BEUTLER. But no one on your current staff that you are now responsible for has relayed to you——

Mr. BLODGETT. Not to my knowledge. Not to my knowledge.

Ms. HERRERA BEUTLER. Great. Thank you so much. I appreciate your time.

Mr. Chairman, I yield back.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

Mr. Blodgett, going to the security of Members back in their district, we have had discussions over the last couple of years about the obvious need to consider security for Members from a nonphysical office perspective because, basically, Members' security is required. Wherever they are, that is where their office is, and we have got Members that are way out there in the public. And it may not be as acute during COVID-19, but as COVID-19 recedes, we will be back into that environment. And as Members go back to their districts, we don't hang out in our offices.

And so the question has been, how do we provide for a greater level of Member security when we are not on Capitol grounds or not in our district offices? As I understand it, the practice has been that the Sergeant at Arms correctly asks local law enforcement to cooperate on that but does not compensate local law enforcement for that.

As I recall correctly, the Honore report had a provision in it, to the extent that we needed to, as I recall, increase Member security on a risk basis, which I suppose means that some Members are at higher risk than others, which I accept. But the basic question here is, do you believe that the U.S. Congress should undertake a greater level of funding of the security of Members back in their districts out of their offices, in other words, to compensate local law enforcement?

The answer from the Sergeant at Arms in the past has been no, as I recall, at least generally. And, you know, local law enforcement is very cooperative in providing that service, but at some point, it becomes just unfair to ask them to do that in addition to their other duties. Have you given further thought to that?

MR. BLODGETT. Thank you, sir. That is, you know, a very good question. Right now, I believe that we have had good cooperation in getting local assistance as needed and when needed, and it is easier for other jurisdictions to be able to support those requests as compared to other jurisdictions. So I do think it is something that we probably should examine. But finding what the right sweet spot is in terms of that reimbursement, I would have to work with the—we would have to work with the Capitol Police and go through that process with the committee to request the proper funding for that.

MR. CASE. Okay. Well, we have been considering it for at least the time I have been on the committee and probably longer, and I think it is getting more acute. And I don't want to have a tragedy out there where we look back and said—you know, sometimes when I go home and I am going out into my district, I actually consciously think about whether I should actually ask my local law enforcement to come out and help me out in a situation where I don't think there is any real risk, but I don't want to take a chance. But I don't want to ask them if they are not compensated.

And so I get into a tricky situation myself where I may be putting myself at risk because the burden that I feel I am placing on them. Now, they always have done it when I have asked and so—and, you know, I have asked—I have asked on occasion, but I don't ask all the time. And I wonder—and I am a pretty low-key Member here. I am not in the high-risk category, knock on wood. But, you know, some of my Members are high risk when they go out there.

So I would suggest that that is an area that we should probably accelerate our consideration. But I appreciate your appreciation of the concern.

Hey, Mr. Letter, just quickly, you had a very, very busy last couple of years, and what is left of all of that? What is on your plate now in terms of externally representing the House? And how does that, you know—I think you had a much higher activity level on a budget need in the last couple of years, but has that started to dry up, or is it still kind of continuing with the residuals?

Mr. LETTER. Mr. Case, thank you for that question. We do still have a batch of cases leftover involving—that are in litigation involving the Trump administration. We have been working with the Department of Justice and various, you know, the House committees to see what can be settled.

In some of the cases, for example, the Department of Justice has withdrawn positions that were taken by the Trump administration. You might have noticed that just recently that happened yesterday with regard to the public charge case. So we have some cases that have gone away. We still have some that are pending on court dockets, and I am very actively discussing those with the Speaker's Office and the White House and the Justice Department.

I also still continue to have a considerable amount of litigation that, as I am sure you are aware, is totally nonpartisan, you know, people who are bringing suit against, for instance, Members of Congress for issues such as their activities and policies concerning their social media accounts, et cetera. So the office is still quite busy, but you are right; the amount of litigation has already lessened, and I am expecting it to continue to lessen. I hope that answers your question.

Mr. CASE. It does. Thank you very much.

Mr. LETTER. You are welcome.

Mr. RYAN. Great. Thanks, Mr. Case.

The chair of the full Appropriations Committee, Ms. DeLauro.

The CHAIRWOMAN. Thank you. Thank you so much, Mr. Chairman.

One point before I ask my question, if that is all right, I want to just make a comment with regard to the Police Board. I would very, very much like to arrange some time where we can have an opportunity to discuss the Police Board, what we believe its structural makeup should be, and, I mean, recommendations for the future of the Capitol Police Board.

And maybe we can even have a conversation with General Honore and get some advice about how we can look at—and I say this to Congresswoman Herrera Beutler as well—a structure which meets the need and the time rather than a group of people where there has been a lack of coordination and a lack of what I call central command. So I would like to move in that direction.

In the meantime, Mr. Ballou, I read your testimony with great interest. As I am sure my colleagues have been told, like I have been by my own staff, that bill text is not going to be ready in time for when we want to introduce our legislation for a bunch of reasons. One that I have already encountered is that the large pieces of legislation, you know, like the Rescue Plan, puts virtually all other legislation drafting on hold.

I understand that these rules were laid out in 1970, but I think I can speak for others that this is incredibly frustrating. So these are a couple of questions that I wanted to ask: What changes can be implemented to avert, to prevent the standstill of legislative drafting, for those working on legislation while it is not moving is equally as important? You talk about two full-time new hires. Is that enough to address the workload that the office has coming in, has clearly increased over the last several years? And what are your long-term plans for the office to increase recruitment and retention of attorneys, particularly in light of the 5-to-7-year training period? Mr. Ballou.

Mr. BALLOU. Thank you very much, Madam Chair. Let me first address changes. We do respond as rapidly as possible, and the House schedule and committee schedules are what we focus on with matters that are coming to the floor, matters that are coming to committee. With the available staff we have then when we are not responding to the floor of the committee, then we are responding to requests for introduction for bills.

So, when the schedule remains packed for the floor with large bills, then that is where our resources go. Unfortunately, that means that those bills that are being prepared for introduction end up in a backlog and having to wait. So looking at matters of scheduling and coordinating may be something that will help.

For numbers of staff, we currently have on staff 78 full-time employees. We are, as we speak actually, onboarding a new attorney. We hope to onboard four or five before the end of this fiscal year or at the very beginning of the next fiscal year.

Our challenge over the last few years has been that we have had a number of retirements. And while we have hired a number of people for 3 years in a row, we had a net gain of zero, and our hires have not ended up balancing out the number of retirements. And the length of service of our attorneys 5 years ago was approximately 15 years on average. Today, it has dropped to about 11 years. So it can take a little bit longer for a newer attorney who is not as familiar with the subject matter to turn something around compared to somebody who has a longer tenure in the office.

The third part of your question addressed long-term plans. We are attacking that on multiple fronts. We are currently looking at our own processes and for ways that we can expedite what we are doing and working in the most efficient manner possible. We are doing what we can to provide educational opportunities for committee staff and Member staff so that we can help them help us as much as possible, and we are on course to hire more attorneys.

The CHAIRWOMAN. Let me, if I can, just interrupt for a second, and I apologize, but how many people do you need? I mean, really? What do you need, and what is the size—I mean, what is the backlog here?

Mr. BALLOU. The backlog varies by our subject area teams, and it varies with respect to whatever is happening with the schedule.

The CHAIRWOMAN. I understand, but what is it now? What is your backlog now? Maybe you are up to date with everything now.

Mr. BALLOU. We are not because we have had a lot of focus on the current reconciliation effort. I will need to get back to you with the particular backlog.

The CHAIRWOMAN. Okay. I am essentially just saying, what do you need to keep, you know, to keep pace in terms of staffing? And I understand the training piece, which is, you know, substantial, and, you know, I recognize that, and that is necessary and needed. But this is something that we need to know and to understand and so forth so that we can have the—you know, we can have legislation moving.

You know, I understand you get a big piece like the Rescue Plan, well, you have got to throw everything else on hold. But there ought to be a way in which we can accommodate these big pieces and, you know, and other pieces of legislation that need to be moving.

You know, the process is oftentimes—I don't have to tell you—slow enough, you know, to get all the pieces in line to get something done. And then when you are—you know, rather than, you know, to continue—well, you get my point, but I wish you—

Mr. BALLOU. Yes, ma'am.

The CHAIRWOMAN [continuing]. Could get back and let us know what that backlog is, what you might need in order to be able to, you know, not come out with a net loss or unevenness with people retiring and people that you are putting on so that you don't make gains.

And my time has run out, but many thanks, and I yield back the balance of my time. Thank you.

Mr. RYAN. Thank you, Ms. DeLauro.

Wade, I think probably all of us want to associate ourselves with the comments of the full committee chair with regard to that issue.

Mr. Amodei.

Mr. AMODEI. Hey, thanks, Mr. Chairman. I yield back.

Mr. RYAN. Mr. Espaillet.

The CLERK. He is not on, sir. Oh, wait. I think he is actually popping on.

Mr. RYAN. Mr. Espaillet?

Mr. Newhouse?

Mr. ESPAILLAT. Yes, Mr. Chairman.

Mr. RYAN. Yep. Mr. Espaillet, you have the floor.

Mr. ESPAILLAT. Thank you. Thank you so much, Mr. Chairman.

General Honore, the general's long-awaited release of the report gives recommendations. Many recommendations have to do with Capitol Police, where there are a number of them suggesting that will touch on all other offices. One in particular relates to the IT security and continuity of operations, something that I previously asked about to the Library of Congress.

I am wondering if you can all speak to how the report's recommendation may impact your budget request, whether relating to data security or other aspects of the report's recommendation?

Ms. SZPINDOR. This is Catherine Szpindor. I could speak to that if you would like. We do have some information in the response from General Honore regarding cybersecurity and regarding a possibility of centralized authority over the cybersecurity within the House. And I can speak to the entire aspect of it, or if there is a specific question you would like for me to answer, I will be glad to.

Mr. ESPAILLAT. How IT security could impact your operation and whether you are ready to have a secure operation regarding data security.

Ms. SZPINDOR. Uh-huh. I will tell you that right now we feel that our systems are secure from an infrastructure standpoint and also within our data centers. We have done a lot of work in the past to bring our data centers up to a tier three level, which is a high level from a security and support standpoint.

The issue comes, with what I know of General Honore's statement, it is really about blocking and tackling, okay. We need to everyday ensure our servers and our mobile devices and our accounts are set up correctly. And one of the biggest risks to us is the decentralized model that we all operate under means that I really cannot guarantee to you that this basic blocking and tackling is done correctly.

I can't guarantee that because the people that do much of the work don't necessarily report up to the Chief Administrative Officer or to our CIO. We have limited authority to be able to make sure that the technical expertise required to validate whether all policies and processes around cybersecurity and cybersecurity itself is followed universally.

And it is a significant risk, if we are talking about risk and blocking and tackling, to the Members and to the House by not being able to ensure that every single thing that we are trying to accomplish from a cybersecurity standpoint is actually done. We don't believe that we should take significant risk, but we need to identify the risks that we do have and ensure that we are taking steps to reduce it.

Mr. ESPAILLAT. So what is your recommendation then to avert those risks?

Ms. SZPINDOR. My recommendation is to look at how we can better have accountability and authority to ensure that the cybersecurity practices and policies are followed correctly.

Mr. ESPAILLAT. Okay.

Mr. Chairman, thank you. I think that we ought to follow up on this issue a little bit more as we move forward. I think it is an important one for all of us. Thank you so much. I yield back.

Mr. RYAN. I thank the gentleman for bringing that to the committee's attention.

Ms. Wexton, you have the floor.

Ms. WEXTON. Thank you, Mr. Chairman.

It is great to be here with all these folks from the House, and I want to thank all of you for everything that you have done to help keep the House running so smoothly during this pandemic. You know, I saw a statistic from the House Admin Committee that the House Members and staff conducted about almost 350,000 virtual meetings during 2020, and that is pretty remarkable because I am guessing that is a whole lot more than there have ever been in the past, and that is really—you guys deserve a great pat on the back for that.

But I do have some questions. Ms. Szpindor, following up on those questions from Mr. Espailat, for the data security, part of what has been recommended is that we move the data center oper-

ations out of the national capital region to some place outside of this general area. Is that correct?

Ms. SZPINDOR. That is certainly something that we have been working toward in the CAO for a while. And for the most part, for all of the data centers, center equipment, servers, data that we support that is 100 percent within the CAO, we are accomplishing that with two things. We are accomplishing it by having fully redundant data centers in two disparate locations: One is a remote distance; the other one is a little bit closer. But we are putting all of our information and our network and our servers and all of the data into two tier three data centers that are very secure.

And so for—I can't speak to what is done outside of the CAO and the other leg branch agencies, but for us, that is the path that we are on to ensure that there is nothing here on the Hill that could be damaged if there was a major disaster, and that has been our posture for a number of years now.

Ms. WEXTON. Okay. And is that process proceeding at the pace that you would like it to be?

Ms. SZPINDOR. Yes, it is. We have a team right now that is finishing the move from the alternate computing facility that we had been in for a number of years to a tier three data center. The moves are happening as we speak, and we expect all of that activity to be finished around the mid to end of May. And once it is finished, I can sleep better at night.

Ms. WEXTON. Very good. Thanks.

Now, Mr. Blodgett, I understand that there have been some other questions about the Capitol Police Board and the decision-making authority and everything, but a question I would have for you is, does the Capitol Police Board have its own dedicated staff just for the Police Board?

Mr. BLODGETT. The Capitol Police Board has an executive assistant who is housed within the Capitol Police Department, as well as, technically, the IG reports up to the Capitol Police Board.

Ms. WEXTON. So then who would respond to inquiries and things like that that are directed to the Police Board? If the GAO had inquiries about the implementation of recommendations, who would actually respond to that? Because it is my understanding that the Police Board has not been very responsive to the GAO.

Mr. BLODGETT. Usually that would come in to the chair of the Board, any official requests.

Ms. WEXTON. And do you know if this [inaudible] What has been happening with the implementation of their recommendations?

Mr. BLODGETT. Ma'am, there were attempts from the House to implement some of those recommendations, as you are aware, that the Capitol Police Board works on consensus. There is also a Senate Sergeant at Arms and the Architect of the Capitol involved.

Ms. WEXTON. Okay. But there is no centralized response system for the Police Board—

Mr. BLODGETT. If there is an official response, it would be addressed to chair of the Capitol Police Board, at the time which is currently the Senate Sergeant at Arms office.

Ms. WEXTON. Got it.

Mr. BLODGETT. I apologize.

Ms. WEXTON. Is it the same among the members of the Police Board, or is it just who the chair is?

Mr. BLODGETT. Can you repeat the question?

Ms. WEXTON. Does who the chair is rotate among the members of the Board? Do they select one every year or what?

Mr. BLODGETT. It alternates between the House and Senate Sergeant at Arms.

Ms. WEXTON. Okay.

Mr. BLODGETT. Now, I did have discussions with GAO in the past on those reports as well, that and then my counterpart at the time when I was, you know, on the Senate and the Architect. So we have had dialogues back and forth with the GAO individuals doing the review.

Ms. WEXTON. Okay.

Ms. Hendrix, I understand that the Office of Diversity and Inclusion is new—kind of new—within the—the Office of Diversity and Inclusion is fairly new, but you did this work in the House of Representatives for several years. So what are the challenges that you are currently having in ensuring that offices are aware of the ODI and use its services?

Ms. HENDRIX. The challenges are reminding people that we exist. I think people tend to think about it immediately when they have a new hire because that is a service that was provided when—in the Democratic initiative and with the Republican initiative in that format. But as we are moving to where we are staffing and we are continuing to work with the CAO on the reporting, it is a reminder to people that we exist.

So we are working with outreach, using social media, engaging with chiefs and at the staff level in multiple different levels. But it is a constant reminder and in collaboration with speaking to similar offices, like the ombudsman or the Office of the Employee Advocate. They are similar—they are working through that similar process, having to make sure people understand what their services are and when a person would use that resource as opposed to another one. So we have been working in concert with those other offices to think of ways that we can collaborate to make sure employees know what resources are available to them and how to utilize them.

Ms. WEXTON. Great. Thank you so much.

I see that my time has expired, and I yield back.

Mr. RYAN. Thank you, Ms. Wexton.

So I have got a few questions here for the panel. I want to start with Ms. Hendrix. Ms. Hendrix, I appreciate your being here. This is obviously an issue, the Office of Diversity and Inclusion, and it is an issue that has been very important to this committee over the past couple of years. And I know you requested four additional full-time employees but then also additional funds to develop and execute the compensation diversity study. This is something that we feel very, very strongly about. The barrier analysis, we feel very, very strongly about, really, you know, trying to identify what some of these barriers are.

And you said that the—and mentioned at some point that the reports can be completed by an outside vendor or from the new team in-house. If you can just talk to us for a minute or two about this

request, and where are you in the process of developing these surveys? Would the four additional full-time employees, is this where they would be? Would they be associated with this analysis that we need to happen and those kind of things? So I would love to hear where you are at on that.

Ms. HENDRIX. Yes. Up until this point, the House has always worked with an outside independent contractor who completes those services. And so, when we completed the 2019 compensation and diversity study, that was an outside contractor, when we did the barrier analysis in 2020. With additional employees, we could hopefully bring some of that work and complete it internally rather than working at a discrete period of time and working in concert with—or in collaboration with an external contractor.

If we could have a team that was focused and familiar with the House and how it works, I believe that we could get more robust reporting and be a little more agile and adaptive, rather than having to begin with that idea and then extend the RFPs and have people compete for all of the—going through all of those processes when we have to compete the process and then finding the initial—I think we could tailor our process and procedures to the House because even as we are bringing in these outside workers, they are familiar with the Federal Government or they are familiar with the private sector, which is very different and unique. And how our employees are employed are unique. How our individual offices and each Member office is structured is unique. So we spend a lot of time bringing the outside contractor up to speed, and even sometimes the general processes of how we do business don't necessarily align with what our needs are. We are adapting those processes and procedures as they would be done within the Federal Government or within the private sector, but our processes and procedures are different. We don't have the original mandate to report to the EEOC or to the White House or to other individual sectors. We are just reporting to the body. So they are adapting their reporting model to those entities to try and make it work for us.

And with the partnership that we have been doing, I think we have built a good enough relationship with those contractors, but it is still always a good amount of work to get them to understand how we are employed here and how our processes and procedures work.

I think we would serve the demands that we have better if we had a team that was specifically dedicated to that who understood our structure, our hierarchy, our procedures, and we were utilizing the dollars that we were spending on a team that was just focused on us.

Mr. RYAN. Do you need all four of the FTEs in your request, or could you do it with a couple of full-time employees?

Ms. HENDRIX. I would be remiss to say that we don't need all four. I think that would be untrue. Will we make it work if we don't get all four? We will. Would we be more agile and more adept and be able to do something more robust? I believe we would.

We have multiple different streams of reporting, and so having two people focused on generating larger—of course, I think the Compensation and Diversity Study was a report that was 400-and-some-30-odd pages, and the team that completed it from the out-

side contractor was about 30 people. They had industrial psychologists. They had tech people. They had their industry people. We can't replicate that with two people.

And so, ideally, we could over a longer stretch of time through the course of the year do that with a smaller team, but I do not know that we could replicate the scale of the products that we have done before working with an outside contractor with one or two people.

Mr. RYAN. Kemba, how many do you have now working there? How many full-time employees?

Ms. HENDRIX. Full-time employees, we have seven, but they are not all dedicated to the research work. Currently, we have one research analyst whose responsibility is kind of project managing the work that we do with the outside contractors.

Mr. RYAN. Okay. Well, we want to engage on this. Obviously, the survey and the analysis is very important to us. We want to get it done. We want to get it done as quickly as possible. And we want to make sure we sit down and talk with you as we are crafting the appropriations number here for you, figure out the best way to do that. So let's make sure we stay in close contact on that. So I appreciate your answer.

Wade, I have got a question for you real quick. I missed a little bit of Ms. DeLauro's conversation with you, so I don't know if you covered it. Did you guys cover the comparative tool that your office and the—where did you go, Wade? There you are. That the Office of the Clerk and your office are developing a legislation comparison tool that would allow Congress to compare two versions of legislation. Can you talk to us about where you are in the development of that tool?

Mr. BALLOU. Yes, sir, Mr. Chairman.

We are working very closely with the Clerk of the House on that tool. We currently have roughly 100 users in the House and an early alpha pilot project for them to be working out the tool and to be providing feedback that we can incorporate and move toward improving that tool so it is usable for all staff and Members in the House.

We very much hope to be able to roll that out later this year. Relating to that, we are working with the Congressional Academy in developing a course to provide training on how to use that tool.

And we are actually quite excited about the possibilities and the ways that we think it will help all Member and committee staff to be more efficient in their work and thereby helping the Members in their duties in the legislative process.

Mr. RYAN. Is this the same system that is used in the Senate now?

Mr. BALLOU. No, this is very different from the Senate. My understanding is that the Senate has a tool that is a legacy tool called CompareRite that provides a bill-to-bill comparison to see the changes that had been made in a later draft.

The tool that we are working on will do that. We are working on building into it a little bit more intelligence, so that, as provisions move around in a later draft, that they will show up as moved but not new text, or if, you know, something is dropped, there will be more notifications as to what was deleted in the next text.

In addition, we will be providing a changes in law, very similar to what is now provided for the committees in the Ramseyer part of the committee report, and that will be able to be run on demand by staff so that it makes it easier to understand how a bill would change a current law.

We are adding in a bill viewer to make it easier for staff to analyze a bill and to begin to work through a bill smartly, looking for items of particular interest, you know, such as the definitions or dollar amounts, effective dates.

Mr. RYAN. I appreciate it. Well, that can help us move significantly quicker. So I appreciate it. And it will be much better for our staffs. Thanks.

I have got one final thing for you, Tim. You know, one of the conversations we are having that comes out of the Honore report and that I have had several of these conversations with Chairman DeLauro and Speaker Pelosi and others around the decision-making, and I know we touched upon it a little bit with the Capitol Police Board, but I would love to have your opinion on. You know, given the dynamic sometimes between the House Sergeant at Arms and the Senate Sergeant at Arms and then throwing in the Capitol Police and all that, what is your opinion on developing some kind of system where there is maybe one decisionmaker that is in charge, which is always important but especially important in times of grave danger, times of emergency? What is your opinion on that, as we look to, you know, potentially restructure how the law enforcement is done here on the Capitol?

Mr. BLODGETT. That is a very interesting question, sir.

Mr. RYAN. I try my best.

Mr. BLODGETT. It depends, I guess, on where you want to put the unitary authority. If it is, say, a streamlined version where you have maybe the chair of the Capitol Police Board able to say, "Emergency, go for it," that could work. If it is in the chief of police, that could work.

But sometimes you could get a chief of police who may be over-aggressive or necessarily underaggressive. So there is a layer of accountability as every police department reports up to some entity, whether it is a commission or a board or a city council.

So I think that would be one way to streamline a lot of the issues surrounding the nimbleness and the quickness of making a decision. It is just how you want to—you know, where you want to place that in the chain. But I definitely think it is something that is worth talking about, especially in emergencies.

Mr. RYAN. Yeah, no question. We also want to further the conversation. We have got to wrap things up now, but further the conversation with you around one of the other topics that came up here around security—Mr. Case talked about it—around security in districts and district offices and residence, you know, to make sure that the level of security that Members have here, while it probably could never be matched, they do have an opportunity to feel safe and their families feel safe back at home.

That is something that is very important to us here, given what a lot of Members have been through and are continuing to still go through and having the resources available there for details, if needed, but certainly the upgrades that are going to be needed

back in their home district. So we want to continue to work with you on that.

And I want to thank you, Tim, too. I mean, you have been terrific. You have been transparent. You have been open. You have been really a partner through all of this. So I want to personally say thanks to you because it has been, you know, such a tough go here. And, Catherine, to you guys as well. You guys have been really terrific, and we appreciate everything that you have done.

I want to thank everybody here.

Ms. Johnson, I still want to hear about your stress reduction sessions that you are having. And in this trying time, I think me and Ms. Herrera Beutler may want to come join a couple of them to sit and get a little quiet time with you.

But thank you, everyone, for an amazing and difficult year, and we are going to look at this budget very, very closely. As you know, there are so many different moving parts here this year. It is always tough decisions for us to make, but especially this year.

So I want to just say thanks for all of your service, and we will see you again very, very soon, and we will be sure we are in contact.

And, with that, this hearing is adjourned.

[Questions, answers, and additional material submitted for the record follow:]

Answers to Questions for the Record following the 2022 Budget Hearing for House Officers Conducted by the House Appropriations Subcommittee on the Legislative Branch, March 10, 2021

Cheryl L. Johnson, Clerk of the House

Chairman Tim Ryan

FY 2022 Budget Request

1. **Question:** How would the Clerk's office benefit from turning some of their annual funds to multiyear funds? Which offices within the Clerk's office would be impacted by this? What are the risks if this change isn't possible?

Answer: Converting the Office of the Clerk's annual funding to multiyear funding would align our period of availability of funding to the 27-month/15-month timetable. The Office of the Clerk supports House legislative operations, Members, and Committees by operating on the legislative calendar year. Therefore, multiyear funding would provide consistency and dependability with current operations. In short, multiyear funds would allow the Office of the Clerk to operate with maximum efficiency.

Specifically, multiyear funding would greatly enhance our ability to recruit, execute our spending plans, respond to ad hoc stakeholder requests that require reallocation of resources, and execute our budget by affording us with more time to assess needs. It would also allow the Office of the Clerk to negotiate more cost-effective quotes with vendors.

All Clerk divisions would be positively impacted by having an extended period of availability of funding to support their mission-critical duties. When planning for out-years, we must consider the possibility of a continuing resolution (CR), which gives us less than a full year to execute an annual spending plan. Given our record of not always requesting funding for existing projects every fiscal year, there are times when, to ensure timely delivery of requested new products, we have had to reallocate resources under a CR to continue time-sensitive projects while delaying others. One example is the existing eHopper prototype that we plan to build into a fully functioning application. In addition, not affording the Office of the Clerk with multiyear funding will likely result in the continued lapse of funding given the probability of beginning each fiscal year under a CR.

2. **Question:** Would the 6 new FTEs requested in the budget be used to fill vacancies or are they completely new positions? Please give us a breakdown.

Answer: The six FTEs are requested for new positions, the details regarding the positions are

- One (1) Administrative Specialist Position (\$82,000)
This position would handle a wide range of administrative duties, such as voucher payments, office equipment inventory, preparation for vacant office transition, assisting with new Member orientations and onboarding. The position would also provide administrative and budget management support for the Office of the Clerk in concert with the overall spending plan each fiscal year.
- Two (2) Official Reporters Positions (\$266,000)
These positions would provide transcripts for House and Committee activities.
- Three (3) Technology Positions (\$374,000)
The three technology positions include Applications Support Analyst, Senior Software Engineer, and Senior UX/UI Designer. These positions would support the legislative system infrastructure and the expanding portfolio of legislative applications, including Comparative Print, the Amendment Impact Program, and the eHopper. These positions would also lead and support application development and other modernization initiatives in the legislative process; provide needed essential support for existing applications and development; and support the engineering group within the Office of the Clerk.

Congressional Modernization

1. **Question:** How does the Clerk plan on using the eHopper system when Congress comes back to the Hill full-time with staff? What are the anticipated costs to maintain the system once it is fully operational?

Answer: We plan to continue utilizing the secure email-based system for the eHopper, in compliance with House Rules and the Speaker's announced policy, until the next iteration of the eHopper, "eHopper+," is in place.

The eHopper+ is in development and would continue enabling Members and staff to upload bills, original and additional cosponsor forms, constitutional authority statements, and other legislative documents electronically for submission. The new system would provide confirmation of submission and, eventually, would be able to review a sponsoring office's submission for completeness before the submission takes place. Curing problematic submissions that may lack

signatures, citations, etc., before submission to the system would vastly streamline current operations, both in the Office of the Clerk and for submitting staff.

Additionally, moving the eHopper+ system out of email and into a more robust technological solution would enable Clerk staff to more easily and accurately review and process submissions, improve our already-high accuracy rate, increase our teams' efficiency, and allow our staff to continue providing sponsoring offices with superb customer service. Once operational, maintaining the eHopper+ system would require continued development support for improvements and bug fixes in addition to staffing to provide member support. The required staffing has been allocated into our FY22 budget request.

- 2 Question:** What are the updates that need to be made this year to the STENO systems and machines?

Answer: The Office of Official Reporters manages 54 e-Key licenses, which are the licenses associated with our reporting and transcription services software (Case CATalyst). We anticipate submitting a request for 5 new e-Key licenses at \$1,595 for each license. These licenses will be used for additional personnel to gain access to our Case CATalyst software.

The Office of Official Reporters maintains 10 Luminex II stenographic machines, the most up-to-date stenographic machines used in the court reporting industry. Our Committee reporters use these machines. Nine Floor reporters use the original Luminex stenographic machines purchased in 2016 and 2017. Due to normal wear and tear, those stenographic machines should be replaced and upgraded to the Luminex II model later this year. We anticipate submitting a request for 9 additional Luminex II stenographic machines estimated at \$6,200 for each machine. We will redeploy the older Luminex stenographic machines to offsite emergency locations and for classified use. If necessary, the Office of Official Reporters will also submit requests to purchase standard stenographic related microphones and audio cables for all machines.

Legislative Information Management System (LIMS)

- 1. Question:** Are you on track to finish the modernization of the LIMS system by 2024? Can you please provide the committee with an updated timeline of LIMS modernization?

Answer: Yes, we are still on track to complete the LIMS modernization and fully deploy the new system by the end of FY24.

We are in the second year of phase III of the LIMS modernization effort. The phase I work of compiling the Business Rules was completed in 2018. This work required an extensive analysis

and review of the legislative process including extensive interviews with various users in its ecosystem, and detailed review of the current system. The phase II effort was completed in early 2020, when our focus was to develop a detailed project plan, recruit and assemble the project team, identify and select technology stack, and design the overall system architecture. Phase III, which began in early 2020, covers the bulk of our development efforts. During phase III we will continue to design and develop all key components, including all LIMS modules. We will also continue to implement automated testing and build the deployment architecture. We have adopted a more agile methodology to LIMS modernization and plan to deploy working subsystems in piecemeal fashion, allowing end users and stakeholders early access for critical usability testing and feedback. The requested FY22 budget funds the second year of phase III needs.

Updated Timeline of LIMS Modernization and Contractor Support requirement:

FY	Phase	Work Summary	Contract Support	Cost
FY20	III	LIMS Data Modeling Backend, Data Sync with legacy LIMS	4	\$1.3 million (funded)
FY21	III	Production: BEARS Development: BEARS, CARS, Data Sync with legacy LIMS	6	\$1.9 million (FY22 request)
FY22	III	Production: Bill Briefs, CARS, SARS Development: Bill Briefs, CARS, SARS, FARS, Reports	5	\$1.6 million
FY23	IV	Production: FARS, Reports, API Development: Member/Committee data, API for GPO/LOC/Senate, FARS, Reports	3	\$1.0 million
FY24	V	Full Production Release 1.0 Training and Documentation	3	\$1.0 million

Legislative Operations

1. **Question:** As you know legislative operations is the backbone of this institution. The work is very demanding and highly technical. For example, the work your bill clerks do with tracking legislation as it is introduced is an extremely demanding job, and it is just one part of your operations. What efforts you are taking to help your team with its Wellness?

Answer: The Office of the Clerk has engaged in numerous and ongoing initiatives focusing on employee wellness, flexibility, and improving work-life balance. Along with other Clerk divisions that support fast-paced Floor and Committee operations, Legislative Operations has utilized a protective staffing structure since March 2020. Staff are now able to complete much of their work remotely. The Office of the Clerk plans to continue utilizing telework opportunities to improve employee wellness by offering staff a reprieve from the stresses of local commutes, keeping staff safe and healthy despite the ongoing pandemic, while maintaining our tradition of excellence in supporting critical Committee and Floor work.

Along with teleworking and utilizing technology to support our remote operations, affected Clerk divisions have proposed a modernized Belo Plan Agreement to provide staff with increased flexibility and an improved work-life balance while prioritizing staff and institutional knowledge retention and support for the House. A “Belo” agreement is a written document that provides a guaranteed salary to an employee whose hours fluctuate significantly throughout the year for reasons not within the employer’s control. It also allows the employer to better anticipate overtime costs, as overtime pay—up to a certain level—is already built into the employee’s guaranteed weekly salary. This modernized Belo Plan Agreement would reflect the changes to the House’s schedule and improvements to technology over the last 25 years since the current Agreement was enacted.

In addition, staff have signed up to participate as “Wellness Champions” in concert with the House Center for Well-Being, and the Office of the Clerk continues to support staff through Clerk-led initiatives, including a recent all-staff meeting (held via Webex) with Chaplain Kibben. Recognizing that staff wellness can be addressed through both structural and interpersonal improvements, the Office of the Clerk has and will continue to address both avenues to prioritize our most valuable asset: our staff.

Ranking Member Jaime Herrera Beutler

Comparative Print Project (Clerk and Law Revision Counsel)

1. **Question:** The Office of the Clerk and the Office of Law Revision Counsel have been working on a comparative print project. This is the effort to build an electronic tool by which a person can see how a proposed amendment would change a bill, or a bill would change the law. It is a fascinating time-saving technology that can greatly improve understanding of the legislative process. Please provide an update on this project, including when you expect it to be rolled out to all House staff?

Answer: As stated in the question, the Office of the Clerk’s and HOLC have been working on the Comparative Print Project. The project team is building a suite of software programs that will allow House staff and others to create on-demand, point-in-time, comparative prints. This Comparative Print System is designed to display legislative changes in context: how a bill might change current law; how two versions of a legislative proposal are different; and how an amendment proposes to change a bill. Understanding these changes is critical to making decisions on pending legislation. At this time, the “How a Bill Changes Current Law” tool has a beta label

and the “Bill to Bill Differences” tool has an alpha label. The “Bill Viewer” tool is labeled “demonstration version.”

Through our pilot group, more than 100 House Committee staff from the following Committees have access to the software: Agriculture, Appropriations, Armed Services, Foreign Affairs, House Administration, Judiciary, Natural Resources, Oversight and Reform, Rules, Science, and Transportation. We are actively inviting additional Committee staff to be part of the pilot group, including those Committees that have yet to participate. New participant onboarding and group-wide meetings are scheduled for April and May of this year.

We are using a phased-in approach to deployment, and we plan to release a beta-version of the Comparative Print System House-wide at the end of 2021.

As required by Section 502 of House Resolution 756 from the 116th Congress, we have submitted reports about this project to the Committee on House Administration. These reports are available online.

2. Question: Under what conditions could this also be made available to the general public?

Answer: The initial focus of this project is on deployment of the suite of comparison tools to all members and staff in the House. While it has always been recognized that this could be a tool for the general public as well, the current focus of project staff is robust development and deployment in the House.

Office of the Legislative Counsel

Chair DeLauro, House Officers Hearing 03/10/2021- Questions During Hearing

Legislative Drafting On Member Matters When Large Pieces of Legislation Are Moving Through The House

The Office of the Legislative Counsel follows rules specified in its charter, enacted in 1970 that specify a priority order for work. (2 U.S.C. 218b) When large pieces of legislation are moving through the House, like the Rescue Plan, these rules have the effect of putting virtually all other legislation drafting on hold and members may be told that bill text is not going to be ready in time for when they want to introduce their legislation.

1. What is the backlog of other drafting that is on hold?

For the 117th Congress up through the date of the House Officers Hearing, March 10, 2021, the Office of the Legislative Counsel provided at least 1 draft to each of 426 Members and a total of 7,978 drafts of which 5,457 are bills, 514 are resolutions, and 2,007 are amendments. On March 10, 2021, the office had 183 requests for drafts on which drafting work had not commenced and 145 requests for follow up revisions to drafts on which work had not commenced.

2. What might you need in order to be able to not come out with a net loss or unevenness with people retiring and people that you are putting on so that you don't make gains?

The Office is addressing workload and workload management in many ways, including the following:

- Ongoing hiring and retention of staff.
 - The Office has 59 attorneys, 7 clerk-paralegals, 5 publications paralegals, 4 front office/communications specialists, 3 IT, 1 office manager, 1 human resource specialist, for a total of 80 staff.
 - The Office is authorized to have 91 FTEs. For Fiscal Year 2022, the Office has requested an additional 2 FTE slots. This number is based on an aggressive hiring and training schedule.
 - Recognizing the challenges of pay for public service attorneys and the cost of living in the Washington, D.C. area that are discussed in the written testimony, the Office continues to improve its culture of excellence, public service, client orientation, and collegiality, all of which have been stressed during the pandemic and the attack on January 6, 2021. The Office is discussing added flexibility in hybrid work to address cost of living and child care issues.
- Improving team cohesion, including subject matter expertise, leadership, and number of team members.

- Providing learning opportunities for House staff through the Congressional Staff Academy.
- Speaking with interested staff groups and caucuses in the House to equip House staff.
- Partnering with the Clerk of the House to develop and deploy a suite of comparison tools that will allow House staff and others to create on-demand, point-in-time comparative prints for three distinct types of comparisons which will illustrate changes between--
 - two versions of a bill, resolution, or amendment (document to document comparisons),
 - current law and current law as proposed to be changed by amendments contained in a bill, resolution, or amendment to current law (codified and non-codified law), and
 - a bill or resolution and the bill or resolution as proposed to be modified by amendments (amendment impact).
- Improving the Office Member portal website to provide a better user experience, including in making and tracking requests and by providing learning opportunities about the legislative process and working with the Office.

Mr. Ryan
House Officers Hearing 03/10/2021
Questions for the Record

Sergeant at Arms (SAA)

District Security

1. *How is the SAA working with the USCP in their budget requests to address the increasing threat to Members and their district offices?*

The SAA works closely with the USCP on strategic planning, budget reviews and submissions for Member security matters in D.C., in their districts and while in travel. The recent FY22 budget submission by USCP included funding increases for staffing and intelligence related systems which the SAA supported.

Most recently, we have submitted a request for additional funding to allow the SAA to cover security equipment for all Member district offices. The increase would also allow our office to cover additional security equipment for district offices that we previously did not fund (i.e. camera systems). This additional funding would significantly increase the amount of security equipment available to district offices.

Additionally, the SAA also requested funding to add personnel, increase technology resources, and support the development of an app for Members and designated staff to request security support from SAA and USCP and coordination while in their districts and while traveling. We have recently engaged a contractor to assist the SAA in the development of the app.

We will continue to work with the USCP and the Appropriations Committee as we identify further opportunities to address the increasing threat to Members and their district offices.

Joint Audible Warning System (JAWS)

1. *Given that there has been some movement with the JAWS project this year, does the SAA have concerns about this project growing beyond its current scope, and what protections do you have in place to control contract growth? Do you have any additional concerns about JAWS that we should be aware of?*

SAA does not have concerns about the JAWS project growing beyond its current scope. The project has been structured in two separate phases to reduce the risk to the Government of cost overruns and scope expansion. The project is currently in Phase One, which includes the necessary studies to examine signal propagation and coverage, and the design review for all campus buildings. Phase One culminates in a final design that the vendor provides the Government and certifies that the system will provide signal coverage in required areas.

Phase Two is the installation and execution of the vendor's proposed design. This is an optional task, only awarded once the Government has full confidence that the vendor has met the project requirements of signal strength and propagation. This project structure places the risk on the vendor to address gaps in the system design.

To date, the Government project team has been able to address with the vendor risks as they have been exposed and minimized project delays. That is our continued objective moving forward with this project.

Wellness

1. *Please explain what actions the SAA is taking to address employee wellness, especially after the January 6th Insurrection.*

First, thank you for asking about addressing employee wellness in the SAA. Many of our employees were in the Capitol, on the Floor, and in the Galleries when the January 6th Insurrection occurred. The individuals faced harrowing events. The SAA realizes that the success for the organization is dependent upon the dedication, professionalism, and commitment of each of our employees. The events of the past year and specifically the Insurrection on January 6th, have been extremely stressful on all of us and it is our duty as an organization to ensure that all members of our workforce have the resources they need to cope with the stress and emotions caused by these events.

Shortly after the events of January 6th, the acting Sergeant at Arms reached out to all Sergeant at Arms employees, both in person and via email, to thank them for their commitment and service and to remind them of the resources and services available to them through the Office of Employee Assistance and the House Wellness Center. The acting Sergeant at Arms reached out to each manager and asked them to talk to each of their employees and make them aware of the employee assistance and wellness resources available to each of their employees. He has done so on multiple different instances since January 6th including after the tragic events on Friday, April 2nd. In addition to this all division directors are updated throughout the year on the programs, workshops, and training sessions that the House Center for Well-Being offers to the House community.

Parking, Etc.

1. *What is the breakdown of the significant increase for House garages and parking security budget this year?*

The increase in House Garages and Parking Security reflects certain life cycle costs. For example, \$50,000 is for the biannual need to order permits for a new Congress. Others reflect the life cycle replacement of vehicles (the largest driver of the budget increase), maintenance of vehicles, radios and uniforms. In addition, increased resources for training were also requested.

2. *How would the two additional FTEs help the SAA in fulfilling its mission?*

The overarching mission of the SAA is to provide safe and secure environment for all functions of the House of Representatives. The two additional FTE requested in the Office of the Sergeant at Arms FY22 budget request will provide additional manpower in the Division of Police Services. With the increasing responsibilities relating to District Office Security, Member Travel Security, and security surrounding events on and off campus involving Members of Congress, and those identified in the Honore report, additional manpower is critical to ensure duties are fully executed.

Given the critical nature of security in Member District offices, we are utilizing a Security Installation and Service Coordinator to coordinate security systems installation and upgrades in District Offices. Although this FTE was originally requested in FY22, we have an immediate need to fill this FTE now as we prepare to implement the Capitol Security Review recommendation that we provide all district offices with security system equipment. Utilizing this FTE will also provide a significant cost savings to the current security systems installation contract.

The Senior Assistant for Plans will provide expertise and operational coordination among the divisions within the Office of the Sergeant at Arms and with the USCP. This FTE will support event planning efforts and will assist in the development of written security plans for large special events taking place within the Capitol complex. Funding this FTE will allow us to enhance communications and awareness among agencies providing security at these events.

Chief Administrative Office (CAO)

Wellness

- 1 *How does the House Wellness Center plan on expanding its services this year, should the Committee decide to plus up the program?*

The ongoing global pandemic, coupled with the Capitol attacks, reinforced the need and demand for increased stress reduction, trauma support, empathy awareness, self-care, resilience-building, as well as other well-being tools and support platforms. The House Center for Well-Being has engaged a variety of industry-leading professionals and organizations who are subject matter experts in these areas and these perspective partnerships would help broaden the scope and reach of the Center's services and resources. Every employee is unique — they learn differently, heal differently, and grow differently, so it is important to have a vast array of opportunities and entry points that appeal to and can engage all employees of the diverse House community.

Additional funding would allow the House Center for Well-Being to identify and fill gaps in programming, expand on existing offerings, and consolidate some efforts of the Center and the Office of Employee Assistance. Strategic initiatives including multi-dimensional mindful service offerings, evidence-based resilient leadership training for senior organizational leaders and Members of Congress, trauma-relief and stress-reducing mind-body skills peer support groups, and free employee access to an award-winning app for mental and emotional health could be realized.

The Center would also create additional toolkits and dedicated offerings to support District employees (both ongoing and on-demand in response to critical incidents), population and community-specific opportunities through collection of information from vendor data, surveys and other measurement tools as well as working with key stakeholders to better understand the culture, and deliberate considerations for the social determinants of health with a focus on partnerships related to diversity and inclusion. Through these activities we would be able to address the well-being concerns and health disparities with tailored services and resources.

The additional funding would also allow for the full-time enactment of back-up child and elder care, as well as educational assistance and free tutoring for the school-aged dependents of House employees. As the only federal entity that offers these services through the largest provider of federal work-life services, this offering would affirm the House's status as an employer of choice.

Finally, with new programs and opportunities to support improved employee health and well-being, the House Center for Well-Being would hire two additional full-time employees. These employees would help develop dedicated awareness and outreach plans, administering focus groups, surveys, and other feedback tools that will help identify the well-being needs of the workforce. The addition of new staff would also allow the Center to realign office responsibilities including project management, communications and marketing, administrative support, leadership briefings, wellness coaching, trainings, and webinars, amongst other duties.

2 How does the House Wellness Center plan on expanding its marketing to staff beyond the e-DC system?

The House Center for Well-being takes a multi-dimensional approach to marketing and communication efforts. Most recently, the House Wellness Center updated its name to The House Center for Well-Being. This shift reflects the comprehensive nature of the Center's offerings and is a natural evolution of the growth of the Program.

The House Center for Well-Being recently opened its storefront in Longworth B222 and will play a critical role in employee awareness and engagement, providing a welcoming location for employees to visit, relax and re-energize, speak with a staff member, and learn about the resources and services that are available. However, due to the pandemic and primarily telework posture, the storefront will not generate (or see) a lot of foot traffic. This coupled with the email overload that House employees experience day-in and day-out, the Center for Well-being is creating additional paths to reach employees, both in D.C. and in the Districts.

In early April, the Center launched their Wellness Champion campaign, a volunteer-based program that identifies and leverages individuals who are passionate about employee health and wellness and will help cultivate and maintain a culture of well-being in the House community. There is a minimal commitment that yields significant organizational impact. These Champions are a liaison and direct communication channel for the Center and are provided with the latest information on well-being resources, services, events details, and other important and relevant information, to share with their respective offices, colleagues, and other House community contacts. As such, they will also play a critical role in helping us understand the diverse health and well-being needs of the House community. The goal is to have a Wellness Champion in each Member office, one (or more) on each Committee, as well as a strategic number for House Officer organizations and the other offices served by the Center.

As highlighted in question 1, additional funding would provide the Center the opportunity to hire additional staff who would be dedicated to communications, marketing, promotion, and outreach. This staff would work closely with the CAO Communications & Marketing team to strengthen these efforts, including individual office and department awareness messaging, CAO business partner collaborations, social media campaigns, website redesigns, and user-experience best practices. The

addition of new staff would also provide the Center's leadership with increased availability and opportunity to meet with key stakeholders across the House community to create greater program awareness and engagement, emphasizing the importance and impact improved individual and organizational well-being can have on employee productivity and workplace culture.

FY 2022 Budget Request

1. *The CAO is requesting a significant increase in the MRA this year, partially to align its funding with the FY cycle instead of the LY cycle. How would this help the CAO better serve Member offices?*

The purpose of the requested increase in the MRA is to align the appropriation with the legislative year authorization. Currently, the MRA receives a fiscal year appropriation, available October 1 through September 30, and the individual Member offices receive legislative year authorizations, available January 3 through January 2. As a result, each fiscal year appropriation funds two legislative years. In moving the MRA appropriation to a legislative year period of availability, it will better enable the budget request to address the legislative year funding priorities of the Member offices and to reflect the spending trends associated with the respective session of Congress.

Congressional Modernization

1. *The Committee on Modernization has made a multitude of recommendations. Of those recommendations, how many apply to the CAO, and are you complying with any recommendations already through your current practices?*

Yes, the recommendations from the Committee on Modernization have resulted in several initiatives within the CAO, including both new services and changes to existing services.

The CAO has reviewed the 97 recommendations issued by the Committee on Modernization and identified 24 that directly involved the CAO.

Of these 24:

- 11 recommendations are complete, in progress, or planned. These recommendations resulted in several initiatives, including:
 - Completed initiatives:
 - The transition aid program for the 117th Congress Freshmen
 - Bulk purchasing program for the 117th Congress Freshmen
 - Significant increase in the number of video conferencing tools available to Members
 - Authorized tools for effective telework
 - CMS Modernization Assessment
 - Improved tele-town hall agreements
 - Improved electronic signatures for e-casework
 - Translation services contract approved
 - Improvements to the cloud services review process, including increased transparency, streamlined process, and new policy.
 - Launch of section 508 web accessibility platform
 - Enabling early adoption of new technologies, including remote voting for caucuses
 - New cybersecurity training curriculum for staff and optional for Members

- Planned initiatives include:
 - Launch of Quill system for electronic joint letters
 - Continued website accessibility improvements
 - Best practices repository as part of the HR Hub launch
 - House Correspondence Management System for Members project launched
 - Planned innovation lab and other improved services related to technology for Members
 - Tech Café for improved technology support for Members and staff
 - Modernizing the travel and expense reimbursement process for Members and staff
- For the remaining 13 recommendations, the CAO has communicated to the Modernization Committee that 6 recommendations require additional scope or definition before implementation and seven require decision by the broader House before any further action by the CAO.

Ease the Burden on House Offices

1 Are there instances where the CAO can take over items normally funded by the MRA?

Yes, the CAO believes three specific areas currently funded by the MRA could benefit from centralized funding.

- Technology Support. Currently most Members pay an employee or vendor for commodity technology support, such as creating user accounts, provisioning phones, and setting up computers. The CAO believes these basic services could be provisioned centrally, either through a central contract or by HIR employees. HIR would require additional funding to significantly increase this service. The House's cybersecurity posture would also benefit from a more centralized approach, as the current decentralized approach makes it difficult to ensure computers, accounts, and systems are properly secured by technology professionals.
- Web Services. The CAO provides full-service web design and maintenance services through an open source, 508 compliant content management system at no cost to Members. The CAO encourages more Members to take advantage of this free service.
- Commodity Equipment (such as computers and printers). Currently, Members acquire most equipment, such as computers, printers, and mobile devices using the MRA. The CAO believes both Members and the House would benefit if this commodity equipment was purchased centrally. Progress toward a more centralized approach was made in the beginning of this Congress when new Members were provided a centrally funded stipend to purchase equipment.

2 How is the CAO dealing with the uncertainties and fluctuations in the government contributions account?

In FY 2019, Government Contributions, the House's second largest account, did not receive adequate funding, and in FY 2020, retirement account contribution rates markedly increased, resulting in a shortfall. In both fiscal years, it was necessary to reprogram funding from other House accounts to Government Contributions to ensure solvency. In 2020, the CAO brought in actuarial contractor support to review the account and ensure successful future forecasts. The CAO also included language in the FY 2022 appropriation to reflect the fact that \$20 million of the request will be no year funding, to allow for unanticipated fluctuations in the account.

Intern Allowance

- 1 *Is the CAO aware of how Members are using their intern allowances? For example, are they splitting it up between several interns or offering one paid internship a year? Does CAO have access to this data?*

2019 Calendar Year:

- 66% of funding (\$5,808,877.70) authorized for the House Paid Internship Program was expended.
- 96% of Member offices (423/441) employed House Paid Interns.
- 2,676 House Paid Interns participated in the Program from April 1, 2019 to December 31, 2019.
 - 300 House Paid Interns appointed each month on average.
 - Each Member office employed 6.45 House Paid Interns on average.
 - 120 Day Position Time Limit: House Paid Interns averaged 57.48 days out of potential 120-day limit (47.9%).
 - \$21,600 Maximum Annual Salary: \$15,440.06 was the average annual salary of House Paid Interns.
- 112 out of 441 Member offices expended over 90% of annual \$20,000 allowance for the Program.
- 33 Member Offices employed 12 or more House Paid Interns in calendar year 2019.
 - 1 Member Office employed 22 House Paid Interns.

1st Half of 2020 Calendar Year:***Overall House Paid Internship Program Summary for D.C. and District Offices (January 1, 2020 to June 30, 2020)***

- 25% of funding (\$2,792,119.21) authorized annually was expended as of June 30, 2020; of the amount spent, 94% was for DC Office House Paid Interns and 6% for District office House Paid Interns.
- 1,669 unique House Paid Interns participated in the Program.

Washington, D.C. Offices (January 1, 2020 to June 30, 2020)

- 23% of funding (\$2,634,995.02) authorized for the House Paid Internship Program was expended.
 - 92% of Member offices (405/441) employed House Paid Interns.
 - 1,452 House Paid Interns participated in the Program.
- On Average:**
- 242 House Paid Interns appointed each month.
 - 358 House Paid Interns employed in each participating Member office.
 - 65.82 days out of potential 120-day limit (54.9%).
 - \$12,975.14 annual salary (\$21,600 is maximum).
 - 30 out of 441 Member offices expended over 50% of annual \$25,000 allowance for the Program.
 - 49 Member offices employed 7 or more House Paid Interns.
 - 1 Member office employed 14 House Paid Interns.

District Offices (May 1, 2020 to June 30, 2020)

- 1% of funding (\$157,124.19) authorized for the House Paid Internship Program was expended.
- 25% of Member offices (111/441) employed House Paid Interns.
- 218 House Paid Interns participated in the Program.

On Average:

- 109 House Paid Interns appointed each month.
- 1.96 House Paid Interns employed in each participating Member office.
- 25.45 days out of potential 120-day limit (21.2%).
- \$11,627.75 annual salary (\$21,600 is maximum).
- No (0) Member offices expended over 50% of annual \$25,000 allowance for the Program.
- 6 Member offices employed 5 or more House Paid Interns in calendar year 2020.
 - 1 Member office employed 10 House Paid Interns.

2nd Half of 2020 Calendar Year: Cumulative for Year**Overall House Paid Internship Program Summary for D.C., District, and Leadership Offices**

- 53% of funding (\$6,000,210.42) authorized for calendar year 2020 was expended as of December 31, 2020. Of this, 79% was for Washington D.C. office House Paid Interns, 20% for District office House Paid Interns and 1% was for Leadership office House Paid Interns.
- 2,614 unique House Paid Interns participated in the Program.

On Average:

- 218 House Paid Interns appointed each month.
- 6.33 House Paid Interns employed in each participating office.
- 71.78 days employed out of potential 120-day limit (59.8%).
- \$14,753.90 annual salary (\$21,600 is maximum).

Washington, D.C. Offices (January 1, 2020 to December 31, 2020)

- 43% of funding (\$4,729,755.68) authorized for the House Paid Internship Program was expended.
- 93% of Member offices (411/441) employed House Paid Interns.
- 2,050 House Paid Interns participated in the Program.

On Average:

- 171 House Paid Interns appointed each month.
- 5.08 House Paid Interns employed in each participating Member office.
- 71.24 days employed out of potential 120-day limit (59.4%).
- \$14,920.22 annual salary (\$21,600 is maximum).
- 172 out of 441 Member offices expended over 50% of the annual \$25,000 allowance on D.C. office House Paid Interns.
- 115 Member offices employed 7 or more House Paid Interns in calendar year 2020.
 - 17 Member offices employed 14 or more House Paid Interns.

District Offices (May 1, 2020 to December 31, 2020) New Regulations Approved in May 2020

- 11% of funding (\$1,182,220.82) authorized for the House Paid Internship Program was expended.
- 46% of Member offices (202/441) employed House Paid Interns.
- 560 House Paid Interns participated in the Program.

On Average:

- 70 House Paid Interns appointed each month.
 - 2.78 House Paid Interns employed in each participating Member office.
 - 70.14 days employed out of potential 120-day limit (58.5%).
 - \$11,822.38 annual salary (\$21,600 is maximum).
- 13 Member offices expended over 50% of annual \$25,000 allowance for the Program on District office House Paid Interns,
- 31 Member offices employed 5 or more House Paid Interns in calendar year 2020,
 - 5 Member offices employed 10 or more House Paid Interns,

Leadership Offices (August 1, 2020 to December 31, 2020) – Effective August 2020

- 24% of funding (\$88,233.92) authorized for the House Paid Internship Program was expended.
- 71% of Leadership offices (5/7) employed House Paid Interns.
- 19 House Paid Interns participated in the Program.

On Average:

- 4 House Paid Interns appointed each month.
 - 3.8 House Paid Interns employed in each participating Leadership office.
 - 86.74 days employed out of potential 120-day limit (72.3%).
 - \$19,316.16 annual salary (\$21,600 is maximum).
- 2 Leadership offices expended over 50% of annual \$25,000 allowance for the Program on Leadership House Paid Interns.
- 2 Leadership offices employed 4 or more House Paid Interns in calendar year 2020.
 - 1 Leadership office employed 8 House Paid Interns.

Clerk**FY 2022 Budget Request**

1. *How would the Clerk's office benefit from turning some of their annual funds to multiyear funds? Which offices within the Clerk's office would be impacted by this? What are the risks if this change isn't possible?*

Converting the Office of the Clerk's annual funding to multiyear funding would align our period of availability of funding to the 27-month/15-month timetable. The Office of the Clerk supports House legislative operations, Members, and Committees by operating on the legislative calendar year. Therefore, multiyear funding would provide consistency and dependability with current operations. In short, multiyear funds would allow the Office of the Clerk to operate with maximum efficiency.

Specifically, multiyear funding would greatly enhance our ability to recruit, execute our spending plans, respond to ad hoc stakeholder requests that require reallocation of resources, and execute our

budget by affording us with more time to assess needs. It would also allow the Office of the Clerk to negotiate more cost-effective quotes with vendors.

All Clerk divisions would be positively impacted by having an extended period of availability of funding to support their mission-critical duties. When planning for out-years, we must consider the possibility of a continuing resolution (CR), which gives us less than a full year to execute an annual spending plan. Given our record of not always requesting funding for existing projects every fiscal year, there are times when, to ensure timely delivery of requested new products, we have had to reallocate resources under a CR to continue time-sensitive projects while delaying others. One example is the existing eHopper prototype that we plan to build into a fully functioning application. In addition, not affording the Office of the Clerk with multiyear funding will likely result in the continued lapse of funding given the probability of beginning each fiscal year under a CR.

- 2 *Would the 6 new FTEs requested in the budget be used to fill vacancies or are they completely new positions? Please give us a breakdown*

The six FTEs are requested for new positions; the details regarding the positions are:

- One (1) Administrative Specialist Position (\$82,000)
This position would handle a wide range of administrative duties, such as voucher payments, office equipment inventory, preparation for vacant office transition, assisting with new Member orientations and onboarding. The position would also provide administrative and budget management support for the Office of the Clerk in concert with the overall spending plan each fiscal year.
- Two (2) Official Reporters Positions (\$266,000)
These positions would provide transcripts for House and Committee activities.
- Three (3) Technology Positions (\$374,000)
The three technology positions include Applications Support Analyst, Senior Software Engineer, and Senior UX/UI Designer. These positions would support the legislative system infrastructure and the expanding portfolio of legislative applications, including Comparative Print, the Amendment Impact Program, and the eHopper. These positions would also lead and support application development and other modernization initiatives in the legislative process; provide needed essential support for existing applications and development; and support the engineering group within the Office of the Clerk.

Congressional Modernization

- 1 *How does the Clerk plan on using the eHopper system when Congress comes back to the Hill full-time with staff? What are the anticipated costs to maintain the system once it is fully operational?*

We plan to continue utilizing the secure email-based system for the eHopper, in compliance with House Rules and the Speaker's announced policy, until the next iteration of the eHopper, "eHopper+," is in place.

The eHopper+ is in development and would continue enabling Members and staff to upload bills, original and additional cosponsor forms, constitutional authority statements, and other legislative documents electronically for submission. The new system would provide confirmation of submission and, eventually, would be able to review a sponsoring office's submission for completeness before the

submission takes place. Curing problematic submissions that may lack signatures, citations, etc., before submission to the system would vastly streamline current operations, both in the Office of the Clerk and for submitting staff.

Additionally, moving the eHopper+ system out of email and into a more robust technological solution would enable Clerk staff to more easily and accurately review and process submissions, improve our already-high accuracy rate, increase our teams' efficiency, and allow our staff to continue providing sponsoring offices with superb customer service. Once operational, maintaining the eHopper+ system would require continued development support for improvements and bug fixes in addition to staffing to provide member support. The required staffing has been allocated into our FY22 budget request.

2 What are the updates that need to be made this year to the STENO systems and machines?

The Office of Official Reporters manages 54 e-Key licenses, which are the licenses associated with our reporting and transcription services software (Case CATalyst). We anticipate submitting a request for 5 new e-Key licenses at \$1,595 for each license. These licenses will be used for additional personnel to gain access to our Case CATalyst software

The Office of Official Reporters maintains 10 Luminex II stenographic machines, the most up-to-date stenographic machines used in the court reporting industry. Our Committee reporters use these machines. Nine Floor reporters use the original Luminex stenographic machines purchased in 2016 and 2017. Due to normal wear and tear, those stenographic machines should be replaced and upgraded to the Luminex II model later this year. We anticipate submitting a request for 9 additional Luminex II stenographic machines estimated at \$6,200 for each machine. We will redeploy the older Luminex stenographic machines to offsite emergency locations and for classified use. If necessary, the Office of Official Reporters will also submit requests to purchase standard stenographic related microphones and audio cables for all machines.

Legislative Information Management System (LIMS)

1 Are you on track to finish the modernization of the LIMS system by 2024? Can you please provide the committee with an updated timeline of LIMS modernization?

Yes, we are still on track to complete the LIMS modernization and fully deploy the new system by the end of FY24.

We are in the second year of phase III of the LIMS modernization effort. The phase I work of compiling the Business Rules was completed in 2018. This work required an extensive analysis and review of the legislative process including extensive interviews with various users in its ecosystem, and detailed review of the current system. The phase II effort was completed in early 2020, when our focus was to develop a detailed project plan, recruit and assemble the project team, identify and select technology stack, and design the overall system architecture. Phase III, which began in early 2020, covers the bulk of our development efforts. During phase III we will continue to design and develop all key components, including all LIMS modules. We will also continue to implement automated testing and build the deployment architecture. We have adopted a more agile methodology to LIMS modernization and plan to deploy working subsystems in piecemeal fashion, allowing end users and stakeholders early access for critical usability testing and feedback. The requested FY22 budget funds the second year of phase III needs.

Updated Timeline of LIMS Modernization and Contractor Support requirement:

FY	Phase	Work Summary	Contract Support	Cost
FY20	III	LIMS Data Modeling Backend, Data Sync with legacy LIMS	4	\$1.3 million (funded)
FY21	III	Production: BEARS Development: BEARS, CARS, Data Sync with legacy LIMS	6	\$1.9 million (FY22 request)
FY22	III	Production: Bill Briefs, CARS, SARS Development: Bill Briefs, CARS, SARS, FARS, Reports	5	\$1.6 million
FY23	IV	Production: FARS, Reports, API Development: Member/Committee data, API for GPO/LOC/Senate, FARS, Reports	3	\$1.0 million
FY24	V	Full Production Release 1.0 Training and Documentation	3	\$1.0 million

Legislative Operations

1. *As you know legislative operations is the backbone of this institution. The work is very demanding and highly technical. For example, the work your bill clerks do with tracking legislation as it is introduced is an extremely demanding job, and it is just one part of your operations. What efforts you are taking to help your team with its Wellness?*

The Office of the Clerk has engaged in numerous and ongoing initiatives focusing on employee wellness, flexibility, and improving work-life balance. Along with other Clerk divisions that support fast-paced Floor and Committee operations, Legislative Operations has utilized a protective staffing structure since March 2020. Staff are now able to complete much of their work remotely. The Office of the Clerk plans to continue utilizing telework opportunities to improve employee wellness by offering staff a reprieve from the stresses of local commutes, keeping staff safe and healthy despite the ongoing pandemic, while maintaining our tradition of excellence in supporting critical Committee and Floor work.

Along with teleworking and utilizing technology to support our remote operations, affected Clerk divisions have proposed a modernized Belo Plan Agreement to provide staff with increased flexibility and an improved work-life balance while prioritizing staff and institutional knowledge retention and support for the House. A “Belo” agreement is a written document that provides a guaranteed salary to an employee whose hours fluctuate significantly throughout the year for reasons not within the employer’s control. It also allows the employer to better anticipate overtime costs, as overtime pay—up to a certain level—is already built into the employee’s guaranteed weekly salary. This modernized Belo Plan Agreement would reflect the changes to the House’s schedule and improvements to technology over the last 25 years since the current Agreement was enacted.

In addition, staff have signed up to participate as “Wellness Champions” in concert with the House Center for Well-Being, and the Office of the Clerk continues to support staff through Clerk-led initiatives, including a recent all-staff meeting (held via Webex) with Chaplain Kibben. Recognizing that staff wellness can be addressed through both structural and interpersonal improvements, the Office of the Clerk has and will continue to address both avenues to prioritize our most valuable asset: our staff.

Office of Diversity and Inclusion

- 1 Please breakdown for the Committee the differences in hiring an outside vendor to execute the Compensation/Diversity Survey and the Barrier analysis vs hiring 4 new FTEs to conduct the survey. Would the four additional FTEs be permanent employees? Would their only duty be to conduct the surveys? What if the Committee could only hire two additional FTEs?

The House Office of Diversity and Inclusion, in cooperation with other institutional partners, is required to collect and analyze data to assess the House's employee demographic make-up. We have and will continue to contract with outside vendors to complete this work. In 2019, the Compensation/Diversity Survey cost the House \$189,528.17. The survey was completed to collect data and assess the salaries and benefits of all House employees against their Executive branch and private sector counterparts with an evaluation of pay for work correlation, comparison of salary and benefit levels, compensation disparities across key demographics, and House-wide policy for leave and other benefits. In 2020, the Diversity and Inclusion Barrier Analysis cost the House \$ 309,229.00. Barrier analysis is a comprehensive, systematic review of human capital processes from recruitment to retirement, including qualitative and quantitative data sources. Data and analysis derived from these efforts will assist the House Office of Diversity and Inclusion in identifying strengths and potential areas of growth as well as refining and prioritizing strategic goals and understanding changes to workforce composition to inform long-term retention and recruitment strategy. The 2021 Compensation/Diversity study is estimated to potentially cost as much as \$360,000.00. We believe that these studies are, and were, a responsible investment of limited resources.

While we felt it important to expend resources to conduct these studies, with an outside vendor there are challenges that prevent vendors from fully comprehending the unique nature of our workplace. We spent, and will spend in the future, a lot of time coaching the vendor through retrofitting analysis of a traditional workplace to the House of Representatives. Most of the time, this analysis requires we conform our information to fit traditional platforms in ways that may not make sense to, or in some limited ways, for our workforce.

We have requested additional funding to build an internal team of full-time employees. Our belief is the team should be composed of a Senior Research and Data Analyst, 1 Research Professional Staff, and 2 Research Assistants. We believe employees who understand the House, its employment practices, and our unique office structure would be better suited to conduct complex analysis of our workforce. Over the course of three years, the House will potentially pay a vendor over \$800,000.00. We believe that money could be invested in employees that would contribute to that House beyond a discrete report.

A dedicated research team would contribute to the House beyond one reporting requirement.

- Dedicated research team would contribute to all reporting:
 - Compensation/Diversity Study
 - Barrier Analysis
 - Committee Witness Diversity Reporting
- Contribute to the research and development component of our office educational programming.

- Help produce best practice resources and toolkits.

If we were only able to hire a smaller team, for example two employees as opposed to four, it would be difficult to complete the amount of work these studies require. We would likely still need some support from an external vendor.

2. *What is the ODI's stance on helping the House diversify its internship programs to include more opportunities for minority interns? Could this analysis and research be added to the surveys conducted by the office or could this be another initiative tasked to the Committee?*

As our country continues to change, it is important that the U.S. House of Representatives continues to embrace the importance of diversifying its staff at every level, including internship programs. ODI is committed to being one off the pillars supporting House efforts to diversify the intern population to increase the representation BIPOC, women, individuals with disabilities, and members of the LGBTQIA+ community. We do plan to include analysis of the demographic make-up of House interns to the 2021 House Compensation and Diversity Survey.

Ms. Herrera Buetler
House Officers Hearing 03/10/2021
Questions for the Record

Chief Administrative Office (CAO)

Cyber Security (CAO)

The CAO approved a number of new technologies for use by the House when the COVID-19 pandemic forced a situation where teleworking was essential. Many of these technologies, such as Zoom, had long been pending consideration. Confusion also remains regarding the list of approved cloud software as well as the process by which an outside vendor can become approved.

1 What are the criteria for an outside vendor to become approved?

The CAO reviews technology vendors according to regulations adopted by the Committee on House Administration. Based on these reviews, the CAO makes recommendation to authorize (or deny authorization) to the Committee. The Committee has the authority to accept or deny CAO recommendations or grant exceptions as appropriate. In practice, the Committee has taken a consistent vendor neutral approach and only authorize vendors that have met House standards as validated by the CAO.

The Committee has adopted regulations for technology support vendors, CMS vendors, web vendors and cloud vendors. These regulations include legal, technical, cybersecurity requirements and when appropriate, standards related to corporate capabilities. The CAO implements the standards through contract vehicles such as the Master Technology Services contracts as well as through House Information Security Policies. These standards and contracts, all of which are approved by the Committee, are published on HouseNet, the House Intranet.

One specific policy, House Information Security Policy for Protecting House Data in Cloud and Non-House Technology Solutions (HISPOL 17) provides the framework for reviewing all external cloud vendors to include Zoom. Through this process, 82 cloud services have been authorized by the Committee, 13 have been explicitly not authorized, and 34 are in progress. The list of authorized cloud services is published on HouseNet at <https://housenet.house.gov/technology/cloud-services>.

Under the HISPOL 17 process, the CAO reviews the following:

- Vendor Fitness and Requirements Review – evaluates the vendor’s maturity, FedRAMP certification, fiscal soundness, location of data centers, previous work with the Federal government, and capturing the requestors business needs and technical requirements.
- Cybersecurity Risk Review – identifies security controls, weaknesses, and any risks associated with the use of the application.
- Technical Review – assesses the impact of the solution on the House infrastructure, how the data is maintained, and how customer support is provided.
- Contract and Legal Review – examines the terms of service, end user licensing agreements, service level agreements, to ensure required language exists to protect Member data under the

Speech or Debate clause. The review also ensures vendor terms do not include provisions unacceptable to the government, such as open-ended indemnification.

In addition, the Committee on Rules has adopted regulations authorizing Committees to conduct remote proceedings using software platforms certified by the CAO. The CAO review the followings standards before certifying any vendor for this purpose:

- The product meets the business and technical requirements outlined in the regulations adopted by the Committee on Rules.
- The product meets the requirements outlined in HISPOL 17 Protecting House Data in Cloud and Non-House Technology Solutions, including authorization by the Committee on House Administration. This process could involve the vendor attesting they have remediated any known security vulnerabilities.
- The vendor has suitable corporate capabilities to provide real time support for Committee proceedings

2 What role do security considerations play when deciding what software is allowed on the House system?

The CAO conducts an in-depth security review of technology vendors that store House data or interoperate with the House network. Lack of effective security controls pose a significant risk to Member data and potentially the broader House. The Office of Cybersecurity validates vendors have appropriate security controls to effectively collect, store and protect House data. Over 50 attributes are viewed as part of this process. Specific security considerations include, but are not limited to:

- Regulatory compliance
- Data encryption/sharing
- Authentication
- Anonymous service use
- Multi-factor authentication
- Development practices

Gold Star Family Fellowship Program (CAO)

The Wounded Warrior Program has been an invaluable program for many of our offices. In October 2019, the Wounded Warrior Program was expanded by 40 additional fellowships establishing the Gold Star Family Fellowship Program.

1. Was the CAO able to execute this program in 2020 with the difficulties caused by the COVID-19 pandemic?

Yes, the Program was able to continue functioning, but significant changes in recruitment were required. The Program planned on attending recruiting symposiums focused on Veterans and families, however, those in-person events were cancelled. The Program found alternatives to in-person recruitment, including increased social media efforts to market open positions with House offices.

The Program currently has 14 open fellowships positions and those offices are receiving resumes for consideration.

- 2 *How many of the 40 fellowship positions were you able to fill and what are some examples of where those fellowships were assigned?*

Currently, the Program has successfully filled five of the 40 positions. Two of those positions are for Washington, D.C. offices and the other three are for District offices (Stafford, V.A., Stroudsburg, P.A., and Claremore, O.K.).

House Child Care Center (CAO)

It was welcome news that the House Child Care Center completed its final expansion early last year and was able to utilize the space for social distancing requirements when the Center re-opened last summer.

1. *How many families were you able to accommodate compared to normal operations when the Center reopened last July?*

When the House Child Care Center reopened in July 2020, the Center was able to accommodate all families who wished to remain enrolled. The total enrollment capacity decreased from 160 to 130, utilizing only the O'Neill facility.

2. *When the Center returns to normal capacity, how will wait times for new families be improved due to the Center's expansion?*

The Center expects that wait times will be at or better than they were prior to COVID-19 operations. In Fall 2019, families on the infant waitlist were receiving offers after being on the list for about 10 months. Wait times will always vary depending upon a variety of factors, including current enrollment, interest/demand, sibling preference, and time of year.

Leg Counsel and Law Revision Counsel

Ramseyers Delay (Leg Counsel and Law Revision Counsel)

The Offices of Legislative Counsel and Law Revision Counsel prepare extremely important documents for Congress, including descriptions of how each bill changes current law. Last month, you said that your office can no longer produce these documents - at least not for "many months" - because of the unprecedented pace and enormity of bills being passed.

1. *What resources will it take for your office to get fully caught up on the recent changes in law?*

Legislative Counsel response:

The question is one of accurate, efficient process and adequate resources for each of the entities involved in the public law preparation process.

- The preparation of comparative prints showing how a bill changes current law is dependent on an accurate, current database of Federal law in XML format. The database used for preparing

these prints must contain all positive law titles of the United States Code prepared by the Office of the Law Revision Counsel and the Statute Compilations prepared by Office of the Legislative Counsel.

- In turn, the currency of these databases is dependent on the Office of the Federal Register of the National Archives and Records Administration, the Government Publishing Office, and the Office of the Law Revision Counsel as part of the preparation, classification, codification, and updating process for newly enacted public laws for both the Statutes at Large and the United States Code. Public Laws must generally be processed in order of enactment to correctly update both the United States Code and the Statute Compilations.
- The Office of the Legislative Counsel begins its updating work of Statute Compilations with respect to a public law when the enrolled bill is available in XML format, typically before the law is enacted. The Office completes this work when all required prior work by the Federal Register, GPO, and the Law Revision Counsel has been completed.
- As of April 18, 2021, the United States Code is current through Public Law 116-344 except for Public Laws 116-260 (Consolidated Appropriations Act, 2021) and 116-283 (National Defense Authorization Act for Fiscal Year 2021). See <https://uscode.house.gov/currency/currency.shtml> and [Statute Compilations | govinfo](#).
- As of April 18, 2021, the Statute Compilations are current through all laws enacted prior to or during the 117th Congress (Public Law 117-7.)

Comparative prints showing how a bill changes current law are dependent on access to the current law database described above. The time required to prepare these prints under clause 3(e) of Rule XIII (the Ramseyer Rule) varies based on the number of amendatory provisions in the bill and the currency of the database. It also depends on whether the legacy software will accurately execute the amendments automatically or if manual intervention is needed.

These prints (Ramseyers) are prepared by experts in the Office of the Legislative Counsel who first use legacy software to prepare an initial draft and then review and correct that draft as needed to produce the accurate comparative print. When the Federal laws database is current, the amount of time required to prepare the comparative print is dependent on the number of amendatory provisions in the draft and how well the software automatically executes the amendatory provisions into the law. But, when this database is not current or a provision of law is not in the database, then these experts must take the additional step to find and bring current the required provision of law and then manually execute the amendatory provisions. This later process requires more time.

From February 8 to March 24, our Office did not create Ramseyers because the Federal law databases were not current and the breadth of amendatory changes made during the reconciliation process was more than our manual process could handle. We therefore notified the Rules Committee of this. On March 24, the Office resumed producing Ramseyers as the current legislative agenda will likely not be impacted as the U.S. Code is still being updated (by OLRC) for changes made to the positive law titles in Public Laws 116-260 (the Consolidated Appropriations Act of 2021) and 116 -283 (National Defense Authorization Act for Fiscal Year 2021). However, if the legislative process for the NDAA for the next fiscal year happens before OLRC is finished updating the U.S. Code, drafting amendments to certain positive law titles may be impacted. Incidentally, both of these bills are the largest in size my office has seen in the last 40 years.

Law Revision Counsel (HOLRC) response:

The question was directed to the Legislative Counsel, but it bears on the role of the Office of the Law Revision Counsel (OLRC) in that House Office of the Legislative Counsel (HOLC) relies on the OLRC for updates of positive law titles of the United States Code.

Currently, the United States Code (Code) is updated through Public Law 116-344 except for Public Laws 116-260 (Consolidated Appropriations Act, 2021, which is 2,124 Stat. pages) and 116-283 (National Defense Authorization Act for Fiscal Year 2021, which is 1,481 Stat. pages). See Question 2 below for discussion of how these huge end-of-session bills affect the OLRC workload and thus the currency of the Code.

- 2 *If Congress continues to enact huge bills at this pace, how will that affect your ability to advise us on bills and what they are doing to current law?*

Legislative Counsel response:

Advising members on current law and preparing legislative drafts requires access to current law. When the Federal law database is not current (typically for reasons discussed above), each attorney must, for the matters on which that attorney is working, first manually retrieve the changes made to Federal law from the date of currency of the database forward in order to then advise and draft on the respective matter. Typically, the larger the bill the more time required to determine what the current law is before providing advice and drafting assistance. Not only is this time consuming, it is not efficient. Each attorney updates manually only that which is needed in the moment instead of being able to rely on the database updated by the Ramseyer team.

- 3 *The Office of the Law Revision Counsel also has a role to play. What delays are you facing from the passage of these unprecedented, large bills?*

Law Revision Counsel (HOLRC) response:

Let's take the smaller of the two bills listed above as an example. Public Law 116-283 generated 53 pages of classifications. What that practically means is that there are over 3,200 locations in the United States Code requiring change because of this one bill.

At any one of these locations, there may be any number of changes required. For example, if you were to look into our editing tools at one classification (of the 3,200 mentioned above) -- changes to be made at 10 U.S.C. 3204 -- you would find 31 legislative text cards detailing changes to be made to subsections (a) through (g) of that section. The OLRC will make the changes indicated and then prepare extensive editorial material enabling users to find, track, and understand the updates. This editorial material includes statutory citations and amendment notes to help track the legislative history, notes to explain such things as effective dates, cross references appearing in text, and a variety of other matters, tables to indicate the status of statutory provisions and their location in the Code. All of this takes time to do.

In addition, these large end-of-session bills often present unique challenges. Pub. L. 116-283 transferred numerous provisions from various locations in Title 10 of the Code to a new part V of subtitle A of Title 10, effective in early 2022. Numerous conforming references throughout the Code are necessary in such an extensive transfer of material. That involves hundreds of cross-reference

searches and perhaps even more conforming reference changes on top of what needs to be done in making the transfers.

In addition, something needs to be done to help HOLC draft in the interim time period before the transfers to this new part V of subtitle A are to be made. We will be updating the provisions being transferred a year from now where they currently reside in the Code as well as creating part V before it is effective (with plenty of indicators that it isn't effective until 2022) to help drafters in T-10 during this interim period. This involves extra, but very necessary, work for the OLRC.

I could make similar observations about situations arising out of Public Law 116-260. That 2,000 page+ bill has 32 divisions and touches almost every title of the Code. The point I'm trying to make is that the devil is in the details and these large end-of-session bills are loaded with these types of details. It takes time to unravel them and by people trained to see their implications. For most of the year, the Code is completely up to date, with new law usually being incorporated within days of enactment. It is only in the months immediately following the end of session that delays arise.

Bear in mind that the OLRC has a dual responsibility. We need to provide Congressional staff and the public at large with an accurate, current as possible, accessible, and well organized subject matter compilation of the general and permanent Federal statutory law. We also have an archival function, tracking the legislative provisions through the years. A number of our editorial features have this archival function in their purview.

The answer is not merely to throw people at this situation. It takes 3-5 years to develop an attorney conversant with, and competent in, the various procedures of updating the Code and preparing Codification bills for enactment as positive law. In recent history, the OLRC has worked hard to be more current than we have been historically. We have hired and trained people with this objective in mind.

Sergeant at Arms (SAA)

House ID Cards (SAA)

For more than a decade, IDs for congressional staff have contained a photograph of a security chip, but not the real thing.

- 1 *While this photograph has been removed, I would like to know if you are considering digital-enabled identification for employees and vendors on the Capitol Campus or any other modifications to House IDs to make them more secure?*

House ID services is continually exploring ways to update and enhance the identification credentials. When evaluating these changes, cost (due to the number of IDs issued) and ability to integrate into existing (and planned) security infrastructure is necessary. As noted in security recommendations following General Honore's review, there are certain security improvements that can be made by using current IDs to a greater degree. Furthermore, certain steps before the issuance of the ID, e.g., the

institution of universal background checks for all employees, can also ensure the holder of a House ID has been vetted. Other modifications of processes are already underway. For example, House ID services no longer issues temporary paper IDs and has replaced them with ID cards that have staff/vendor's photo and match the current security features on the 117th Congressional badges.

Clerk and Law Revision Counsel

Comparative Print Project

(Note: this is a project with Clerk and Legislative Counsel, not LRC)

The Office of the Clerk and the Office of Law Revision Counsel (*EDIT: Clerk and Legislative Counsel*) have been working on a comparative print project. This is the effort to build an electronic tool by which a person can see how a proposed amendment would change a bill, or a bill would change the law. It is a fascinating time-saving technology that can greatly improve understanding of the legislative process.

- 1 Please provide an update on this project, including when you expect it to be rolled out to all House staff?

Clerk response:

As stated in the question, the Office of the Clerk's and HOLC have been working on the Comparative Print Project. The project team is building a suite of software programs that will allow House staff and others to create on-demand, point-in-time, comparative prints. This Comparative Print System is designed to display legislative changes in context: how a bill might change current law; how two versions of a legislative proposal are different; and how an amendment proposes to change a bill. Understanding these changes is critical to making decisions on pending legislation. At this time, the "How a Bill Changes Current Law" tool has a beta label and the "Bill to Bill Differences" tool has an alpha label. The "Bill Viewer" tool is labeled "demonstration version."

Through our pilot group, more than 100 House Committee staff from the following Committees have access to the software: Agriculture, Appropriations, Armed Services, Foreign Affairs, House Administration, Judiciary, Natural Resources, Oversight and Reform, Rules, Science, and Transportation. We are actively inviting additional Committee staff to be part of the pilot group, including those Committees that have yet to participate. New participant onboarding and group-wide meetings are scheduled for April and May of this year.

We are using a phased-in approach to deployment, and we plan to release a beta-version of the Comparative Print System House-wide at the end of 2021.

As required by Section 502 of House Resolution 756 from the 116th Congress, we have submitted reports about this project to the Committee on House Administration. These reports are available online.

Legislative Counsel response:

The Comparative Print Project is a joint project of the Office of the Clerk and the Office of the Legislative Counsel. It is dependent on a current Federal law database. The project is in a pilot, alpha development status, with over 100 House committee staff having access to the software and additional committee staff being onboarded to be part of the pilot group during April and May.

In addition, the project team has been working with the Congressional Staff Academy to develop on-demand and instructor-led courses. Draft storyboards for the on-demand course have been developed and are under review. We are using a phased-in approach to deployment, and we plan to release a beta-version of the Comparative Print System House-wide at the end of 2021.

The Clerk of the House is submitting quarterly reports about the comparative print project, as required by section 502 of House Resolution 116-756. These reports provide detailed progress on various aspects of the suite of comparison tools under development and have been posted by the Committee on House Administration here: <https://cha.house.gov/modernization-reports>.

2. *Under what conditions could this also be made available to the general public?*

Clerk response:

The initial focus of this project is on deployment of the suite of comparison tools to all members and staff in the House. While it has always been recognized that this could be a tool for the general public as well, the current focus of project staff is robust development and deployment in the House.

Legislative Counsel response:

The initial focus on of this project is on deployment of the suite of comparison tools to all members and staff in the House. While it has always been recognized that this could be a tool for the general public as well, the current focus of project staff is robust development and deployment in the House.

Statement of Douglas N. Letter, General Counsel
Office of General Counsel
U.S. House of Representatives
Before the Legislative Branch Subcommittee of the Committee on Appropriations
Regarding Fiscal Year 2022 Budget Request of the Office of General Counsel

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee. thank you for the opportunity to present and explain the fiscal year 2022 (“FY’22”) budget request of the Office of General Counsel (“OGC”). For FY’22, OGC requests \$1,912,000; \$1,716,000 for personnel costs and \$196,000 for non-personnel costs. OGC’s FY’22 budget request represents an increase of \$97,000 (5.34%) over OGC’s FY’21 enacted funds of \$1,815,000. A justification of the requested increase over the amount of FY’21 enacted funds appears below.

Functions of the Office

Pursuant to Rule II.8(a) of the Rules of the House of Representatives (117th Cong), OGC provides legal representation and advice to the House and its Members, Committees Officers, employees, and other legislative branch entities (e.g., GAO, CBO, and CRS), without regard to political affiliation, on matters related to their official functions and duties. OGC functions pursuant to the direction of the Speaker, who, with respect to litigation matters involving the House, consults with the Bipartisan Legal Advisory Group (consisting of the Speaker, the Majority and Minority Leaders, and the Majority and Minority Whips). *See* House Rule II.8(a), (b). While it is difficult to furnish an exhaustive list of the types of advice and representation that OGC provides, OGC addresses the following matters with some frequency:

- **Judicial Proceedings:** OGC represents the House in litigation, and also represents Members, Committees, Officers, and employees, both as parties and as non-party witnesses, in litigation arising from or relating to the performance of their official duties, at the pre-trial, trial, and appellate levels. Among other responsibilities, OGC defends civil suits; moves to quash or limit subpoenas; represents the House and its Committees in suits for affirmative relief, such as enforcement of House subpoenas; represents the House in defending Acts of Congress that the Department of Justice has declined to defend; files amicus curiae briefs on behalf of the House or one or more of its constituent entities in cases that raise issues of significant institutional interest to the House and its Members, and applies to district courts, on behalf of Committees and Subcommittees, for immunity orders for witnesses.
- **Committee Subpoenas:** OGC provides advice to House Committees and Subcommittees in connection with the preparation, service, and enforcement of Committee and Subcommittee subpoenas, including advice and assistance in dealing with recalcitrant witnesses.
- **Requests for Information.** OGC provides advice and representation to House Members, Committees, Officers, and employees in connection with responses to informal and formal requests for information (e.g., grand jury subpoenas, trial, and deposition subpoenas, FOIA requests) from governmental agencies (including the Department of Justice), as well as from private parties.
- **Privileges:** OGC provides advice regarding the applicability of various privileges including, most particularly, the Speech or Debate Clause privilege (U.S. Const. art. I, § 6, cl. 1), but also executive, Fifth Amendment, attorney-client, attorney work product, and other privileges.

- **Tort Claims:** OGC reviews and evaluates tort claims for possible administrative resolution by the Committee on House Administration and, where appropriate, refers such claims to the Department of Justice for defense under the Federal Tort Claims Act, and then assists the Department with such defense.
- **Tax Matters:** OGC advises House offices and vendors regarding applicable tax exemptions for official purchases.
- **Constituent Casework:** OGC provides advice to Members and their staffs about the handling of constituent casework, including responding to questions that concern the confidentiality and discoverability of constituent communications and information.
- **Internal Policies:** In consultation with the Speaker's office and other leadership offices, OGC assists in drafting, amending, and evaluating internal House policies, rules, and regulations.
- **Formal Legal Opinions:** From time to time, OGC issues formal legal opinions on matters of interest to the House, Members, Committees, and/or Officers, including whether proposed legislation raises constitutional questions.
- **Other Matters:** OGC provides a great deal of day-to-day advice on a wide variety of other legal matters including, but not limited to, immigration, intellectual property, debt collection, jury duty, landlord/tenant disputes, and miscellaneous constitutional and separation of powers issues. OGC also provides training for staff members regarding legal matters of relevance to their official functions.

The general demand for OGC's services has been substantial in recent years, as has the number of complex and high-profile legal matters the office has been asked to handle.

Justification for the Increase

At full staffing levels, OGC is composed of the General Counsel, Principal Deputy General Counsel, and seven senior attorneys with extensive legal experience, together with two law clerks, and an office administrator.

The FY 22 request for non-personnel expenditures, \$196,000.00, is slightly less than the FY 21 request. OGC strives to be efficient, economical, and a good steward of taxpayer funds. Thus, our non-personnel expenditures have remained consistent, with minimal fluctuation over the last few budget cycles.

The largest expenditure for OGC is salaries. The additional funds in the FY 2022 budget request is due to meritorious pay increases required to maintain salary levels sufficient to recruit and retain highly qualified senior attorneys (deputy, associate, and assistant general counsel) who play a significant role in handling the work of the office. Failure to fully fund the OGC request increases the likelihood of needing to outsource significant legal services to private attorneys. It is much more cost effective to utilize experienced in-house attorneys to handle as many litigation matters as possible, rather than outsourcing legal services to private lawyers and law firms. This is particularly true given the uniqueness, importance, and complexity of the legal services and litigation involving the House, as well as the high hourly rate charged by similarly experienced and competent private counsel.

Consistent with recent budget requests, OGC anticipates that it will continue to actively participate in litigation during the upcoming fiscal year. Such litigation may include cases in which the House directs OGC to sue to enforce House actions and interests, to intervene or file amicus briefs in pending cases, or to defend actions taken by the House and/or its various Members, Committees, Officers, and employees from legal challenge.

OGC proposes to handle this anticipated litigation, to the extent practicable, with OGC attorneys and law clerks. However, it is possible that some matters may require OGC to enter into contracts for paid legal services with private attorneys. OGC will, whenever possible, attempt to enlist pro bono legal services at no cost to the taxpayer. In the event it transpires that additional funds are needed for paying private counsel, OGC will request such funds as may be necessary at the appropriate time.

I would be happy to respond to any questions the Subcommittee might have. Thank you for your consideration.

Statement of Michael T. Ptasienski, Inspector General
Office of Inspector General
U S House of Representatives
Washington, DC
March 10, 2021

Before the House Subcommittee on Legislative Branch Appropriations

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, I thank you for this opportunity to highlight the important work of the Office of Inspector General (OIG). The OIG was established in the U.S. House of Representatives (House) by House Resolution 423 “*House Administrative Reform Resolution of 1992*” during the 103rd Congress to conduct periodic audits of the financial and administrative functions of the House and of joint entities. Since the first Inspector General of the House was appointed in November 1993, the OIG has worked closely with House Leadership, the Committee on House Administration, House Officers, joint entities, and this Subcommittee to improve the operations of the House, reduce inefficiencies, minimize costs, identify and prevent fraud, and address risk. The OIG provides traditional audit services, as well as proactive analysis and guidance for the improvement of House operations through its management advisory services. Due to the ever-growing reliance on information technology and the growing complexity of cyber security, the OIG continues to provide robust technology assessment and risk expertise to the House.

We formulated our Fiscal Year (FY) 2022 budget request to appropriately fund the OIG’s essential mission consistent with our history of sound fiscal stewardship. In the past, for example, we met House budget expectations and goals through strategic budget reductions or right-sizing of specific program budgets, including internally absorbing mandatory Cost of Living Allowances (COLA) every year since FY2014. Over time, we consistently took steps to cut costs including leveraging existing bulk purchase agreements and negotiating favorable pricing for contract purchases. This stewardship enabled us to proactively release funds for reprogramming when our operational and mission funding exceeds our projected spending. This year, by thoughtfully scrutinizing of all aspects of our programs and by employing a zero-based budgeting approach, our FY2022 budget request has *no increase* over our FY2021 appropriation. We are proud to underscore that our current budget request is still less than it was 11 years ago for FY2011.

I am especially proud that the office has kept our budget flat without impacting the quality of service that we provide to the House. We have accomplished this in two primary ways: first, by communicating regularly with stakeholders to understand their needs and challenges enabling us to focus our work on topics that matter, and second, by investing in staff training thereby minimizing the need for outside technical experts. It is important to note that, while the OIG periodically uses contracted subject matter experts, we budget an estimate based upon our approved and projected work plans, and to also ensure that the OIG can quickly respond to special projects as needed.

The OIG consists of 25 Fulltime Equivalent (FTE) positions. Our staff are experienced, dedicated professionals, all of whom possess either a bachelor’s or advanced degree, one or more relevant professional certifications, and have extensive public or private sector work experience.

Since the start of the 117th Congress we have issued 4 reports and currently have 9 ongoing audits and advisories in various stages of completion.

HIGHLIGHTS OF THE OIG'S WORK 2nd SESSION OF THE 116TH CONGRESS

The Office of Inspector General's (OIG's) objective, value-added reviews focused on improving the House's financial and asset management, administrative processes, workplace safety and security, the security of House data, and the information technology infrastructure. During the 116th Congress, the OIG issued 12 reports, which spanned the diverse range of services the OIG offers including financial, performance, and information systems auditing services, and management advisory services.

Financial Auditing Services. Financial audits review the effectiveness and efficiency of House financial operations. A major portion of this effort involves our oversight of an external certified public accounting firm's annual audit of the House financial statements. Since the FY1998 audit of the House financial statements, the House has received an unmodified opinion for the financial statements. An unmodified opinion is the best rating given by auditors. It states the House's financial statements present fairly, in all material respects, the financial position and results of House operations in conformity with generally accepted accounting principles in the United States of America. The most recent Financial Statement Audit report, for FY2019, was published in December 2020. For the 22nd consecutive year, the external auditors expressed an unmodified opinion on the House's financial statements, a noteworthy accomplishment for the House. An unmodified opinion means the financial statements present fairly, in all material respects, the financial position and results of operations in accordance with accounting principles generally accepted in the United States of America. The external auditor did not report any significant deficiencies or material weaknesses for the fiscal year ended September 30, 2019. The OIG is currently overseeing the external certified public accountant's planning and execution of the FY2020 Financial Statement Audit.

Performance Auditing Services. Performance audits evaluate the efficiency and effectiveness of the House administrative functions and the adequacy of internal and management controls over these functions, to include benchmarking policies and procedures against best business practices. During the second session of the 116th Congress, OIG performance auditing staff completed the audit to evaluate the controls and oversight procedures of the Sergeant at Arms' district office security systems contract, and initiated an audit of the District Offices lease program to determine if effective processes exist to ensure efficient use of funds and compliance with applicable rules and regulations. Additionally, audit work is ongoing for the House revolving funds for equipment and the Student Loan Repayment Program to verify that the program is operating in compliance with applicable rules, policies, and procedures.

Information Systems Auditing Services. Information systems audits assess the confidentiality, integrity, and availability of House information resources and evaluate the adequacy and effectiveness of House policies and procedures related to information systems. During the second session of the 116th Congress, we completed an audit on the Clerk's IT recovery plans to

determine whether the Clerk's disaster recovery plan satisfactorily supports the timely recovery of critical systems in the event of a major system disruption or failure, as well as a similar audit of the SAA's IT recovery plans. The IS auditors continued work on the review of user management practices to evaluate the security of associated applications and House processes and controls for account management, as well as an audit of the CAO's IT asset management controls to determine whether the CAO's processes is adequate to produce an IT asset inventory that is complete, accurate, and timely. Additionally, they continued work on the CAO's IT recovery plans to determine if the CAO's disaster recovery process, plans, and procedures are adequate, effective, and will support prompt recovery of crucial House functions in the event of a system disruption or failure.

Management Advisory Services. While audits look at past performance and conditions, there is also the need to look forward to identify new trends and opportunities potentially applicable for the House. This is where our Management Advisory Services add tremendous value. In this area, the OIG continues to assist the House in identifying ways to proactively improve the effectiveness and efficiency of House processes and operations. During the 116th Congress, the Advisory Services team and staff from the Office of the Clerk worked diligently together to document the process and data flows within the Legislative Process. The document is extremely valuable to gain an understanding of the potential risks to the Legislative Process from system disruptions or changes. During the second session, we completed a review of the House emergency communications processes. We also provided advisory services related to selection of new emergency announciators and potential alternative options. Additionally, we continued our review of House record storage (documents, media, etc.) at the Washington National Record Center.

Investigative Services. Through the result of audits, advisory activity, or anonymous tips, the OIG, in coordination with, and oversight by, the Committee on House Administration, may execute inquiries into sensitive allegations of fraud, waste, and abuse in the administrative operations of the House. In the event that we identify potential criminal activity that warrants a full investigation, we refer the matter to the Sergeant at Arms and U.S. Capitol Police, in consultation with the Committee on House Administration. During the 116th Congress, the OIG continued its efforts to increase fraud awareness across the House community.

FOCUS FOR THE 117TH CONGRESS

Several important challenges face the House during the 117th Congress and beyond. The OIG continues to do its part to contribute to a more effective and efficient House support structure by identifying and helping to mitigate significant risks to the House and highlighting opportunities for improving the efficiency and effectiveness of House operations. The OIG uses an annual planning process to improve communication and coordination with audit and advisory stakeholders. The process creates a focused, risk-based work plan centered on the most critical aspects of House financial operations and asset management, legislative support operations, and the security of life and property. The OIG is finalizing our 2021 work plan in coordination with the House Officers and Committee on House Administration. This will result in a work plan that addresses the House's most important issues.

We believe that the OIG's value-added audit services and proactive advisory services will continue to help shield the House from significant financial losses, damage to the House's reputation, and delays and disruption to House financial and administrative operations.

FISCAL YEAR 2022 BUDGET REQUEST

The OIG's Fiscal Year (FY) 2022 budget request seeks total funding of \$5,019,000. Our FY2022 budget request remains flat with our FY2021 appropriation. This amount includes \$3,922,254 for mandatory items, no price level increases, and \$1,096,746 for program current services.

Our programs' current and continuing services include contract funding for the annual audit of the House financial statements by an external certified public accountant firm; software licensing and support agreements; relevant publications, resources, and guidance for audit, advisory, and investigative work; supplies and equipment; staff training in order to be in compliance with government audit standards; and when necessary, other specialized subject matter experts to support the wide range of information security and technology engagements handled by our office.

Our budget request accounts for changes in the Speaker's Pay Order for Calendar Year 2020, which required adjustments in the Personnel Base Adjustment-HEPCA and Personnel Base-SPO, which reduced the amount of COLA applied to our personnel budgets. Additional internal budget adjustments were realized through the zero-based budgeting process which helps us better forecast recurring program needs and make realistic estimates for program execution. As a result, we are able to keep our budget request flat again from one year to the next. We also continue to negotiate more advantageous pricing and achieve cost-savings through leveraging House-wide licenses and pricing negotiation through the Office of Acquisitions Management.

Chairman Ryan, I wish to thank you, Ranking Member Herrera Beutler, and the Members of this Subcommittee for the opportunity to present the work of the OIG and its FY2022 budget request. Our office looks forward to working with the Subcommittee and continuing our role of providing risk-based recommendations as we focus on issues of strategic importance to the House and its ability to efficiently and effectively conduct its operations in accordance with applicable laws, rules, and best business practices. We are honored to be of service to the House in this way. I would be happy to answer any questions you may have.

**Statement of E. Wade Ballou, Jr., Legislative Counsel
Office of the Legislative Counsel
U.S. House of Representatives**

**Before the House Subcommittee on Legislative Branch Appropriations
Regarding Fiscal Year 2022 Appropriations**

Mr. Chairman and distinguished Members of the Subcommittee, thank you for the opportunity to present the fiscal year 2022 appropriation request for the Office of the Legislative Counsel (HOLC). I am pleased and honored to appear before you today in my capacity as Legislative Counsel of the House of Representatives. My staff and I greatly appreciate the ongoing support of the Subcommittee.

Mission: Established by the Revenue Act of 1918, the purpose of HOLC is to advise and assist the House of Representatives, and its committees and Members, in the achievement of a clear, faithful, and coherent expression of legislative policies. HOLC is required by statute to maintain impartiality as to issues of legislative policy and to maintain the attorney-client relationship. The mission of HOLC includes drafting bills, resolutions, and amendments during all stages of the legislative process; and providing related legal advice through individual counsel, its website, and educational outreach. HOLC develops, maintains, and posts the Statute Compilations and is working cooperatively with the Clerk of the House on the Comparative Impact Project (See Modernization Reports on the Committee on House Administration website). In addition, HOLC attends drafting conferences and hosts delegations from parliaments for the mutual exchange of ideas and practices.

HOLC has a flat management structure. It is headed by the Legislative Counsel and Deputy Legislative Counsel, and its branches are attorneys, clerk-paralegals, publications, information technology, and front office communications. The attorneys are generally organized into teams according to their subject matter portfolios and form project-based teams as needed.

HOLC Budget Request: For fiscal year 2022, I am requesting \$12,425,000 for the salaries and expenses of the Office of the Legislative Counsel. This is an increase of \$488,000 (4 percent) from fiscal year 2021 and includes an additional 2 full-time positions.

Impact of the Pandemic and Remote Working on HOLC: In mid-March 2020, HOLC pivoted to working remotely due to the COVID-19 pandemic. From a technology point of view, our Office was well prepared for remote working, having developed its capabilities beginning shortly after the September 11th and anthrax attacks of 2001. However, HOLC was not prepared for the shutting down of society. The resulting pressures on families juggling work, childcare, remote school, elder care, and general family care have been significant, with strained relationships and struggling individuals. Especially in this context, the attack on the Capitol on January 6, 2020, and events relating thereto, are of deep concern.

In addition to societal forces exerting pressure from the outside, HOLC is currently attempting to satisfy increased demand for drafting that is beyond our maximum sustainable capacity. Purpose, control, and workload are key factors in addressing burnout, a true threat to an office reliant on expertise developed over a long career. While steadfast in its purpose, HOLC has little control over its workload and schedule. Compressed scheduling results in too much work at night, on weekends, and over holidays. Staff retention is therefore a significant concern.

Response and Turnaround Time: Book IV of the explanatory statement accompanying 116 H.R. 133, the Consolidated Appropriations Act, 2021, expressed a concern of the House “ . about the response time from OLC to Member offices. OLC should respond to all Member drafting requests in a timely manner.” HOLC responds to all requests for drafting assistance, with an initial acknowledgement of receipt of request provided automatically by email. Thereafter, response time from the subject matter team handling the request varies based on the type of assistance requested and the workload of the team. HOLC is investigating ways to keep Members better informed about their requests without significantly impacting work on those requests.

Work for all HOLC teams is typically completed on a first-in/first-out basis. Requests relating to matters scheduled for conference, the floor, or committee consideration are addressed, in accordance with section 503 of the Legislative Reorganization Act of 1970 (2 U.S.C. 281b), before matters for introduction. Drafting is a time intensive, iterative process requiring Member engagement throughout by providing sufficiently detailed policy specifications, addressing clarifying questions, reviewing drafts, and making refinements. The greater the complexity of the law or policy, the greater the time required to produce a workable draft. Shortcuts to this process increases the risk that the draft will not achieve the desired result.

Most Members used the services of HOLC during the 116th Congress. The number of drafts prepared for Members ranges from 1 (15 Members) to more than 200 (9 Members), including 1 Member with more than 300 drafts. Notably, the output of HOLC continued to increase during the 116th Congress while the average service tenure of HOLC attorneys declined.

- The number of bills introduced during the 116th Congress exceeded that of the 115th Congress by nearly 30% and of the 114th Congress by 45%.
- The number of discrete bill drafts prepared by HOLC during the 116th Congress exceeded that of the 115th Congress by 19% and of the 114th Congress by 33%.

Much of the work of HOLC during calendar year 2020 was included in the CARES Act, the many versions of the HEROES Act, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, and the Acts resulting from the appropriations process, especially the Consolidated Appropriations Act, 2021. These Acts were large in size and, especially in the short timeframes allowed, stressed the capacity of the software systems required to produce them as well as the legislative staff throughout the Congress to accurately and effectively process them.

Personnel: The services of HOLC are provided by 79 full-time staff members, of whom there are 58 attorneys, 7 clerk-paralegals, 5 publications specialists, 4 front office staff, 3 IT persons, 1 office

manager, and 1 human resources person. In addition, HOLC has 5 retired attorneys on contract and 2 persons on assignment from GPO. The further addition of attorneys and clerk-paralegals will require additional office space

During calendar year 2020, 6 new attorneys joined HOLC and 3 law students served as summer associates. During 2021, HOLC expects to onboard 3 to 6 new attorneys and 2 to 4 summer associates. In 2016, approximately 40% of HOLC attorneys had more than 20 years of service while less than 20% had less than 5 years of service. Today, less than 20% of HOLC attorneys have more than 20 years of service and more than 40% have less than 5 years of service. During this time the average tenure decreased from 15 years to 11 years. This transition has been difficult.

HOLC uses an apprenticeship tutorial model for training new attorneys. Under the guidance of assigned senior attorneys, new attorneys progress from basic drafting to responsibility for increasingly more difficult and complex legislation and its management. It generally takes 5 to 7 years to become a superior legislative drafter. Given the retirements experienced since 2016, during 2020 approximately 50 percent of HOLC attorneys were involved in the training of approximately 25 percent of their colleagues. The amount of time required for a new attorney to learn how to draft in a complex area of Federal law is considerable. While productivity in the future will certainly be aided by this substantial effort, in the present training is an additional strain on an already overwhelmed staff.

Recruiting and retaining well-qualified attorneys is a constant challenge. HOLC is competing with the high salaries in private practice and the steppingstone opportunities of Government honors programs. Housing costs in the Washington metropolitan area are high. Real wages as measured by inflation have declined approximately 24% since 2009. On the positive side, the House student loan repayment program, especially with its increase, is helpful. HOLC recruits nationally, primarily through regional job fairs and a dedicated inbox for applicants. The process, carried out by attorneys with drafting responsibilities, is a time intensive one.

Nonpersonnel expenditures: The major nonpersonnel expenditures for HOLC are associated with the maintenance and enhancement of information technology to better serve our clients, as well as periodic

updates to hardware HOLC operates in an Office 365 environment. It drafts with XMetal, stores legislative data in both a file system and a document management system, and relies on Teams and Sharepoint for various office functions. It faces the technological limits of VPN connectivity.

XMetal produces legislative data in a clean XML format. It is a legacy system, used throughout the House and at GPO, and is nearing the end of its useful life. Member and committee offices typically word process with MS Word, and there is no data exchange between the two formats. Thus, the iterative drafting process requires manual manipulation of data for all concerned.

A component of this legacy system is Microcomp, used for printing. HOLC is currently participating with GPO in the development of a replacement for Microcomp. Finally, HOLC has replaced its wiki intranet with a Sharepoint site and is in the early stages of building out its Member portal to better serve our clients.

I am proud of HOLC's service, at significant personal cost, to the House in these extraordinary times. During the next year, with your continued support, we will enhance our customer service by continued investment in our talented personnel, by ongoing improvements in our computer systems, and by working collaboratively within the legislative environment.

Thank you for the support of this Subcommittee. Your support has enabled us to develop and maintain the ability to provide quick, efficient, and expert drafting assistance to the Members and committees of the House. I look forward to working with you during this next year.

This completes my testimony. I am happy to answer any questions that any Member of the Subcommittee may have

E Wade Ballou, Jr
Legislative Counsel

Mrs. Kemba Hendrix
Executive Director, Office of Diversity & Inclusion
U.S. House of Representatives
Office of the Chief Administrative Officer
House Committee on Appropriations – Subcommittee on the Legislative Branch
“House Officer’s Hearing FY22 Budget”
March 10, 2021

Good Morning, Chairwoman DeLauro, Ranking Member Granger, and Members of the Committee. It is an honor to testify before this distinguished panel. I would like to express my appreciation for the Subcommittee’s support for and allocation of resources to a bipartisan office focused on creating a more inclusive and effective Congress by recruiting, training, and supporting a diverse Congressional workforce. I thank you for the opportunity to weigh in on issues that are important to the Office of Diversity & Inclusion, as we continue to work in service to the House of Representatives.

Since my appointment in March of 2020, I have served the newly established House Office of Diversity & Inclusion as its Executive Director. Since the House office was established, we have worked to advance diversity and inclusion as core values across the House. In our inaugural year, the House Office of Diversity & Inclusion has drafted and submitted a Diversity Plan and Operations Plan for the House of Representatives. These plans include Mission, Vision, and Impact statements and were designed to serve as a roadmap for the House as it works to recognize, embrace, and leverage the core principles of diversity, equity, and inclusion. Using the funding allocated to our Office, we have hired a full staff of seven and a half employees, and they have worked tirelessly to establish operating procedures, participate in professional development, create employee candidate development and vetting practices, and host informational and educational programming for the House community. We developed and implemented a House-wide survey to evaluate diversity in House employing offices and developed policies to direct and guide these offices on how to recruit, hire, train, advance, promote, and retain a diverse workforce.

I respectfully ask for your consideration and support of the following recommendations that can be implemented in 2022.

The Office of Diversity & Inclusion has been tasked with separate and distinct reporting requirements.

1. The first requirement we are tasked with is conducting a survey to assess the diversity of the House workforce. The first Compensation and Diversity Survey, conducted in 2019, reviewed the demographic makeup, salaries, and benefits of all House employees and compared it against Executive Branch and private sector counterparts. The evaluation looked at and compared salary and benefit levels, compensation disparities across key demographics (race, gender, experience level, etc.), and House-wide policy for medical leave for employees, as well as a possible tuition assistance program.

Additionally, the Office of Diversity & Inclusion conducted a barrier analysis to assist the House in identifying barriers to equitable employment. The purpose of a barrier analysis is to identify whether there are pay and opportunity disparities across key demographics and to determine the barriers to eliminating those disparities. The analysis evaluated anonymized input from

House personnel for recommendations on how to improve retention and increase equity in staff opportunities. This data collection, in concert with the Compensation and Diversity Survey, will enable the House Office of Diversity & Inclusion to develop, establish, and continually refine strategic goals and remedy policies, procedures, and practices to alleviate barriers to diversity, equity, and inclusion in the House.

2. In addition, the Office of Diversity & Inclusion was recently tasked with Witness Diversity Reporting. The pilot initiative was originally launched in January 2020 by the Tri-Caucus, made up of the Congressional Black Caucus, Congressional Hispanic Caucus, and the Congressional Asian Pacific American Caucus, to track the diversity of expert discretionary witnesses who testified before Congress. The Witness Diversity Initiative was created to ensure that a diversity of voices and perspectives are considered by all Committees to ensure inclusive policies and legislation that benefit the entire country. Information about witnesses was collected through an optional survey shared along with the required Truth in Testimony Disclosure Form to outside witnesses. We are in the process of assessing the previous initiative and recommending an implementation plan and guide. The enhancement of this survey and providing a yearly report on the data collected will require additional office staff to support the effort.
3. Finally, the Office of the Diversity & Inclusion is tasked with tracking diversity among interns. Congressional internships are often prerequisites to full-time staff positions. The Office of Diversity & Inclusion will examine and administer regular studies of demographic and pay information for interns and provide a report.

Data and analysis derived from these efforts will assist the House Office of Diversity & Inclusion in identifying strengths and potential areas of growth as well as refining and prioritizing strategic goals and understanding changes to workforce composition to inform long-term retention and recruitment strategy for a diverse and talented workforce. Currently, our office partners with independent private businesses to conduct the complex surveys and complete reports. With additional resources, we could employ a team of research analysts to collect data, analyze, and report information on our own workforce and committee witnesses as required. Also, if we utilized interactive data visualization software, we could provide reports in an electronic format. Reporting in this manner would allow individuals to select, refine, and compare available data sets. To create the electronic reports, we will need to purchase the necessary software and technology.

Of the FY 2021 requested amount, we also request that an annual budget of \$250,000 be added to the House Office of Diversity & Inclusion, designated for a community engagement strategy. This funding would cover, but is not limited to, providing travel funds and support for the House Office of Diversity & Inclusion to visit relevant educational departments and to educate college students on opportunities for a career in public service.

Based on these responsibilities and accomplishments, our office will need more support from the House in order to continue the work we do. We are so grateful for your kind consideration to ensure that the Office of Diversity & Inclusion can continue to be a professional resource for the House community. I thank you all for your consideration and look forward to answering any questions you may have.

STATEMENT OF
RALPH V. SEEP
LAW REVISION COUNSEL OF THE U.S. HOUSE OF REPRESENTATIVES
to the
Subcommittee on Legislative Branch
of the House Committee on Appropriations

Mister Chairman and Members of the Subcommittee:

Thank you for the opportunity to appear before you to present the budget request of the Office of the Law Revision Counsel (Office) for fiscal year 2022. The Office was "established in the House of Representatives" by section 205 of House Resolution No. 988, Ninety-third Congress, which was enacted into permanent law by Public Law 93-554. The Office continues to fulfill its mission and appreciates the continuing support given to us by the Subcommittee and Congress.

Mission

The OLRC serves the House of Representatives, Congress as a whole, the legal community, and the general public by producing and maintaining the United States Code, which is the official codification of the general and permanent statutory law of the United States. The mission of the OLRC is to make the United States Code "the free Code of choice" for the Hill community and the general public by ensuring that the official Code is the most accurate and accessible version available, whose currency rivals or exceeds the versions produced by the private sector.

Budget Request

For fiscal year 2022, I am requesting \$3,600,000 for the Office to sustain operations with respect to existing personnel and ongoing technology needs.

Continuing Operations.--The amount of \$3,600,000 represents a 3.78 percent increase over the amount appropriated by the Consolidated Appropriations Act, 2021, Public Law 116-260. This amount will allow for the continuation of current personnel, including salary adjustments, routine maintenance and replacement of equipment, and the continuation of service contracts for editorial work and technical support.

House Modernization Project.--Work progresses on the House Modernization Project begun at the behest of House leadership. While no additional funding for the House Modernization Project is being requested in the Office's fiscal year 2022 budget, the replacement of the antiquated

technology currently used for publishing is a priority. The Office continues to work with the Office of the Clerk and with the Composition System Replacement Group of the Government Publishing Office (GPO), supporting their efforts to develop the ability to maintain congressional data in United States Legislative Markup (USLM) and publish directly from USLM files, both online and in print.

Functions of the Office

The principal functions of the Office are specified by chapter 9A of title 2 of the United States Code. They are: (1) to maintain and keep current the official version of the Code, and (2) to prepare legislation to enact individual titles of the Code into positive law.

Maintaining the United States Code

The United States Code contains the general and permanent laws of the United States, organized into titles by subject matter. The two primary tasks in maintaining the Code are classifying new laws and updating the text.

Classifying New Laws.—Every law enacted by Congress is read in its entirety by a number of attorneys to identify the general and permanent provisions and any amendments that should be classified to the Code and to decide where in the Code they should be placed. The Office gives the highest priority to this classification function, and the classification of a law is normally completed by the time it is signed by the President. While thoroughness and accuracy are the prime concerns, speed is also important so that classifications can be posted online and the required edits be executed in the Code online and made available to the public as quickly as possible.

Updating the Text.—Updating the text of the Code includes not only integrating new statutory provisions into existing text, but also preparing extensive editorial material enabling users to find, track, and understand the updates. This editorial material includes statutory citations and amendment notes to help track the legislative history, notes to explain such things as effective dates, cross references appearing in text, and a variety of other matters, tables to indicate the status of statutory provisions and their location in the Code, and an index. A number of Federal court rules and executive documents are also prepared and published as they are often closely connected to statutory material.

The Office publishes the Code, in both searchable and downloadable versions, on its public website and updates it continuously throughout the legislative year. The Office also publishes, in printed form, a complete new version of the Code once every six years and annual cumulative supplements in the intervening years.

Timeliness of Publication; Improvements in Organization

Timely Publication.—The timely update of a publication of the size and complexity of the Code is a challenging task and depends heavily on the training and expertise of the staff of the Office. The Office places a high priority on retaining existing staff and also seeks to retain the services of retired employees by contracting with them for part-time work. As a result of the efforts of experienced staff, the Office has consistently published online updates in a timely manner.

without sacrificing the high level of accuracy that is expected and demanded of the official United States Code.

The Office maintains a current, easily accessible online Code in addition to producing the print Code. The Office continues to streamline its editorial practices to tailor them for an online publication that is continuously updated throughout a congressional session. The Office updated the Code online approximately 30 times during the Second Session of the 116th Congress. Bulk data is made available for download in a variety of formats (XML, XHTML, PDF, and locator text files) with every update. Updates to the main table indicating the status of statutory provisions and their location in the Code, which have traditionally been published at the end of each congressional session, are now being made more frequently to correspond with publication of updates to the Code text. The Office continues to strive for timely updates of the Code through innovative editorial practices that take advantage of emerging technological possibilities.

Improvements in Organization.—As part of its ongoing mission to produce both a useful and a usable Code, the Office undertakes reclassification projects to identify areas of law that have become difficult to navigate or convert into XML and to improve their organization. Past projects have improved the organization of laws in the Code relating to congressional officers and employees in title 2; relating to national security in title 50, which included the elimination of obsolete laws in the former Appendix to title 50; relating to crime control and law enforcement, which resulted in the creation of a new editorial title 34; and relating to voting and elections, which resulted in the creation of a new editorial title 52. In addition, selected laws relating to agriculture in title 7, Indians in title 25, and public lands in title 43 have been reorganized and particular chapters of those titles streamlined. The Office also carries out smaller reorganization projects as needed, such as the transfer of several provisions of the Higher Education Act of 1965 that were previously part of another act from title 42 to title 20. More detailed information on these projects is available at <http://uscode.house.gov/editorialreclassification/reclassification.html>. In addition to carrying out the reclassification projects themselves, the Office drafts and submits bills that amend existing statutory references so that they reflect the newly reorganized provisions.

A recent improvement is the addition of descriptive headings above groups of notes following Code sections. The status of notes in the Code has long been a source of user misunderstanding and confusion. The goal with this project is to provide some clarity in the note structure by grouping notes into distinctly labeled categories based on the source of their content.

Positive Law Codification

The second principal function of the Office is to prepare legislation to enact individual titles of the United States Code into positive law as required by 2 U.S.C. 285b. The Code currently consists of 27 positive law titles and 26 non-positive law titles (one title is reserved). A positive law title is a title that has been enacted into law by Congress in the form of a title of the Code. In contrast, a non-positive law title is an editorial compilation by the Code editors (the Office of the Law Revision Counsel or its predecessors) of various acts separately enacted into law by Congress.

Positive law codification is a complex process. It may take a codification attorney a year or more to prepare a codification bill for introduction. There is an extensive period for comment

and review as the draft bill is prepared and submitted to the House Committee on the Judiciary. Congressional committees, Government agencies, legal experts, and members of the public are invited to review and comment on the bill to ensure that the meaning and effect of the law as restated in the new title remains unchanged and to achieve the best possible organizational structure for the new title.

If revisions are required after the bill is introduced in the House, the codification attorneys prepare the necessary amendments. The codification attorneys may prepare a new version of the draft bill, which is then reported by the Committee on the Judiciary as an amendment in the nature of a substitute. Typically, the bill is passed by the House under suspension of the rules. In the Senate, the bill goes to the Committee on the Judiciary and the process continues until the bill is passed by the Senate, typically by unanimous consent. In most cases, a codification bill must be updated several times for new legislation and reintroduced in several Congresses before finally being enacted. The codification attorneys are involved throughout the process, working with the staffs of House and Senate committees, Government agencies, and others to perfect the bill and move it toward enactment.

In the first session of the 117th Congress the Office is updating and resubmitting seventeen bills to the Committee on the Judiciary. The bills were previously submitted to the Committee, but not enacted, in previous sessions of Congress. Twelve of the bills are codification bills, and the other five are bills to update statutory references. The Office is also working on several new codification projects.

House Modernization Project

No additional funding for the House Modernization Project is being requested in the Office's fiscal year 2022 budget, but the work is ongoing. The House Modernization Project was originated in 2012 as a set of interrelated projects being undertaken by the House Office of the Law Revision Counsel and the House Office of the Legislative Counsel in consultation with representatives from the Committee on House Administration, the Legislative Computer Systems branch of the Office of the Clerk, and the Acquisitions Management branch of the Office of the Chief Administrative Officer.

In the Office of the Law Revision Counsel, work on the House Modernization Project proceeds in three stages. In the first stage, a conversion tool was designed and implemented to enable the Office to convert the United States Code into XML. Since July 2013, the Office has made the Code available for use and bulk download in XML through the Office's website.

In the second stage, a new system for codification bills was designed and implemented to enable the Office to produce codification bills and associated material in XML. The old production tools were outdated. The new production tools enable the Office to draft bills in XML. In the summer of 2015, the new system was delivered. It is being used for live production work, and refinements are underway to continue to improve functionality.

In the third stage, a new system for editing and updating the United States Code is being designed and implemented. Currently, the Office uses a specialized suite of internally developed software programs to edit and update the Code. The current methodology works well to promote

accuracy and efficiency, but it is an outdated, MicroComp-based system. So long as the old system is used to edit and update the Code, the Code must be converted into XML for public distribution and use by other congressional offices. Work is currently underway to design and implement the new system for editing and updating the Code in XML.

USLM is a state-of-the-art schema developed as part of the Office's work on the House Modernization Project. The USLM schema is designed to be extensible, and it is increasingly being considered as the emerging standard for maintaining congressional data. Congress needs to replace the antiquated technology currently used for publishing, and the Office continues to work with the Office of the Clerk and with GPO's Composition System Replacement Group, supporting their efforts to develop the ability to maintain congressional data in USLM and publish directly from USLM files, both online and in print.

Website for the United States Code

The budget request includes an amount for continuing maintenance of the website. Upgrades to the search engine for the United States Code database and the user interface of the Office's website were released during fiscal year 2011, fiscal year 2013, and fiscal year 2017. Critical updates for the software supporting the backend of the website are being deployed during fiscal year 2021. An accessibility review of the site and adjustments to the site as may be recommended by that review are scheduled for late fiscal year 2021 and fiscal year 2022.

The website provides the United States Code to Congress and the public as a thoroughly searchable reference, functions as a portal for access to the United States Code in bulk data formats, and provides information to users about positive law codification bills, editorial reclassification projects, and frequently asked questions about the Code. The Code is updated throughout the year on the website, which also provides bulk data download functionality in a variety of formats. The website also tracks for Congress and the public the Office's codification bills and editorial reclassification projects as these projects proceed to publication. The services of the contractor are required to maintain the website and address minor functionality issues as they arise. When the House Modernization Project has been completed and the Office has acquired the ability to maintain and produce Code data in XML, the website will again be upgraded to provide related improvements to users.

Conclusion

Thank you for giving me the opportunity to present the fiscal year 2022 budget request of the Office of the Law Revision Counsel and for the Subcommittee's support for the Office. This support has enabled the Office to maintain, update, and improve the United States Code. I will be pleased to respond to any questions that you may have.

THURSDAY, MARCH 11, 2021.

ARCHITECT OF THE CAPITOL

WITNESS

J. BRETT BLANTON, ARCHITECT OF THE CAPITOL

Mr. RYAN. The committee will come to order.

This hearing is fully virtual, so we need to address a few house-keeping matters.

Members are responsible for muting and unmuting themselves for the purposes of eliminating inadvertent background noise. The chair or staff designated by the chair may mute participants' microphones when they are not under recognition.

If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone.

We will begin with the chair and ranking member. Then members present at the time the hearing is called to order will be recognized in order of seniority.

We are using the 5-minute clock, which you will notice on the screen. It will show how much time is remaining. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Regarding adding extraneous or additional material to the record, per House rules, we have set up an email address where members can send anything they wish to submit for the record after seeking recognition for its inclusion. That email address has been provided in advance to your staff.

Finally, we are doing two panels today: the first, the Architect of the Capitol, then the Government Publishing Office. We will take approximately a 10-minute recess between the panels, but we will remain on this video feed, so members do not have to log off. For our first panel, we will also be juggling votes as well.

For our first panel, I would like to welcome the Architect of the Capitol, the Honorable Brett Blanton, to present the fiscal year 2022 budget request.

Mr. Blanton, this is the second time you have testified before the subcommittee in 3 weeks. We welcome you back.

For fiscal year 2022, the AOC is requesting an increase of \$181.4 million in appropriated funds and 94 new full-time-equivalent employees over what was provided last year. While we understand that your workload is increasing, I am afraid that the subcommittee allocation may not be increasing at a reciprocal rate.

Additionally, I understand that the fiscal year 2022 budget request does not include requirements to address the necessary physical security and landscape architecture changes that are as a re-

sult of the domestic terrorist attack on the Capitol. I hope you can touch on those needs in your testimony today.

I also would like to expand on your, quote/unquote, “big rocks initiatives” during our hearing today. Specifically, I hope you will address the Capitol Complex Master Plan and how this strategic plan has changed in response to the January 6 attack on the Capitol.

I look forward to your testimony. We appreciate your work very much. You have shed a lot of light on a lot of the different scenarios that we have had to deal with over the past few weeks, Mr. Blanton, and I want to personally thank you for being very accessible to us here at this committee.

At this point, I would like to yield to my colleague and friend from the Evergreen State, the Nation’s leading producer of apples, and is the home of the coffee chain Starbucks, the ranking member, Jaime Herrera Beutler, for any opening comments she may have.

Ms. HERRERA BEUTLER. Thank you. And I should add, Mr. Chairman, that my specific district is home to Sasquatch. So don’t forget that.

Mr. RYAN. Excellent. Good to know.

Ms. HERRERA BEUTLER. And Fabio. And the filming of “Twilight.” But anyway.

Mr. Blanton, January was a difficult month for the Cannon House Office Building construction crew. Shutdowns from January 6, the inauguration, COVID-19 all resulted in significant delays. And these factors collectively place—whoops, I am jumping into questions. That was one of the things I want to ask you about.

All—not just Cannon, but Rayburn, and everything in terms of the master plan that has been being worked on for a number of years now. I am in the very far corner of Rayburn, and our quadrant has been—I feel like every week it is in a new place. And after January 6, it all changed.

I am very anxious to hear about the master plan, about coordination with the task force recommendations from General Honore and what we see coming out of the Senate in terms of recommendations.

Obviously, you know, you have been with us now, I think, a little over a year, and you had a big job before. With everything that has come full circle in the last couple of months, I think everything has been a little bit more complicated.

So I am really interested in hearing about how your budget request incorporates some of these challenges. I know we had talked about making whole some other budgets under your purview, that you had to move money around to pay for things like the fence and some of the ongoing security costs. But I am really interested to hear from you about these things and probably will have some questions along that line as well.

So it is a pleasure to have you. We are grateful for the job you and your team do.

And, with that, I yield back to the gentleman from Ohio.

Mr. RYAN. I thank the gentlelady.

Is Chairwoman DeLauro on the call?

STAFF. She is not.

Mr. RYAN. She is not? Okay. Thank you.

So, Mr. Blanton, without objection, your written testimony will be made part of the record. Please summarize your statement for the members of the committee. Once you have finished your statement, we will move to the question-and-answers.

You have the floor, sir.

Mr. BLANTON. Thank you, Chairman Ryan. Thank you, Ranking Member and members of the subcommittee. I appreciate the opportunity to present the Architect of the Capitol's fiscal year 2022 budget request for \$865 million.

It has been a whirlwind year since I last sat before you, only a few weeks into my tenure as the 12th Architect of the Capitol. In that time, I have been amazed by the level of commitment and professionalism displayed by my staff. We have been in pandemic operations for nearly a year. We supported three lying-in-state or honor ceremonies, we survived a building breach on January 6, and we successfully prepared and supported the Presidential inauguration.

Last year when I testified before the committee, I committed to conducting a top-down assessment of the agency to identify the most urgent needs and address critical issues. The agency's fiscal year 2022 budget request is a result of that review and serves as the beginning of the transformation of the Architect of the Capitol into a world-class service agency.

Additionally, this budget serves as the foundation for the future of the Capitol campus. This request introduces several new initiatives that will address many of the most critical needs of the AOC and the Capitol community, including committing ourselves to long-term planning and developing strategies that will prepare the Capitol campus for the next century.

This budget also reinforces my commitment to AOC's employees by developing a human-capital strategy that will bolster our efforts to acquire, develop, train, and retain a talented, diverse, and highly skilled workforce that is prepared for the future. We aim to transform the AOC's human-capital landscape by ensuring workforce readiness, closing skill gaps, maximizing employees' talents, and deliberate succession planning.

As I mentioned in our hearing last month, our commitment towards ensuring adequate measures are taken to mitigate the threat of COVID across the campus has not been met with the required funding and financial support. Other than our initial installment of funds, which is fully obligated, AOC has been forced to use critical infrastructure and security projects funding to support Congress at service levels required for enhanced cleaning and to acquire necessary personal protective equipment.

Maintaining vigilant and strict adherence to COVID-19 protocols, the AOC has successfully continued to facilitate operations and deliver quality projects to Congress and our legislative- and judicial-branch partners.

The agency's fiscal year 2022 budget request seeks to continue this progress by addressing over \$78 million in deferred maintenance needs across campus. It also invests nearly \$90 million in projects that renew or improve aging infrastructure, such as fire

alarms, campus intrusion, ADA compliance, environmental systems, and electrical distribution.

AOC's risk-based project prioritization process identified \$171.5 million for capital projects. Of this, \$92.7 million, or 54 percent, are projects that did not receive funding in fiscal year 2021.

These projects include the failed waterproofing system for the Cannon-Capitol tunnel. Water infiltration has caused staining on the walls and unsafe conditions for pedestrians. If not funded, the tunnel conditions will continue to deteriorate, require additional water management intervention, and be more expensive and more disruptive during construction.

The agency is also requesting funding for critical utility distribution projects at the Capitol Power Plant and off-site facilities. Funding is required for phase 5 of the Refrigeration Plant Revitalization Program, which will replace 40-year-old piping and provide other additions to bring the older West Refrigeration Plant equipment up to date.

Earlier this year, a chilled water pipe broke and spilled over 200,000 gallons of water a day and impacted servers in Congressional Recording Studio spaces. Phase 5 of this project is imperative to prevent a complete shutdown of various congressional operations if another pipe breaks.

Off campus, we need to replace aging HVAC units with dual-use, energy-efficient units within the data centers to reduce risk of interruption to daily operations, reduce energy consumption, and reduce our carbon footprint.

We are seeking to address critical upgrades to life-safety systems across campus. Fire alarm and sprinkler system upgrades at the U.S. Capitol, Botanic Gardens, and the James Madison Memorial Building will address code deficiencies, reduce the risk of system failure, and improve facility safety for building occupants.

Finally, as we continue to assess the Capitol's future facilities needs in the aftermath of the January 6 breach, I am also asking for the subcommittee's support for a campus-wide facilities assessment.

During my selection and confirmation process, I promised to transform the agency. This budget request is the first step in that transformation. Additionally, last year, I promised to emphasize deferred maintenance and emergent needs required for our facilities.

I am confident that this request, coupled with the changes that we are actively incorporating throughout our agency, represents a major step forward in the beginning of the future AOC and the Capitol campus.

I appreciate your thoughtful consideration for our fiscal year 2022 budget request. Thank you for your time, and I am happy to answer your questions.

[The information follows:]

**Statement of J. Brett Blanton
Architect of the Capitol**



Architect of the Capitol Fiscal Year 2022 Appropriations

**Statement before the Subcommittee on Legislative Branch,
Committee on Appropriations, United States House of Representatives**

March 11, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and members of the Subcommittee, I appreciate the opportunity to present the Architect of the Capitol's (AOC) Fiscal Year (FY) 2022 budget request of \$865 million.

It has been a whirlwind year since I last sat before you only a few weeks into my tenure as the 12th Architect of the Capitol. In that time, I have been amazed by the level of commitment and professionalism displayed by our staff. We have been in pandemic operations for nearly a year, we supported three lying in state or honor ceremonies, we survived a building breach on January 6 and we successfully prepared and supported the presidential inauguration.

Last year when I testified before the Subcommittee, I committed to conducting a top-down assessment of the agency to identify the most urgent needs and address the critical issues. The agency's FY 2022 budget request is the result of that review and serves as the beginning of the transformation of the AOC into a world-class service agency. Additionally, this budget request serves as the foundation for the future of the Capitol campus.

This request introduces several new initiatives that will address many of the most critical needs of the AOC and the Capitol community, including committing ourselves to long-term planning and developing strategies that will prepare the campus for the next century.

One of these strategies is the development of an Enterprise Asset Management (EAM) system to aid decision making regarding operating, maintaining and renewing facilities and infrastructure assets such as buildings, plants, machinery, vehicles and construction equipment in a manner that achieves industry standards and best business practices. Coupled with a commitment to better ensure our request is aligned with expected service levels, we will use EAM to proactively administer maintenance-based strategies, reduce the deferred maintenance backlog, mitigate obsolescence, restore reliability, reduce long-term costs and provide a system to forecast resource needs requirements to ensure assets are secured, maintained and meet industry standards for viability. Numerous studies have shown that the ISO 55000 certified EAM system we will implement has a return on investment of approximately five years.

This budget also reinforces my commitment to the AOC's employees by developing a human capital strategy that will bolster our efforts to acquire, develop, train and retain a talented, diverse and highly skilled workforce that is prepared for the future. We aim to transform the AOC's human capital landscape by ensuring workforce readiness, closing skills gaps and maximizing employees' talents, skill sets and competencies.

In addition, we will strengthen access to skills training by establishing a new AOC University, which will ensure people have the skills to perform their jobs well and can improve their skills to better position themselves for advancement. It will also transform the organization and culture of the AOC by investing in employee outreach and training programs that focus on skill-building activities designed to improve employee and stakeholder experiences, teach conflict resolution skills and improve teamwork and customer service.

As I have said since my first day with the agency, the overall success of the AOC begins with our staff. The ability of our central services to support our front-line operations is critical to the organization's success. Included in this budget request is an aggressive plan to on-board critical staff who are essential toward supporting the needs and services of Congress.

The safety of members and staff on the Capitol campus is my highest priority. As such, code compliance is another area where we are seeking transformative change. Under the proposed Building Official Program, dedicated experts will ensure stakeholders follow the same set of established building codes and request approval of their work through a permit process. The agency will track all construction and infrastructure work in a centralized data, management and oversight system. This proposal allows for independent verification that infrastructure and construction work performed at AOC-managed facilities and grounds consistently meets established building codes and enterprise facility standards. This is similar to the model used by many at state and local governments and will ensure safe and code-compliant work on the Capitol campus.

Additional staffing is also required to meet the emerging requirements to ensure the cleanliness of the Capitol campus as we transition to a new normal after the COVID threat. This budget request introduces the concept of Service Level Agreements (SLAs) for janitorial services. These SLAs transparently outline specific levels of cleanliness and the associated cost for these services. In future budgets, we will expand these SLAs to all products and services the AOC delivers so there are measurable standards of service on the Capitol campus.

Regarding our continued COVID-19 response, as I mentioned in our hearing on February 24, 2021, our commitment toward ensuring that adequate measures are taken to mitigate the threat of COVID-19 across the Capitol campus has not been met with the required financial support. Other than our initial installment of funding, which is fully obligated, the AOC has been forced to use our critical infrastructure and security project funding to support Congress at a service level required for enhanced cleaning and acquire necessary personal protective equipment (PPE).

Maintaining vigilant and strict adherence to COVID-19 protocols, the AOC has successfully continued facility operations and delivered quality projects to Congress and our legislative and judicial branch partners. We completed phase two of the Cannon House Office Building Renewal project on time, resulting in 32 new member suites and office spaces for the Office of Legislative Counsel, Office of General Counsel, House Democracy Partnership, House Clerk and the House CAO. I'm also proud to report that the AOC's safety record on this project has far exceeded industry standards, which is a reflection of our continued commitment to worksite safety.

Phase three of the Rayburn House Office Building parking garage project was also completed on schedule. This project rehabilitated the northwest quadrant of the facility, supporting 488 vehicles and 26 bicycle parking spaces. We also began work on phase four of the project in November in the garage's southwest quadrant.

With the committee's encouragement, we launched the Urban Agriculture Resilience Program last spring to support food-growing programs at public gardens affected by COVID-19 and to address emerging food insecurities due to the global pandemic. We assisted 19 states and Washington, D.C. in the growing and distribution of produce to communities with food access challenges. This model was a success, and now with lessons learned and an experienced team in partnership agreements on board at the U.S. Botanic Garden, we believe this community support can be successfully expanded to encourage more COVID gardens.

In addition to this critical work, I am proud to announce that the AOC received its 16th consecutive unmodified clean audit opinion of its financial statement. We also received our ninth consecutive Certificate of Excellence in Accountability Reporting award from the Association of Government Accountants. These recognitions are evidence of our excellence in financial management and provide transparency of our stewardship of the public's funds.

The agency's FY 2022 capital budget request seeks to continue this progress by addressing over \$78 million in deferred maintenance needs across campus. It also invests almost \$90 million in projects that renew or improve aging infrastructure such as fire alarms, campus intrusion, environmental systems and electrical distribution.

The AOC's risk-based project prioritization process identified \$171.5 million for capital projects. Of this, \$92.7 million, or 54 percent, is for projects that did not receive funding in FY 2021. This includes the project to address the failed waterproofing system for the Cannon-Capitol Tunnel. Water infiltration has caused staining on walls and unsafe conditions for pedestrians. If not funded, tunnel conditions will continue to deteriorate, requiring additional water management intervention and more expensive and disruptive construction.

The agency is also requesting funding for critical utility distribution projects at the Capitol Power Plant and offsite facilities. Funding is required for Phase 5 of the Refrigeration Plant Revitalization program, which will remove 40-year-old piping and includes various replacements and additions to bring the older West Refrigeration Plant equipment up to date. Earlier this year, chilled water piping broke and spilled over 200,000 gallons of water a day and impacted servers and congressional recording studio spaces. Phase 5 of the Refrigeration Plant Revitalization is imperative to prevent a complete shutdown of various congressional operations if another pipe breaks. Off-campus, we need to replace aging units with dual-use, energy-efficient units within the data centers to reduce the risk of interruption to daily operations, reduce energy consumption and reduce our carbon footprint.

As I mentioned earlier, code compliance is an important element in this request. We are seeking to address critical upgrades to life safety systems across campus. Fire alarm and sprinkler system upgrades at the U.S. Capitol, U.S. Botanic Garden and the James Madison Memorial Building will address code deficiencies, reduce the risk of system failure and improve facility safety for building occupants.

I would also like to mention the continued need to address a growing backlog of work at the aging Library of Congress facilities. Stained-glass window and roof repairs at the Thomas Jefferson Building are long overdue, and the failure to properly address water infiltration stemming from the James Madison Memorial Building's sixth floor terrace poses a threat to the historical collections housed in this facility.

Finally, as we continue to assess the Capitol's future facility needs in the aftermath of the January sixth breach, I also ask for the subcommittee's support of a campus-wide facility assessment.

During my selection and confirmation process, I promised to transform the AOC. This budget request is the first step in that transformation. Additionally, last year, I promised to emphasize deferred maintenance and emergent needs required for our facilities. I am confident that this request, coupled with the changes we are actively incorporating throughout the agency, represents a major step forward and the beginning of the future for the AOC.

I appreciate your thoughtful consideration of our FY 2022 budget request.

Thank you for your time. I'm happy to answer your questions.

Mr. RYAN. Appreciate it.

We are going to start with the question-and-answer period, and I will yield to my ranking member, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And thank you, Mr. Blanton.

I think that, you know, the immediate thing that jumps to mind is, obviously you have things that have to be addressed—broken pipes destroying buildings, you know, and creating further havoc, those immediate kind of maintenance needs, which I want to support, absolutely.

I think the next piece for me that has been a focus has been the fact that we have all these different layers of people looking to harden our infrastructure against any future attacks, quite frankly, and the security piece.

So I am curious if you found General Honore's report helpful, especially with regard to the physical infrastructure and their recommendations; what you think won't work.

You know, you and I talked about you doing your assessment. And this is one of the things I asked General Honore, was: So you are looking at the House side, kind of, and the Senate is looking at the Senate side; you know, the AOC wants to look at a campus-wide plan. Who is coordinating that? Who is taking the lead? Or are we just looking at General Honore's stuff as just a recommendation?

I would love to hear your thoughts on that.

Mr. BLANTON. Well, thank you. I appreciate that question.

My staff have worked very closely with General Honore in his assessment. In fact, many of the areas that we are concerned with he addressed specifically.

Because of the short nature and timeframe that he had to do his study, he couldn't delve into the real details and perform the real engineering work that is required to actually execute these projects.

So I think his recommendations were great; however, we need to look at those across the entire campus, take what his recommendations were, perform our due diligence from an engineering standpoint so that we can actually give you budget-level detail so I can execute these projects and perform the proper projects to enhance our campus.

Also, we need to look at additional projects from a risk perspective—not just what the threat is, but what the consequence and likelihood of that risk is—so we can do short-term mitigations to that risk and also develop a long-term implementation for what we can to secure the campus and still keep it in the way that we all want, which is to be as open as possible to the American public.

Ms. HERRERA BEUTLER. I appreciate that.

Is there a way that you could keep us updated as you move forward on that? Like, it has been a once-a-year thing, but, like, the committee could get updates as you are looking at recommendations and what seems feasible, what you can do, what you can't do.

I mean, I recognize you are not going to be able to replace every single—nor will you need to replace every single window in the building, right? But some should be. And, as you are adopting these things, is there a way for you to keep us updated?

Mr. BLANTON. Absolutely. So I view this as really—as synergizing all the stakeholder requirements, including all the security elements on the Capitol complex, as well as the Supreme Court, Library of Congress, and Members, and bringing those into one—so you have one entity that looks at all of this as a whole. So there would be stakeholder engagement throughout the entire process.

Ms. HERRERA BEUTLER. It really seems like you are the appropriate agency for this because of that exact point. There needs to be one person or one entity looking at the whole scope, not just individual pieces.

To that end, I did want to draw your attention to and wanted to ask you if you guys have been able to fix—I wasn't aware that things like—like, the garage doors in Rayburn didn't close. They, like—I assume that has been addressed.

I am grateful that the mob didn't know that there are these major areas of entrance that just—we just—it was kind of shocking to me that, security-wise, we didn't know that.

I didn't know that the West Front door doesn't lock and that those are just simple, plain glass. Like, that is shocking to me.

Were you aware of those type—I mean, that is not high-level stuff. That is pretty basic stuff. Were you aware of those things? And have we just failed to provide funding to bring those up to date, or—

Mr. BLANTON. So the garage, in specific, is something that we actually did know about, and it was deliberately put into the phase 4 of the Rayburn Garage project that was briefed and approved a couple years ago.

That is a great example of where I talk about deferred maintenance, where it is something that was a known issue, it was deferred maintenance, but, without having the appropriate dollars that year, we lumped it into a larger project so we can get the work done. Unfortunately, this event happened before the work on those garage doors actually started.

Ms. HERRERA BEUTLER. Yeah, I do understand that, like, updating the doors. But I don't know that I was ever briefed and told that the doors physically won't close. I have never heard of—like, not being able to close your door, to me, when there are literally three sides that a Mack truck can drive through? That is different than—I mean, I get that we didn't update them because of deferred maintenance, but not being able to close them is a different situation. I don't think anybody told us that.

Mr. BLANTON. Well, I will apologize if that—if that is true—

Ms. HERRERA BEUTLER. Well, I mean, it may have been your predecessor.

The other piece about the West Front doors, do they lock now? Do the doors all in the Capitol lock?

Mr. BLANTON. Yes.

Ms. HERRERA BEUTLER. Okay.

With that, Mr. Chairman—

Mr. BLANTON [continuing]. At various levels of protection, just to want to make sure you know that they are not all intrusion-proof.

Ms. HERRERA BEUTLER. Perfect. Yeah, I agree.

Thank you, Mr. Chairman.

Thank you, Mr. Blanton.

Mr. RYAN. So, Mr. Blanton, all the doors will be—what are the strongest doors we have in the Capitol? Like, the doors going into the House Chamber from the steps, those first set of doors?

Mr. BLANTON. Yeah, so those are built to a stronger standard. And we are getting into information that I would be welcome to talk to you about in a classified setting so that we don't—

Mr. RYAN. Okay. Okay. Fair enough.

Mr. BLANTON [continuing]. Provide the public—

Mr. RYAN. Okay. Fair enough. Fair enough.

Ms. Clark.

Ms. CLARK. Thank you, Mr. Chairman.

And welcome back, Mr. Blanton. Thank you for joining us again today.

I am so glad that the AOC has implemented and tracked performance measures such as the energy and sustainability targets. But in the past few years, you have been short of hitting the target of building occupant waste. I wondered if you could tell me a little bit about why that is such a persistent challenge and how we can help you make progress in that area.

Mr. BLANTON. Well, thank you. I do appreciate that question, because recycling is something that is important to me.

Our goal last year was 44 percent capture of recycling products, and we got to 38 percent. A lot of that last year had to do specifically with the reduced staffing and the amount of paper waste that was not included in our normal calculations for what we expected for recycling.

As a whole, recycling itself, we do pretty well. In fact, we generated a net revenue of \$120,000 last year, even with the reduced numbers.

Some of the challenges that we have, since we try to make it as easy as possible for the staff and Members, when we go to single-stream recycling, if somebody throws a coffee cup in the recycling bin, all that paper is now not able to be recycled.

Ms. CLARK. Yeah. Yeah.

Mr. BLANTON. And, quite often, it will happen that somebody thinks they are doing a great job in recycling their food container. They throw it in, and that contaminates the entire bin. And so we end up losing that, and we have to transfer that to a waste-to-energy company so they can burn down and capture the waste out of there.

A lot of it is education, and I think we need to do a better job helping the congressional community on the education of that. And I think, with that, we can then reach our goals.

Ms. CLARK. Yep. And there are still persistent rumors that actually none of it gets recycled and that, you know, it all goes into one bin. So I know that is sort of—it is part of the education process, that this is actually a recycling program.

I wonder if you could also share with me a little bit about fire suppression. It is my understanding the Capitol Building doesn't have a complete sprinkler system. There are certainly many complexities in doing that. So how are you managing the risk of fire in the Capitol?

Mr. BLANTON. So, again, that is another really good question, and, in fact, is one of our budget requests this year, is to perform a design for the first three floors for a fire-suppression system.

Our current fire suppression in the Capitol itself is really a hodgepodge of systems that were put together incrementally over about a 50-year period. And that is why we really need to look at the entire Capitol and put it on one system.

The events of the 6th really put that into a scary reality for me—

Ms. CLARK. Yeah. Right.

Mr. BLANTON [continuing]. And probably should be for everybody. If there was a fire in there, that would have been a terrible situation, because we would not have had the resources nor the suppression system to suppress the fire.

And, to me, that was one of the scariest things, once the breach happened, is, if somebody decided that they were going to light something on fire, what would we be able to do to get the people out as well as prevent the facilities from burning down?

I also want to emphasize that—

Ms. CLARK. So—

Mr. BLANTON. I am sorry. Go ahead.

Ms. CLARK. The \$6.8 million you have requested in your budget, is that—that, you said, is for the first three floors. It wouldn't be enough for a full system in the Capitol?

Mr. BLANTON. The basement right now has about 98 percent coverage, so that 2 percent would be included in that, but it is very minor.

The fourth floor is going to be done using our internal minor construction budget this coming year.

So this design is going to take into account integrating the basement system, the fourth-floor system, and doing the first three floors so that we will have the entire Capitol Building.

Ms. CLARK. Great.

And thank you. Thank you for joining us again and for all your work.

And I yield back, Mr. Chairman.

Mr. RYAN. Thanks, Ms. Clark.

Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman.

And if I could take the liberty of pointing out that Ohio is the home of the largest cuckoo clock in the world. It is located in Sugarcreek, which I don't think is your district. But it is the "Little Switzerland of Ohio." Thought you might want to know that.

Mr. RYAN. Mr. Newhouse, of all the firsts and special things about Ohio, you bring up the cuckoo clock. I mean, I find that ironic.

Mr. NEWHOUSE. Yeah. Well, it is a fun fact.

Well, thank you, Mr. Blanton, for being here with us today. You have a very important job, a lot of responsibilities, and we appreciate that.

I have three areas of questions, and we have a short amount of time, so I will try to talk fast.

I want to ask you about the Cannon Renewal Project. About, I think, 2 years ago or a year and a half ago, the GAO testified in

front of House Admin that they were expecting a total cost between \$828 million and \$866 million.

Recently, that cost is now expected to reach to \$890 million. And I just wondered if you could enlighten us as to some of the reasons for the additional costs that would cause that overrun.

Mr. BLANTON. Thank you.

So, when we did the GAO integrated schedule cost-risk analysis, our work with them estimated that, for a 90 percent confidence to complete the project on budget, that the actual cost would be \$890 million. And in 2019 is when we submitted that to CHA and first notified the Appropriations Committee of such.

I do want to stress, you will notice in this budget, we have somewhat of a spike in our budget request for Cannon, and that is actually pulling money from the 2023 and 2024 budgets forward so we can do the award of phase 4. Without that money in 2022, we won't be able to award phase 4 on time.

And I want to stress that the total cost of the project has not increased over that \$890 million number from that integrated assessment with GAO. But the year that we had to pull it—we had to pull it forward this year. And it was foreshadowed last year in my testimony as well.

Mr. NEWHOUSE. I see. I appreciate that. Okay. Thank you. So we are still on schedule to complete at the anticipated date?

Mr. BLANTON. Programmatically, yes. Now, we, admittedly, as the ranking member mentioned, we have had a very challenging January and a beginning of February. We effectively in phase 3 were at a stop-work from right before—from January 6 through mid-February.

Now, the good news on that is, yes, we were 44 days behind the schedule but we have 2 years to make that up. This is not like it was last year during COVID, when we had——

Mr. NEWHOUSE. Yeah.

Mr. BLANTON [continuing]. The hotspot occur and we lost 1,800 worker days and we had only 8 months to make it up. So the good news is we have 2 years to make this up. I am confident we can remain on schedule.

Mr. NEWHOUSE. Okay. Okay.

The other thing I wanted to ask you about is the fencing around the Capitol complex, a couple questions there.

I have been told that the Pentagon is calling the shots on the fence. If you could enlighten us as to actually whose decision it is to keep it in place. Certainly a lot of us, as you probably have heard, and a lot of the community too—I have been seeing signs all over Capitol Hill, “Take down the fence.”

So talk a little bit about the plans, how long it is going to be in place, and actually whose decision that is.

And, also, clear up some of the rumors about the cost of the fencing. I have heard a million dollars a day. Is that true?

Mr. BLANTON. I will address that one first. The original cost is \$1.9 million a week.

Mr. NEWHOUSE. A week. A week.

Mr. BLANTON. Yeah. We have since been negotiating with them and brought that cost down.

As you may have noticed now, we are reconfiguring the fence line to allow more access on Third Street, Louisiana, and Washington Avenue so that people have some of their corridors available.

I will say, without a doubt, DOD is not the one calling the shots on this. The fence line came from a request from the chief of police, and it was approved by the police board.

We are actually working with DOD now based off of the Capitol Police's National Guard request of how much fence line we can remove with their force posture that would remain on campus, with the goal of shrinking it as much as possible and allowing as much access as possible, while providing security, of course.

Mr. NEWHOUSE. The view of our Nation's Capitol through concertina wire is not something that we are very proud of. So is there an anticipated date of removal?

Mr. BLANTON. So, in small increments, it has started already.

Mr. NEWHOUSE. Okay.

Mr. BLANTON. We did Third Street—we did Third Street on Monday. As I said, Louisiana and Washington Avenues, those are being done—well, Louisiana is right now. Washington Avenue will start tonight.

And then we are going to look weekly at the threat scenarios and the risk and start bringing the fence line back as much as possible.

Mr. NEWHOUSE. Okay.

Mr. BLANTON. It will be incremental, though.

Mr. NEWHOUSE. Okay. All right.

Well, thank you for being with us today.

And, Mr. Chairman, appreciate it, and I yield back.

Mr. RYAN. Mr. Case.

Mr. CASE. Thank you. Thank you, Mr. Chair.

Mr. Blanton, I guess I kind of want to go here for a second just to kind of—some big-picture, long-term trends here.

The chair started out by saying that your budget here does not reflect any specific changes from the perspective of the attacks on the Capitol, and the ranking member asked what has changed in your budget in terms of the overall master plan as a result as well.

I am looking at your actual budget request, and I am trying to sort through kind of where the real increases really are. And it looks to me like the great majority of the increases are in multiyear projects. You have 90 out of—well, about half of it in multiyear projects.

I think you said earlier that you were trying to catch up on \$78 million of deferred maintenance, which I assume is what you are talking about there in terms of multiyear projects. I think you also said that you needed to defer moneys to COVID-19-specific items.

And so I am trying to make sense of all of that and ask myself: What is the real, kind of, combined budget here going forward?

And I guess we could leave aside any specific changes that arise from January 6 that would really be single-year changes and ask, in the big picture, is the bottom-line challenge that you are facing the fact that we are, in fact, deferring a lot of maintenance on a year-to-year basis, where we are perhaps falling behind on maintenance in terms of just maintaining operating, you know, budgets?

And do you anticipate, at least from what you know right now, that any changes to your overall master plan from the attack

would—or, for that matter, COVID-19, reconfiguration of committee hearing rooms, et cetera—that this budget would change over time? Is this kind of, you know, the big-picture, wish-list budget? What is your assessment of the validity of this budget as kind of a long-term guide?

Mr. BLANTON. Thank you.

As I mentioned, so—and in concert with what the chairman mentioned of our increase is \$181 million over what was enacted last year—our last year's budget request was \$150 million more than what was enacted. So we pulled forward almost \$93 million of projects, which are mostly infrastructure-related projects—a lot of stuff you don't see every day—into this budget so that we can execute that.

My maintenance backlog is actually—deferred maintenance—is actually \$1.8 billion. And that is an astronomical amount of money. And, frankly, it won't be solved in one budget year. And it is going to be solved by more intelligent ways of how we manage our budget, which is why we have the “big rock initiative,” which is called enterprise asset management. This will allow us to actually develop projects that will be able to look at the maintenance backlog as the return on investment and prioritize those so I can start buying that down.

The initial phases of that have started with our assessment of it. And we plan in 2022 where we are asking for resources to fully implement it.

I want to stress that organizations that have implemented enterprise asset management, that follow the ISO 55000, which we are going to do, those investments have an ROI of under 5 years, and so—based off of what we are doing.

So the other aspect of our current budget, as I mentioned, that spike in the Cannon, where we are pulling forward—when you pull forward funds from the 2024 and 2025, that is \$31 million right there additional that was not in the normal profile for Cannon funding.

So, when you add that up, that is effectively where the big change in our budget is between what was enacted last year and what we have this year.

Mr. CASE. Okay.

And to the ranking member's question of what more significant changes are necessary or may be necessary in the long term as a result of, you know, January 6 and whatever implementations we make from the various recommendations, what is your response on that question? I am not sure I kind of understood a response there.

Mr. BLANTON. Okay.

So what I would say is, first, the thing that is needed is the comprehensive security assessment. Without looking at that from the entire campus, what we are really doing is just taking a bunch of good ideas and implementing them, not putting the rigor in there and saying, what is going to produce the best bang for the buck?

And, as I alluded to last month, I don't want to spend money to spend money. I want to spend money that produces the best result possible.

And so, start with that assessment, pick up the low-hanging fruit out of there, then the intermediate projects, and have that be inte-

grated into what is our Capitol Complex Master Plan that we are asking for this year, for a broad look at how we take all of these other disparate studies that were done from many things that are even unrelated, like the Capitol South Metro Entrance Project, to transportation studies, to other security studies, to lighting studies, and put that into one package that will be able to be broken up into 5-year strategic plans and allow us to give you guys, give the Budget Committees and the Appropriations Committees, the ability to see, over the next 5 years, this is what we need to execute to meet the goals of the master plan.

Mr. CASE. Okay. And that is fair enough. I don't think anybody wants to rush projects and do it on a piecemeal basis. But, while we get to the bottom of that, do you think that that would impact this particular budget? In other words, are there projects within the budget that you have submitted, which is kind of a more normal-course budget, that would change or be amplified or, for that matter, be materially changed or even irrelevant as a result of that master plan?

So, in other words, you know, kind of, what should we wait for before committing, and what should we just go with now?

Mr. BLANTON. So I wouldn't say any project would be irrelevant. What I would say is that there may be scope changes, probably around the edges where there are integrating security concerns, much like we do with ADA. We know that the Capitol complex itself is not the most accessible complex because it was built for so long. We take a lot of our long-term projects and we put a lot of the fixes for ADA in there. And we see the same thing with security.

And what we would target with those is not the things that would be the immediate execution to give us the best bang for the buck, but it would be the stuff that would give us our long-term solutions. And——

Mr. CASE. Okay. Thank——

Mr. BLANTON [continuing]. The budget provides a flexibility for doing that. But I would see where we need a supplemental to get the immediate-action items for——

Mr. CASE. Yeah, no. Understood. But I am talking about, kind of, why the long term. Understood on the supplemental. So I am trying to distinguish between what is supplemental and what is more long-term and how does that work back into your current budget request.

Anyway, my time is up, so I defer back. Thank you very much.

Mr. RYAN. I thank the gentleman.

The distinguished gentlelady, Ms. Wexton——

Ms. WEXTON. Thank you, Mr. Chairman.

Mr. RYAN [continuing]. You have the floor.

Ms. WEXTON. Thank you, Mr. Blanton, for joining us today again.

Since I am kind of batting cleanup here—well, ahead of the chairman—I do want to follow up on some of the questions that my colleagues have already put out there. I want to follow up on the fence, first of all, the fencing.

You said it had been \$1.9 million a week but you were able to renegotiate that and now it is less. How much is it costing us now?

Mr. BLANTON. So it is \$1.2 million per week now. And that will depend on how long the fencing is up. As we shrink, it is going to, obviously—the total cost will decrease as it shrinks. But, also, the longer we keep it, the unit costs for the fencing will also decrease.

Ms. WEXTON. Okay.

And I do want to put in a plug to minimizing that fence as much as we possibly can and making it safer for pedestrians where we do have it. Because that stretch of Second Street, you know, in front of the Library of Congress and the—or behind the Library of Congress and the Supreme Court, I mean, it is absolutely treacherous. You have pedestrians walking in the street trying to make that crossover over from one side of the Capitol to the other. So I think there are some improvements that can be made even if you don't want to shrink the perimeter too much, which I hope that you will do. So, anyway.

So you testified that you wanted a comprehensive security assessment. How do you envision that taking place? Like, would it be performed in house, or would you get a third party to do it?

Mr. BLANTON. So we have already been working with the Army Corps of Engineers, and they have a physical security specialty center that was actually used in the General Honore study. So bridging off of what they did—and we currently have a relationship with them, so we would use them as our facilities experts.

And they do this for the entire executive branch, so this is not, like, something that is just DOD. They do it across the entire executive branch. And so we would utilize them and their expertise that they can bring in from around the world to look at this study.

And I want to emphasize that the study is not meant to look at everything from brand-new, but it is meant to really take all the other studies that are out there and make sure that we can build it into one cohesive, executable strategy so that we have something that has the level of detail that I could come to Congress and say, this is what it would take to implement X, Y, and Z.

Ms. WEXTON. And so that would include not only the physical structures within the building but also things like the interoperability of security cameras and upgrades to those, would it not?

Mr. BLANTON. So that is under the purview of the Capitol Police. And the short answer is, yes, the study would do that. But when it comes to the funding of the projects, it would be under their budget that they would come to you, about the interoperability and total coverage of the cameras, which we don't have now.

Ms. WEXTON. So for things like—and I understand from General Honore's report that you already had some of these recommendations in process, things like security vestibules and things like that that you had on order. Could you explain how those would be integrated with any kind of security that you would come up with?

Mr. BLANTON. Yes. And so what we are doing now is we are looking at two security vestibules, at the north and the south entrances to the Capitol Building. This would get the screening of individuals from within the Capitol Building itself outside of the building, so the first time that we have the opportunity to see if somebody is bringing in something that we don't allow, that they are not inside the physical confines of the Capitol Building themselves.

The design for these facilities is starting next month. And, to be honest, the design is really agnostic of the security study, because they are going to be designed such that, if it in the security studies, for example, recommends that we have a centralized screening in between House office buildings, for example—and this is just a concept—the design would still be the same; it would just be where is it relocated, if that makes sense.

Ms. WEXTON. Yes, it does.

And for things like the security—with the physical infrastructure and security within the Capitol itself, there are going to be times when the historic nature of it has to yield to the security concerns, so things like the windows and things like that that are going to be, you know, on the block for this.

Who ultimately is going to make that decision about where security begins and where historic nature ends?

Mr. BLANTON. So the historic preservation aspect is clearly within my realm. My view of this is, we wanted to have deference for the historical aspects, but you can't sacrifice security for, for example, having 250-year-old windows there that can be broken with the lightest touch.

And so we would still take the efforts to have it be designed in a way that it looks like it is clean with the fabric of the original building, but it would still provide its intent for being secure.

Ms. WEXTON. Thank you.

I see my time is up, so I yield back.

Mr. RYAN. I thank the gentlelady from Virginia.

Mr. Blanton, I have a couple questions here.

You were talking about the big rock—big rocks project. And you talked about enterprise—what did you call that? Enterprise—

Mr. BLANTON. Enterprise asset management.

Mr. RYAN. Enterprise asset—talk to me about that.

Mr. BLANTON. Yes. So that is where we look at all of our facilities, and we actually start doing things that are more into the predictive nature of the facilities maintenance. So, based off of known lifecycles, we will be able to, with our annual inspections that we currently do, determine how the facilities have been aging based off of what their life expectancy would be.

And then you would take the actual maintenance that has been done by our blue-collar workforce in the jurisdictions, the initial design aspects of it that would be done in our centralized, and we would be able to use services that do predictive projects, so such that we will say we are going to replace the HVAC in the Rayburn Building in these quads because these certain areas are closest to the end of lifecycle so that we don't end up having a catastrophic event.

The greatest part about this is, I can target my deferred maintenance and then also be able to have the ability to articulate to Congress that, should we not choose to fund this project in budget year X and delay it to Y, the cost of that would be a certain amount of dollars. And that would give you the full visibility on what the implications are for projects within our budget.

This goes into more of what I want to do, as being much more transparent and show you multiyears of what we were thinking in

our projects, as opposed to just one budget at a time, hoping that you guys could predict the future based off of projects we have.

Mr. RYAN. Okay.

I am trying to—I have been trying to do this for a while and try to think through this. You know, you said we had \$1.8 billion in repairs that we need or—

Mr. BLANTON. Maintenance backlog.

Mr. RYAN. Backlog. I mean, we have—and I don't know how we do this, because we are the Federal Government, and a lot of this stuff needs done. And just looking at it, the longer we defer it, the more expensive everything gets. So how can we figure out how to, in some way, finance these projects?

I mean, am I out of my mind here? I am just like, there has to be a creative way we can move these projects up, start getting them done, and get creative with how we can, you know, save the taxpayer a lot of money and get some of this off the deck.

Mr. BLANTON. That is a wonderful question. We have two legislative proposals, one that allows us to enter into public-private partnerships. And that is a great tool when capital is limited and you need to get significant amount of work done, especially now that the cost of money is so low.

Another tool is the use of enhanced-use leases. And these are things that are done in the executive branch already. In fact, we just hope to mirror the same exact language they have.

And, as I talked about an off-site facility, where in the past we have had electrical issues that would deal with server farms, we could have the ability through enhanced-use lease to use underutilized space, put a solar farm there, provide battery backup, at almost no cost to the Federal Government and have them maintained by the contractor.

So this is an authority that is quite commonly used in the executive branch in underutilized space. And that would then give us ability to have 24-7 backup that we don't have at this particular time.

Mr. RYAN. Uh-huh. So the public-private partnership, what is that? Is that like an infrastructure bank or something like that?

Mr. BLANTON. So a public-private partnership would be that you would have a third-party entity who would actually finance it at a fixed—finance the project and based off of a fixed agreement.

Probably the one that is most resident here is, the Thurgood Marshall Building was built as a one-time authority for a public-private partnership, where the contractor invested all the capital and then we leased it back from them at a rate that would pay back the building itself.

Mr. RYAN. And you have legislation that is—

Mr. BLANTON. We have legislative proposals for both of those.

Mr. RYAN. I am sorry? I couldn't hear you.

Mr. BLANTON. We have legislative proposals for both of those.

Mr. RYAN. Okay. Well, I want to take a close look at that. I think those are the kinds of things that we need to do now, and we could maybe start making some serious headway on some of this.

We are talking a little bit, too, about the supplemental here. How long will it take us to get some idea of what a fence would cost? Like, how much time do we need to figure that out?

Mr. BLANTON. So I hate to sound wishy-washy on this. A lot of it depends on where the fence is going to be. If it is just on the Capitol square, there are previous estimates for a relocatable fence on Capitol square.

However, those estimates—it looks like they have a very low up-front cost but has a large tail. Where are you going to store this fence? Who is going to maintain the fence? How is it going to be transported? How are you going to get it up and down? Those are all things that we want to look at.

When I look at these projects, I look at the total ownership cost for this. So we will look at it over a span of time so we can say, yes, this project may cost 20 percent more for the initial investment, but over a 10-year period it is actually going to cost a certain percentage less.

So I hate to be wishy-washy, but if we look at a fencing around the entire perimeter like we have now, that is going to be very, very, very expensive. If we look at just targeted fencing in areas that we can bring in fencing later, which is what I am more proposing, that would have less of an up-front cost, and we will have to articulate what the long-term cost is for those so that you have that agreement.

I would prioritize that as something early on in our security assessment so we could start getting this information to Congress earlier than waiting for the whole thing to be done and say, here are things that we can do right now.

Mr. RYAN. Okay. Well, we are going to be asking for some help in figuring out what the costs are and the different kinds of technology with the fences and the movable ones and all the rest. So we are going to be leaning on you for some help with trying to figure that out.

Mr. Blanton, I can't thank you enough. We are going to adjourn this hearing now because we have to go vote and I have to go vote, and then we will reconvene.

But, once again, Brett, honestly, thank you so much. You have been terrific, and we look forward to working with you. And I personally feel like we are in good hands with you as you have continued to try to guide us through this.

So we appreciate your service. And please let your team know how much we appreciate it. And we will be talking to you again real soon. Appreciate it.

Mr. BLANTON. Thank you.

Mr. RYAN. This committee is in recess.

[Questions and answers submitted for the record follow:]

1. COVID-19 Update

Mr. Blanton, the AOC had a huge undertaking throughout the pandemic but especially during the beginning when the campus increased its specialized cleaning, implemented social distancing guidelines, and started to purchase and distribute PPE.

- Have you adjusted cleaning service levels during COVID-19? Are those reflected in your budget?
- How does the AOC plan to mitigate the spread of infectious viruses and diseases?
- How will your operations, if at all, change after the pandemic?

Under the CARES Act, the Architect of the Capitol (AOC) was appropriated \$25 million in support of the health and safety of those on Capitol Hill. The agency mobilized quickly, utilized pre-pandemic contracts and developed new relationships to purchase difficult to acquire personal protective equipment (PPE) and cleaning supplies on behalf of the Capitol campus. In addition to supplies, the agency has implemented enhanced cleaning standards in all facilities to increase the frequency of cleaning high-touch areas.

To date, all CARES Act funding has been obligated and the agency has obligated an additional \$12+ million in agency resources to continue providing these services. Our FY 22 budget request includes funding required to support appropriate levels of cleaning across campus. In addition, we submitted a request for supplemental funding that would allow us to continue the purchase of bulk supplies and maintain the COVID-specific enhanced cleaning efforts. Future operations will be determined by the level of funding provided by congress. Without supplemental funding over and above our annual appropriation, the agency will no longer continue with these efforts. Once the current stock of available supplies is expended, congressional offices, committees and Legislative Branch support entities will need to make alternate plans.

AOC will continue to follow OAP and CDC guidelines to mitigate the spread of infectious viruses and diseases.

2. “Big Rocks”

Mr. Blanton, in your budget request you explain the AOC’s “Big Rocks” objective and how it will lay a foundation for future success of the AOC through seven initiatives to ensure preservation of our Capitol campus and to wisely invest resources.

- Can you go into more detail about what the “Big Rocks” objective really entails?
- How does the AOC plan to implement long-range campus planning under this model?
- How does the AOC center its employees in this objective? Please explain how this objective tackles the issues of an aging workforce and how it develops opportunities for professional growth.

The “Big Rocks” are initiatives that comprise the agency’s organizational transformation. They aim to improve our processes and operations in key areas that have the greatest impact on our ability to support our mission on behalf of Congress and the Supreme Court. The initiatives include:

- Enterprise Asset Management: will utilize industry best practice aimed at streamlining of asset management systems and approaches. It will improve project development and project management, provide greater transparency and offer a better approach toward facility stewardship. We anticipate using EAM to help jurisdictions better address the \$1.8 billion backlog through better resource management
- Vision 2100: forward-looking and long-range plan to prepare the agency and campus for the future. Will result in an updated 20-year Capitol Complex Master Plan that will inform our 5-year strategic plan and, ultimately, our annual budget requests
- Building Official: centralize internal oversight of construction work and ensure infrastructure meets established building codes. Formalizing our commitment to code compliance will improve our ability to deliver projects that are safe, high quality, well designed, constructed, and maintained to last for generations
- Human Capital Strategy: improvements to how the agency attracts, acquires and retains highly qualified and skilled employees, particularly in hard to acquire trades. Will further our efforts to build partnerships with educational institutions and vocational institutions to recruit for continuity in the workforce, improve succession planning and help provide more opportunities for professional growth
- AOC University: supports the Human Capital Strategy by taking a proactive approach toward employee development in a university style environment. The outputs of AOC University are to provide employee learning opportunities that close skill gaps, strengthens performance, and increase opportunities for career pathways in both technical and non-technical skillsets
- Cultural Behaviors Transformation: engages employees throughout the agency by building interpersonal skills that result in improved employee and stakeholder experiences. The goal of this initiative is to develop a culture that minimizes unhealthy employee conflicts and disputes, eliminates harassment, discrimination, workplace bullying and other destructive behaviors to enhance efficient operations and employee effectiveness. This multi-year effort will develop behaviors that support a positive and inclusive workplace culture.

3. Security on the Capitol Campus

Mr. Blanton, we understand that since January 6, the Capitol Complex must take a more serious look at long-term planning to incorporate the emerging threats to the building and its occupants, but to also leave campus a welcoming place for workers and visitors alike.

- How does campus security enhancements affect projects moving forward?

Since January 6, the AOC has ensured that all available security-related resources be used to support the required emergency security costs, including temporary perimeter fencing and support for the National Guard. The Appropriations Committees approved a transfer request of \$30,000,000 that will address the AOC's expenses incurred to date and extend the temporary perimeter fencing contract. While this transfer addresses some of this need, expenses that we know are forthcoming remain unfunded.

Looking ahead, there will be many discussions about the security of the campus. To facilitate, the agency is working with the U.S. Army Corps of Engineers to develop a campus-wide, comprehensive physical security assessment that coordinates previous studies and other ongoing reviews or assessments. My professional opinion is that this study is critical to the overall safety of the Capitol facilities, and ultimately, members of congress and their staffs. The agency's facility security assessment, which is a pre-requisite to considering any new project work, is underway and I expect to have initial information to you in the coming weeks.

4. Accessibility

Mr. Blanton, its no secret that the Capitol complex is not the most accessible place and those with physical disabilities struggle to find entrances, correct signage, and navigate around the buildings.

- How are you centering those with differing accessibility issues in your planning?
- What partners are you working with to ensure that each project is ADA compliant?
- How is this priority reflected in your FY22 budget request?

The agency is committed to improving accessibility across campus. We are actively incorporating accessibility requirements into new projects, conducting accessibility surveys and inspections of the completed projects and the existing facilities for ADA compliance, providing ADA training to AOC staff and addressing the Office of Congressional Workplace Rights (OCWR) reports on the Americans with Disabilities Act. The initiative to create a centralized building official to provide internal oversight of construction work will further ensure priority areas such as accessibility are inherent within our processes.

In addition, we are currently undertaking two projects that will improve our planning and result in a targeted and strategic approach to ensuring ADA compliance. First, the agency is developing a transportation and mobility study that seeks to identify the existing challenges and potential opportunities in key areas including accessibility as identified through the study's stakeholder engagement process. This study will be completed later this year and used to inform the Vision 2100 and future Capitol Complex Master Plan. The Vision 2100 will create the goals and principles to comprehensively address accessibility while the Capitol Complex Master Plan will provide concrete solutions to holistically address the issue.

5. Restoration and Renovation of Cannon House Office Building

January was a difficult month for the Cannon House Office Building construction crew. Shutdowns from January 6th, the inauguration, and COVID-19 resulted in significant delays. These factors collectively place risk on an on-time construction completion.

- What is your team doing to recover the lost time?
- Have you encountered or do you foresee any significant cost increases to the project as a result of these delays, specifically the COVID-19 impacts?

Phase 3 of the project was awarded for a negotiated value of \$12.1 million over the budgeted amount with the shortfall being funded from Phase 2 savings.

- Do you still anticipate there will be enough savings from Phase 2 to cover the \$12.1 million difference?
- What safeguards have been put in place to ensure the budget is maintained throughout the remainder of the project?

Phase 2 opened on time to support the 117th congressional transition. Phase 3 of the project is currently behind scheduled due to work stoppages after the events of January 6th, but is expected to be delivered on time to support the 118th congressional moves. One of the main areas that will dictate adherence to schedule is strictly managing requested project changes, especially those from stakeholders. The agency has a robust change management process, and we would appreciate the Committee's support for our efforts to implement it consistently and with a project-focused goal.

The project cost and schedule were significantly impacted by COVID and heightened security requirements post-Jan 6. Phase 2 also experienced some unforeseen costs related to differing site conditions, client-driven scope growth, design/constructability lessons learned from Phase 1, and increased construction management to support on-time delivery. The total cost impacts related to COVID-19 cleaning efforts, as well as site closures due to the January 6th and inauguration, is approximately \$7 million. The agency's supplemental appropriations request includes funding for these unforeseen costs.

Regarding Phase 3 funding, the \$12.1 million was addressed through a combination of Phase 2 savings and Phase 3 contingency.

The total project budget was revised based on the Integrated Schedule Cost Risk Analysis (ICSRA), which was completed in December 2019 per U.S. Government Accountability Office (GAO) guidelines. We are planning for another ICSRA is starting this summer, which will influence project decisions and identify gaps that could impact the budget moving forward. In addition, during Phase 2 additional controls were put in place to mitigate risk associated with project change orders. These controls were quite effective for Phase 2 and will continue for the remainder of the project.

6. Long Term Campus Planning

The size and scope of the AOC is reason enough to need a long-term plan for the Capitol Campus, but you add a global pandemic and the need for heightened security adjustments and it makes planning for the future a difficult undertaking.

- How is the AOC implementing long-range campus planning?
- Will the adjusted cleaning service levels become part of your regular daily operation and has that been reflected in your budget request?
- How do campus enhancements affect projects moving forward?

The 2011 Capitol Complex Master Plan (CCMP) is currently 10 years old, and the AOC initiated efforts to develop a new vision and a new master plan. Vision 2100 provides a bold perspective for the Capitol complex of the next century and will incorporate innovative ideas and best practices from futurists, visionaries, and urban planning experts so that the Capitol complex embodies the role of the United States as a world leader. The new Capitol Complex Master Plan provides a 20-year comprehensive plan to implement Vision 2100, and will be the vehicle to identify appropriate levels of service as well as campus enhancements to address future stakeholder priorities.

Given the global pandemic and heightened security adjustments, our collective future may be unclear at this time. In the short term, adjusted cleaning levels are incorporated into the budget request; however, in the long term, we will use futurists to envision multiple avenues to address those issues, which will help inform a comprehensive long-term vision. That vision will lead to thoughtfully planned campus enhancements that can be implemented on a project-by-project basis.

7. Public-Private Partnerships

Other Legislative Branch agencies currently utilize public-private partnerships and other modern arrangements to address campus needs.

- How would you envision a public-private partnership working for the AOC if given the authorization to utilize such an arrangement?

On February 1, 2021, the AOC submitted a set of legislative proposals to our authorizing oversight committees. One of these proposals seeks to examine the feasibility of a public-private partnership to contribute to the long-term funding requirements and to inspire broad-based involvement of America's citizenry in this endeavor. The study will review the various models for utilizing public-private-partnerships including, but not limited to, private funding utilized by the Smithsonian Institution, the Library of Congress, the Federal Judiciary and the National Park Service; the feasibility of accepting private donations, gifts, bequests and personal services while ensuring that all projects remain fully consistent with the public interest and do not serve any private financial or personal interests; and the feasibility of establishing a U.S. Capitol

Preservation and Improvement Foundation based on the most successful components of the public-private-partnership models studied herein.

Another legislative proposal submitted by the agency would grant the AOC authority to enter into enhanced use leases (EUL) to make better use of underutilized property under the jurisdiction of the AOC. For example, EUL authority would allow the AOC to enter into a lease with a third-party developer to construct, own, operate and maintain a photovoltaic solar array on property under AOC jurisdiction (e.g., off-site parking lots or large flat roof buildings) to promote energy resilience, improve agency's sustainability efforts and reduce energy costs. Enhanced use lease authority has precedent within the executive branch, including similar authority granted to the Department of Veterans Affairs at 38 U.S.C. 8162.

We hope that Congress will support these important initiatives.

THURSDAY, MARCH 11, 2021.

GOVERNMENT PUBLISHING OFFICE

WITNESS

HUGH HALPERN, DIRECTOR, GOVERNMENT PUBLISHING OFFICE

Mr. RYAN. The committee will come to order.

For our second panel, I would like to welcome the Director of the Government Publishing Office, Mr. Hugh Halpern, to present the fiscal year 2022 budget request.

Thank you all for joining us today. We welcome you back to our subcommittee.

Before we begin, I would like to acknowledge the staff of GPO for the extraordinary work over the past year. We know that COVID has dramatically affected GPO's workload. Through the pandemic and a very active congressional schedule, you and your team has continued to serve this body and ensure the Members of Congress have the documents to continue our work.

Mr. Halpern, the work you are providing is invaluable, and we thank you.

The request is \$125.6 million, an increase of \$8.6 million, or 7.3 percent, over what was provided last year.

I understand that your appropriation has remained flat since fiscal year 2016. I also read in your testimony that your budget has declined by 21 percent from a high point of \$147.6 million in fiscal year 2010. I hope you might shed some light on this matter for the benefit of the committee, as none of us were on the Leg. Branch Subcommittee in 2010.

While you have a reasonable request, I cannot guarantee that the subcommittee allocation will be increasing at an equal rate, and it may be hard to accommodate the full request, but we will do our best.

I look forward to your testimony.

At this point, I would like to yield to my colleague and friend from the 42nd State to join the Union, the ranking member, Jaime Herrera Beutler, for any opening comments she would like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And welcome back, Mr. Halpern. It is really good to see you. I miss seeing you on the House floor—although you may not miss us. I don't know.

Congratulations to the Government Publishing Office for achieving its 160th year in operation. That is amazing.

Since its creation, GPO has taken advantage of the technological advances of the time to provide an array of printing services to support the needs of Congress, Federal agencies, and the public.

The agency's willingness to adapt to the latest technologies plays a large part in its effectiveness today.

GPO's funding priorities center on creating access to congressional publications in digital formats as well as in hard-copy formats. And coming from a State where we have lots of trees that produce quality timber, we are not afraid of hard-copy.

Specifically, you have worked over the last 2 years with the Clerk of the House and the Secretary of the Senate on initiatives to convert legacy files into a format that promotes interoperability among documents. And I appreciate that your office continues to work with the Library of Congress to prepare summaries and status information for House and Senate bills in a more widely accessible format.

For the previous 6 fiscal years, GPO has maintained a flat funding, as the chairman mentioned, and for fiscal 2020 you are requesting a 7.3 percent increase.

I look forward to hearing more about how your office plans to continue its transformation from print-centric to a content-focused publishing organization.

And, with that, I will yield back to the gentleman from Ohio, the State that is the top Swiss-cheese-producing in the Union. I yield back.

Mr. RYAN. Very good.

Without objection, your written testimonies will be made part of the record.

Mr. Halpern, please summarize your statement for the members of the committee. Once you have finished your statement, we will move to the question-and-answers.

Please begin. The floor is yours, sir.

Mr. HALPERN. Thank you, Mr. Chairman.

Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee, I am honored to appear again before this subcommittee to present GPO's fiscal year 2022 appropriations request.

At the outset, I want to thank you for your past support of GPO, and I look forward to continuing our partnership during my time as Director.

For the coming fiscal year, I am requesting appropriations in the amount of \$125.549 million, which is a 7.3 percent increase over the last year. This reflects our increased costs in labor and materials as well as specific funding for initiatives of importance to Congress and the rest of the legislative branch.

When we met on this very day a year ago, I was in my third month as Director and looking forward to accelerating GPO's transformation into a dynamic, digital-first publisher. 2020 kept us from making nearly as much progress toward that goal as I had hoped.

Last week marked the 160th anniversary of GPO's founding during the Civil War, and this week marks the anniversary of one of our most challenging years ever.

Like other Federal employers, we rapidly moved our telework-capable staff to work remotely while examining our other operations to figure out how we could operate safely. We had to shut down our passport line for an extended period, and our plant was operating at a fraction of its normal capacity.

The pandemic had an immediate detrimental effect on GPO's bottom line. Put simply, the pandemic reduced our revenue and increased our costs. We began running monthly deficits in March of 2020 and have lost more than \$30 million through this past January. Our revenue from passport production alone dropped by \$92 million in fiscal year 2019 to fiscal year 2020.

The good news is, things are beginning to look up. We are safely ramping up our operations, and our monthly financials are almost in the black. We have also been able to rely on our cash reserves to carry us through the pandemic without any furloughs or layoffs.

As a result of having to use those reserves to meet our regular payroll, we will need to delay some planned investments, prioritizing those projects critical to safety or current production needs.

We have also been able to largely operate safely during the pandemic. We have had only two known incidents of virus transmission inside our facilities, with the other cases coming from community spread.

We are encouraging our teammates to get vaccinated as quickly as possible, and we appreciate the limited number of vaccinations that Congress has shared with our GPO detailees up on the Hill. We hope that we can continue that partnership as more vaccine doses become available.

This would be GPO's first major increase since 2014, and it is two-thirds of our fiscal year 2010 appropriations when adjusted for inflation. We were able to keep our request flat for the last several years by improving our efficiency, naturally reducing our headcount, and keeping our overhead costs low.

However, as I foreshadowed in my testimony last year, we are losing another tool we use to manage our requests: repurposing prior-year unobligated balances. This is forcing us to request additional funds if we want to continue our current pace of development and innovation.

As part of our request, we are asking for increases to fund several specific initiatives.

For our public information programs, we hope to add five FTEs to conduct enhanced outreach to our more than 1,100 FDLP libraries.

We are asking for \$3.37 million for continued development of xPub, our next-generation composition engine. Beyond merely replacing our aging composition software, xPub is a platform that will enable new applications and allow Congress to focus on the content of its documents, while GPO can produce them in ways that will look great online and in print. [Inaudible] Some of the power that xPub promises to deliver.

We are also asking for direct funding for the world's only ISO-certified secure digital repository, GovInfo. This year's request of \$6.8 million for GovInfo is a slight increase over what the subcommittee provided last year and would fund both infrastructure and development.

We are also asking for \$150,000 to support GPO's broad and ongoing efforts to defend against cyber attacks on its systems.

Lastly, we are requesting \$1 million to support GPO's implementation of the Treasury Department's G-Invoicing system for inter-

agency payments. Because GPO collects over 80 percent of its operating funds through these transactions, this project is of paramount importance.

Chairman Ryan, Ranking Member Herrera Beutler, and members of the subcommittee, thank you so much for the opportunity to present our fiscal year 2022 appropriations request and for all the support you and your staff have extended to us during this most challenging year.

That completes my statement. I look forward to your questions.
[The information follows:]



THE HONORABLE HUGH NATHANIAL HALPERN
Director
United States Government Publishing Office

**Prepared Statement before the
Subcommittee on Legislative Branch
Committee on Appropriations
U.S. House of Representatives**

**United States Government Publishing Office
FY 2022 Budget Hearing**

March 11, 2021
11:45 A.M.
Via WebEx

U.S. GOVERNMENT PUBLISHING OFFICE

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Mr. Chairman, Ranking Member Herrera Beutler, and Members of the Subcommittee, I am honored to appear before the Subcommittee on Legislative Branch Appropriations to present the Government Publishing Office's (GPO's) fiscal year 2022 Appropriations request. Thank you for your past support of GPO and I look forward to continuing our partnership during my time as Director.

For the coming fiscal year, I am requesting appropriations in the amount of \$125,549,000, a 7.3 percent increase over our FY 2021 appropriation. This increase reflects certain increased costs in labor and materials, as well as specific funding for certain initiatives of importance to Congress and the rest of the Legislative Branch.

However, those funds will represent only a small portion of GPO's revenue and operating capital. Nearly 88 percent of GPO's FY 2020 revenue came from billings of its other Federal customers, including the State Department, the Courts, the Department of Defense, and many others. And just as we occasionally need to adjust the rates we charge our other customers, we also need to request adjustments to our appropriation levels to ensure that we are meeting our statutory obligation to recover our costs and provide for investments that will yield additional efficiency and capability.

The Challenges of 2020

When we met on this very day a year ago, I was in my third month as Director and looking forward to accelerating GPO's transformation into a dynamic, digital-first publisher from its roots as a traditional printing operation. I saw a future where GPO helped its customers in the Legislative Branch and beyond with their document challenges, designing tools that allowed our customers to focus on content and simplified GPO's role in delivering that content digitally and in print.

While that vision is still on the horizon, 2020 kept us from making nearly as much progress toward that goal as I had hoped.

Last week marked the 160th anniversary of GPO's founding during the Civil War. And while I can't say that 2020 was GPO's most challenging year ever, I can say that few others matched it.

Five days after last year's testimony, GPO moved into emergency status as we began reacting in earnest to the COVID-19 pandemic. Along with many other government agencies, GPO sent its telework-capable workforce home with their laptops to begin an experiment in remote work that persists to this day. We reduced the other two-thirds of our team — engaged largely in the physical production and distribution of government publications — to the minimum necessary to support Congress and other critical executive branch customers. We entirely halted the production of U.S. passports until we could reengineer our operations to allow them to continue safely, while splitting our remaining production teams in half to provide redundancy and improve social distancing.

On July 6, 2020, GPO exited its emergency status and began its effort to return to work. With the release of its GPOSAFE return to work plan, GPO began the first step in its effort to return its operations to normal. Passport production resumed in both DC and our Mississippi facility, but at a fraction of the regular output as we worked with reduced staffing and far higher safety protocols. Our other production areas were able to expand their work to include important customer priorities instead of having to focus only on the most urgent matters.

While we quickly reached an equilibrium in our operations over the summer, the pandemic had an immediate and detrimental effect on GPO's bottom line. Put simply, the pandemic reduced our revenue and increased our costs. We began running monthly deficits in March of 2020 and through January of 2021 have lost approximately \$30.1 million. Our revenue from passport production alone dropped by \$92 million from FY 2019 to FY 2020.



In addition to the costs of equipping and reengineering our facilities to protect against COVID-19, we were obligated to pay more than \$7 million in emergency pay to our teammates who worked at our facilities during those initial months. And while we appreciate this committee's past support for reimbursing GPO for those unexpected costs, to date, GPO is still bearing the impact of those increased labor expenditures.

In addition to those costs, our sources of revenue plummeted. Congress was not meeting as frequently, meaning we were not producing as many bills, calendars, or issues of the Congressional Record. Our other Federal customers were finding their own way through the pandemic, sending us fewer orders. And our production of passports — one of our highest margin items — was idled for several months. We did have a number of large jobs that cushioned the blow. Work from the Inauguration, the Census, and the various stimulus efforts made up for some of the losses from the reduced volume of smaller, more routine jobs. Without the revenue from those projects, our losses would likely have been much larger.

The good news is that things are beginning to look up in this second quarter of FY 2021. Beginning in March, we moved to step 2 of our GPOSAFE plan, safely resuming full passport production and ramping up some press and bindery operations to 100 percent. Our monthly deficit in January was the smallest of the pandemic, coming in at less than \$500,000 and I am optimistic that once we finalize our February financials, we may be able to cross back into a positive cash flow position. If we can stay healthy and productive, I am hopeful that we can make up much of the ground that we lost in 2020.

We have also been able to rely on our cash reserves to carry us through the pandemic without furloughs or layoffs. Those reserves are comprised of our retained earnings and are generally earmarked for various capital investment projects. As a result of having to use those reserves to meet our regular payroll, we will need to delay some of those investments, continuing to prioritize those critical to safety or current production needs.

We have also been able to largely operate safely during the pandemic. About 6 percent of our workforce has tested positive, and we have only been able to trace two incidents of virus transmission inside our facilities, with the other cases coming from community spread. We are encouraging our teammates to get vaccinated as quickly as possible, and we appreciate the limited number of vaccinations that Congress has shared with our GPO detailees. We hope that we can continue that partnership as more vaccine doses become available.

While the last 12 months have been challenging for GPO, we are in a good position to recover and, even though it is a year later, I continue to look forward to working with this subcommittee on GPO's future.

A Snapshot of GPO's Business

GPO has three primary lines of business: (1) producing items requested by our customers, either ourselves or through contracts with other firms across the country, (2) making government information available through libraries, the internet, and direct distribution, and (3) building the tools that our customers use to produce their own content in formats that facilitate digital and physical distribution.



Production

GPO's business portfolio consists of—

- the passports and secure credentials we produce for the State Department and other Federal agencies,
- the print procurement and ancillary business services we provide to a broad range of Federal agencies, and
- our in-house production work for Congress and the Executive Branch

For Congress, work we complete in-house includes the Congressional Record, the House and Senate calendars, bills, resolutions, and committee reports and hearings, and the United States Code. For the Executive Branch, we produce the Federal Register and Code of Federal Regulations, the President's Budget, the Economic Report of the President, and many other high-profile publications. Notably, daily production of the Congressional Record and the Federal Register is like producing two major city newspapers every day.

Additionally, our craftspeople frequently produce a wide array of programs, invitations, and ceremonial and commemorative documents for both the executive and legislative branches.

Making Government Information Available to the Public

Still another core enterprise of GPO is administering the Federal Depository Library Program (FDLP), through which GPO provides important public documents to the over 1,100 FDLP-affiliated libraries nationwide, many of which are then also made available to the general public at no charge through our ISO-certified secure digital repository, govinfo.gov. Through the Catalog of U.S. Government Publications (CGP), the public can identify and access over 1 million current and historic government titles and resources housed in FDLP libraries throughout the country or linked to in digital collections at libraries and Federal agencies.

GPO's Superintendent of Documents, Library Services and Content Management (LSCM) supports the FDLP libraries in the identification and access to new government content, maintenance of their tangible collections, digitization of aging and rare tangible documents, and education, outreach and training to ensure that the staff of FDLP libraries can assist their patrons in finding government information in both tangible and digital collections. Additionally, LSCM distributes new tangible publications to the FDLP libraries.

The Superintendent of Documents also supervises a sales and distribution program offering current, high-interest Federal publications to the public. They also provide logistics and warehousing services for Federal customers distributing printed materials.

Building the Tools to Keep America Informed

As technology evolved, GPO updated its operations to keep pace. With the development of GPO's proprietary MicroComp composition engine in the 1980s, GPO got into the business of building tools that would later be incorporated into our customers' workflows. Soon after adoption by GPO, Congress incorporated MicroComp into its own workflows in the House and Senate offices of Legislative Counsel as well as the legislative operations teams of the Clerk of the House and Secretary of the Senate. While MicroComp is still in use today, GPO is hard at work on its replacement, XPub, which will leverage a number of commercial and open-source technologies.



to produce a composition system worthy of the 21st century XPub is scheduled to be deployed to the House and Senate this year for the production of bills, resolutions, and amendments and will continue to roll out for other applications in the years to come

GPO also works closely with the Clerk of the House, the Secretary of the Senate, and the Bulk Data Task Force in development of United States Legislative Markup (USLM) schema, a key underlying technology for XPub

GPO's ISO-certified secure digital repository, **govinfo**, is also a key technology for supporting our customers. The data in **govinfo** supports many public and private sector databases, such as Congress.gov, through open application programming interfaces (APIs). In FY 2020, there were 33 million average monthly retrievals of a collection that consists of more than 2 million "packages" of documents. The system has served more than 4 billion retrievals since it started in 2009.

Breaking Down GPO's Revenue

In fiscal year 2020, GPO's overall revenues totaled \$915.9 million.

Of that amount, \$802 million – or 88 percent – came from direct billings to our non-congressional customers. This category includes current and next generation passports produced for the State Department, secure credentials produced for numerous Federal agencies, including the Capitol Police, and Federal print procurement contracts managed by GPO, including those associated with the 2020 decennial Census.

Another 8 percent – or \$69 million – came from billings to Congress for the provision of specific requested services, including the Congressional Record, congressional hearings, bills, resolutions, calendars, and the other publications.

Still another 3 percent – or \$32 million – came from appropriations we used to administer the Federal Depository Library Program and provide critical public information program services.

And finally, the remaining 1 percent – or \$13 million – came from appropriations this subcommittee provided to enable GPO to make critical information technology and cybersecurity investments for the future.

Some Key Accomplishments

Despite the challenges of the past year, GPO achieved some notable accomplishments.

Our **govinfo** digital repository passed its third consecutive intensive annual audit to retain its ISO 16363 Trustworthy Digital Repository status and is currently the only certified digital repository in the entire world.

Our Customer Services business unit issued over \$517 million in competitive contracts to private-sector printing companies from across the country, supporting thousands of jobs in all 50 states.

We published the first congressional report with our new XPub composition system for the Select Committee on the Modernization of Congress and published the first Congressional Record issues on our new state-of-the-art digital inkjet presses.



We provided tickets, programs, and a wide variety of printed materials for the 59th Presidential Inauguration, as well as the Capitol Rotunda memorials for Congressman John Lewis and Supreme Court Justice Ruth Bader Ginsburg

We were named a Most Valuable Employer by the Stevie Awards for our GPOSAFE return-to-work plan, and – for the 24th consecutive year – GPO's independent outside auditor provided GPO with an unmodified, or clean, opinion on our annual financial statements

GPO's FY 2022 Appropriations Request

GPO is requesting an increase in its FY 2022 appropriations to \$125,549,000, an \$8,549,000 increase over our FY 2021 appropriations. This increase will account for changes in our labor and raw materials costs and also fund certain ongoing projects of importance to our Congressional customers

This would be GPO's first major increase in appropriations since FY 2014 and is actually 21 percent less than the FY 2010 appropriations or 34 percent less when adjusted for inflation. Increased productivity through the adoption of new technologies was key to keeping GPO's needs for appropriations down, providing new and improved services at a lower cost, and reducing overall headcount. Currently, we have 1,586 GPO teammates, compared to 1,920 ten years ago.

One tool we used to keep our appropriations requests low was to repurpose prior year unexpended balances. We appreciate the willingness of this Subcommittee and the Full Committee to allow GPO to use those balances in support of programs and capital investments that benefit the original purpose of the appropriated funds.

However, as I foreshadowed in my testimony last year, those balances are dwindling, forcing us to request additional funds if we are to continue our current pace of development and innovation.

Our FY 2022 request includes \$80,184,000 for congressional publishing, a \$2.184 million increase over FY 2021. It is based on our estimates of Congress' likely needs, informed by historical trends, and available unexpended balances. It is also informed by increased raw materials and labor costs.

Our request for our public information programs (PIP) account, through which we administer the nationwide FDLF, is \$34,020,000, an increase of \$1,720,000 – or 5.3 percent – over FY 2021. The components of this request for an appropriations increase are split between labor and compensation cost increases, materials cost increases, and our hope to add five full-time equivalents (FTEs) to enable us to meet needs for enhanced outreach to our more than 1,100 FDLF libraries, many of which have faced considerable obstacles as a result of COVID-19-related closures. Even with this proposed increase, the PIP appropriation will remain 17 percent lower than the amount appropriated in FY 2010.

The final component of our overall appropriations request is for a total of \$11,345,000 for GPO's revolving fund to support capital investments and information technology upgrades, which represents a \$4,645,000 increase over amounts requested in FY 2021.

It is this component of our request that represents the lion's share of our overall increase request for FY 2022, and that we believe is critical to ensuring that the impact of COVID-19 does not result in long-term damage to the agency's ability to meet customer needs in the years ahead.



Within this request for an increase in appropriations to our revolving fund, we have identified four specific capital investment projects that this funding request would support. Three of these items will be familiar to the Subcommittee:

First, we are seeking direct appropriations support for our continued development of the aforementioned XPub composition system. XPub has been under development for several years now and is intended to fully replace our more than 30-year-old proprietary MicroComp composition system.

XPub is a transformational development project for GPO. It will enable GPO and its customers to move to an all XML-composition workflow, simplifying authoring and production while also providing data in a format where it can easily be posted on the web, delivered to mobile devices, repurposed into e-books, or used by smart people in government or the public to create tools we haven't even thought of yet.

XPub is being rolled out on a product-by-product basis. Two years ago, we hit a major milestone, publishing the more than 60,000-page 2018 Main Edition of the United States Code on XPub, and we are in the process of bringing other critical publications, including bills, resolutions, amendments, public laws, statutes at large, House and Senate calendars, the Congressional Record, and the Federal Register into XPub production.

By publishing the recent Final Report of the Select Committee on the Modernization of Congress through XPub, we were able to display the versatility of the new publishing technology which enables the easy incorporation of images, the use of color, graphics, varied layouts, and flexible fonts. As Congress considers the recommendations of the Committee for how to modernize congressional practices and communications, XPub can play a critical role in enabling Congress to present information in contemporary formats, publications, and visual displays.

With the Subcommittee's support, the iterative development of XPub has been largely funded through the reprogramming of unexpended appropriations in recent years, the availability of such funds largely depleted due to mounting budgetary pressures. If approved, our \$3.37 million appropriation request will keep XPub development and deployment on track in FY 2022. Once development is complete, we hope to provide XPub to our customers as a software-as-a-service (SaaS) application, ensuring that there is a dedicated stream of income to support continued development of the platform without the need for separate recurring appropriations.

The second component of GPO's request for increased capital investment appropriations in FY 2022 relates to the continued development of our peerless **govinfo** online portal and digital repository. In recent years, the Subcommittee has provided direct appropriations to refresh **govinfo's** infrastructure and further develop its content collections. This year's request of \$6.825 million for **govinfo** is a slight increase over the \$6.55 million the Subcommittee provided in FY 2021, and it would be divided between infrastructure investments (\$3.325 million) and development investments (\$3.5 million), including development required to support the digitization of historical content.

Investments in **govinfo** provide critical support to Congress in a number of ways, one of which is that **govinfo** supplies a considerable amount of the legislative data that supports the Congress.gov legislative system as well as the bulk data for the Legislative Bulk Data Task Force. In addition, **govinfo** helps keep the costs of administering the Federal Depository Library Program down by making hundreds of thousands of critical Government publications available online free of charge, obviating the need to print and distribute thousands of volumes annually.



With the Subcommittee's sustained support, GPO has been able to add hundreds of thousands of additional documents and publications to the **govinfo** online repository each year – over 212,000 content packages were added in FY 2020 – and the public's usage of **govinfo** continues to grow, with over 392 million information retrievals made from **govinfo** in FY 2020.

As mentioned above, **govinfo** is currently the only certified ISO 16363 Trustworthy Digital Repository in the entire world, having successfully completed its third annual audit to retain the certification. The significance of this designation is that end users can be comfortable knowing that information accessed via **govinfo** is both safely secured and authentic, two invaluable attributes for government information.

The third component of GPO's request for increased appropriations for its business operations revolving fund account is for \$150,000 to support GPO's broad and ongoing efforts to defend against advanced persistent attacks (APTs) to its information technology systems. In recent years, the Subcommittee has generously provided direct appropriations for these types of investments and this year GPO is again requesting support. As you know, cyberattacks on our critical infrastructure continue to mount from foreign and domestic sources.

GPO has several million dollars in ongoing APT investments currently underway to reduce the risk of unauthorized access, data exfiltration, and changes to data, and this request would help support those efforts.

Lastly, we are requesting an increase in appropriations to our revolving fund to support capital investments for a new initiative. It is for \$1,000,000 in FY 2022 to support GPO's implementation of the U.S. Treasury Department's mandated G-invoicing system for interagency payments and collections (IPAC). Because GPO collects over 80 percent of its operating funds through such IPAC transactions, the successful integration of this new Treasury-mandated system with GPO's financial systems is of paramount importance.

Before I conclude, I want to add that, as required by section 1604(c) of the Legislative Branch Inspectors General Independence Act, we have forwarded our Inspector General's request for \$6.324 million in budget authority for FY 2022 as part of our FY 2022 Budget Submission. Currently that request is funded as part of GPO's agency overhead – a component of the prices and rates GPO charges its agency customers and Congress – and not as a separate appropriation.

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Subcommittee, thank you for this opportunity to present GPO's FY 2022 appropriations request, and for all the support you and your staff have extended to us during this most challenging year.

This completes my prepared statement and I look forward to answering any questions you may have.

Mr. RYAN. Great. Thank you, Hugh. We appreciate it.

Ms. Herrera Beutler for questions.

Ms. HERRERA BEUTLER. Thank you.

And my question is actually kind of specific to the Pacific Northwest and contracting.

So, when it comes to Federal contracting opportunities, domestic manufacturing should always be supported when and where it makes sense.

I understand that a Tribe from the Pacific Northwest has reached out to GPO regarding some novel, environmentally sustainable production processes that could enhance the performance characteristics of domestic groundwood pulp paper products and possibly increase opportunities for the use of such products in Federal paper contracts.

Obviously, I am very interested in this. Is this something that GPO would be able and willing to look into?

Mr. HALPERN. Absolutely. And we have talked with the Tribe as well, and we are looking forward to evaluating the products.

The problem we have right at the moment is, our materials science team is not actually in the building, except for those things that are really critical to some of the other ongoing projects we have. So, once everybody can get back in and operate safely, we look forward to evaluating their product.

Ms. HERRERA BEUTLER. Awesome. Thank you so much. I appreciate it.

Mr. Chairman, I yield back.

Mr. RYAN. Thank you, Ms. Herrera Beutler.

Ms. Clark.

Ms. CLARK. Thank you so much, Mr. Chairman.

And thank you for joining us today, Mr. Halpern.

I am interested, as you have managed to overcome so much of the challenges presented in the last year. I was impressed to learn that the Federal Depository Libraries were able to smoothly transition into remote work and develop new and very creative ways of operating.

Can you share some of those innovations? And do you expect them to continue past the pandemic?

Mr. HALPERN. Thank you. That is a great question.

So the great thing about our partnership with these libraries is that we learn from them as much as they learn from us. And through our Depository Library Council and other very active online fora that we have set up, there is a lot of good information exchanged between GPO and our partner libraries and the libraries themselves. So that has been fantastic.

One of the things that we are planning on doing in the coming year is really extending our outreach to those libraries where they are. I think it is really important for GPO to meet those customers where they are.

So the five FTEs we have actually requested are for folks that we very much envision being out in the country. So, for instance, we can have folks who may have a little bit more expertise in some of the collections that Tribal libraries or libraries in the Southwest have, and, actually, they are going to be based in that part of the country.

So we want to take some of the innovation that folks have had so far and really build on that.

And I don't know about you; the last time I was in a library was at American University and I was preparing for my confirmation. And the library today looks very different than the library I left 30 years ago when I graduated from AU.

So our librarians are getting more versed in our digital products. And we are really trying to support that, both by training them up on how to use GovInfo as a resource but also, on the document production end, trying to give them more data, more digital formats that they can use and they can do some really amazing stuff with.

Ms. CLARK. Well, as the daughter of a public school librarian, I am always eager to support our libraries.

But you also mentioned xPub. And I know, when you came before us last year, this was something you were excited about implementing.

I know, you know, this has been a tough year, but how successful do you think it was in the last year in helping meet your responsibilities? And can you tell us about your plans to further implement?

Mr. HALPERN. Absolutely. I really, actually, like talking about xPub. I think that is going to be the platform that is going to support GPO well into the future.

So the last project that we were able to successfully do was the main edition of the U.S. Code, and we were able to trim 7 months off of that project. This year, we hope to roll out xPub to both the House and the Senate as the composition engine for printing amendments, bills, and resolutions. And that work is ongoing, and we hope probably within the next quarter or two to have that deployed. And that is going to be a huge step forward, replacing our way-out-of-date Microcomp tool.

But you saw with some of the—I showed the cover of the Modernization Committee's report, which looks very, very different than any other committee report we have done. And the thing is, if you take xPub and you marry it up with our new digital inkjet presses, if Congress is willing, we can move away from some of these formats that have been around for time immemorial.

To give you an idea, the average committee report, the committee report that the Appropriations Committee, this subcommittee, will put out for this bill, that format has been around since GPO's inception during the Civil War.

Ms. CLARK. Hmm.

Mr. HALPERN. My point to the Joint Committee on Printing and the Committee on House Administration has been, these technologies give us all an opportunity to take another look at how you do that. And, hopefully, working together, we can make those documents more readable and more accessible for everybody.

Ms. CLARK. That is great. Thank you so much for joining us.

And I happen to see that I have the red timer and that, since the first stoplight in the country was in Ohio, I will yield back.

Mr. RYAN. Oh, Ms. Clark, you get the award for being most creative in presenting the fun facts. So congratulations.

The gentleman from Washington State, Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman.

Mr. RYAN. Try to top that one now.

Mr. NEWHOUSE. No, I am not even going to try. But I do appreciate you bringing a little levity into the committee. It does help things a lot.

Good to see you, Hugh.

Mr. HALPERN. You too, Mr. Newhouse.

Mr. NEWHOUSE. Yes.

And let me just say, Mr. Chairman, I have total confidence in Mr. Halpern's ability. You know, I have gotten to know Hugh in his work when he worked over here in the Capitol. And if he brought the same work ethic with him to the Printing Office, we have nothing to worry about, that everything is going to be managed as well as it possibly could be.

So it is great to have you here, and I appreciate your presentation very much.

Mr. HALPERN. Thank you.

Mr. NEWHOUSE. You probably have a distinction that not many agencies in the government can claim, that you haven't really asked for a significant increase in your appropriation since, I believe, 2014, which says a lot about the management of the agency—until this year, which, you know, obviously, some extenuating circumstances that have turned everything upside-down. And I appreciate that.

But, Hugh, in your estimation, as things get back to normal, as we return to a new normal, do you anticipate going back to the status quo of being able to pretty much be a self-sustaining agency with, you know, the services you provide, obviously you charge your customers for, and all of the benefits that come with that? I just wanted you to reflect on that for us, if you could.

Mr. HALPERN. Absolutely. And it is a great question.

So, as I think I mentioned, over 80 percent of our revenue comes from what we charge our customers. And most of the requests that we are making this year are for specific projects to get us over the hump, to get us into a position where our rates that we charge folks are more accurately tied to the services that we are providing.

So, for instance, funding the development of xPub ultimately will benefit Congress, but it will also help us move that to a more sustainable model in the future.

So the way the predecessor product was funded was they built that into the page rate. So, when we charge Congress several hundred dollars a page for the Congressional Record, they tried to build development costs for that product into that rate. But that didn't provide a steady stream of income to keep that product going.

So what we want to do is, after the initial development phase of xPub, move that to more of a software as a service. So, just like Office 365 or the Adobe Suite or whatever, we are charging our customers, through the congressional printing fund, you know, a fee for using that software that we can then use to keep that updated into the future so we don't run into these problems down the road. And we want to do that with a lot of our projects.

So we think that most of the funding that we have asked for has been designed in a way so that, hopefully, over time, it will go away.

Mr. NEWHOUSE. Thank you very much, Hugh. I appreciate that response. And, again, I have a lot of confidence in your ability, and appreciate your presentation today.

And, Mr. Chairman, I have no further questions of Mr. Halpern. I just hope that at some point in the near future, Mr. Chairman, you can explain to us and the rest of the country why Ohio finds it necessary to have a nonrectangular flag. Being one of 50, you have to be different.

But, other than that, Mr. Chairman, I yield back.

Mr. RYAN. It is a cry for attention.

The distinguished gentleman from Hawaii, Mr. Case.

Mr. CASE. Thank you, Mr. Chair.

In answer to that last question, Ohio considers itself a noncontiguous part of our country.

And to Ms. Clark's comment, I am going to brag, too, because I am the son of an elementary school librarian. So we have something in common there.

Mr. Halpern, you started out by saying that you are in this situation because your revenues had declined and your costs had increased. And in your, you know, written report, you say—I am focusing on the cost side, because I am not sure I understand why your costs went up during COVID-19 specifically. I mean, a lot of, you know, businesses or quasi-businesses, they saw their revenues plummet and their costs go down also.

And I see that you talked about emergency leave as being one major consequence of that, and you talked about some obvious things, like having to, kind of, COVID-19-proof your facilities and your operations. But why did your costs go up so significantly? And I suppose the question is, was most of that on the labor side? Was that operating side? What percentage? Like, 90 percent of the cost escalation was—

Mr. HALPERN. I can get back to you on the exact breakdown.

But, to give you an idea, because of our labor agreements—we have 11 union bargaining units here at GPO, everything from our police officers to our bookbinders to our typesetters. But as part of our labor agreements, we pay everybody who has come into the building during a declared emergency essentially double-time. So that cost us more than \$7 million over a period of just a few months.

When you combine that with our difficulty sometimes getting materials and having to stockpile materials—you know, have a greater stockpile of those materials than we would otherwise, we had to expend a lot of capital to make sure that we were able to continue operating.

That is particularly true with our passport operations. As we ramp those back up—because of supply-chain constraints, we suddenly had to change suppliers for a key component of our next-generation passports. You know, all of those things sort of came together to increase our costs.

We are out of that emergency period, so we are back to a more normal labor stance and more normal payroll. Our payroll runs about \$850,000 a day normally.

So we are working through that. We think we have costs back under control. But you combine those increased costs and our sub-

stantially reduced revenue, and that led us to, sort of, the deficit situation we have been in at least through January. I am keeping my fingers crossed that February's numbers start to turn back.

Mr. CASE. Okay. And the requirement that you pay essentially double for people on the job during an emergency, that is a function of collective bargaining agreements?

Mr. HALPERN. That is part of our collective bargaining agreements and longstanding GPO directives that came out of that. Yes.

Mr. CASE. And is that separate from any kind of—what is there—hazard pay or, you know, comparable pay classifications, accelerated pay classifications over and above that?

Mr. HALPERN. No. That was largely—that particular provision, frankly, was intended for snowstorms or hurricanes or those more traditional situations where the rest of the government closes but our folks still need to come in to make sure that the Congressional Record gets out to you all.

So, in those circumstances, it was eminently reasonable and manageable and that—it is much like snow days for a school district. You build in a little bit, and you can work with that. What we weren't prepared for is having 3 or 4 months where we had to be in that status all the time.

And once we got our plan together to start our reopening process this past July, that enabled us to end that emergency period and reduce those costs and get back to something more normal.

Mr. CASE. Okay. So you talked about \$7 million in the emergency pay. What percentage of the overall cost decline was that? Was that 50 percent? Seventy-five percent?

Mr. HALPERN. I would have to get back to you on the exact portion.

The other thing to keep in mind is that our productivity went down as well. So, in order to socially distance, we had to divide the number of people we had working in the plant at any one time in half.

So the key thing to keep in mind about GPO is, in the past, the way we solved problems is we throw people at them. So, for instance, the reconciliation bill, the American Recovery Act that you guys just sent us, we often—and we did in this case—assist the Clerk with proofreading that to make sure that it is true and correct and accurate. Well, the way we do that is we divide that, you know, 700-page bill into really small chunks and parcel that out to our proofreaders. Well, we only had half of our proofreaders working at any one time, because that is a manual-based, paper-based process in a fairly small area. So, in order to do that safely, we had to cut our number of people in half.

So it is not just increased cost; it is also lowered productivity and, as a result, lowered revenue.

Mr. CASE. Okay. Thank you very much.

Mr. RYAN. Appreciate it, Mr. Case.

Mr. Amodei.

Mr. AMODEI. Thanks, Mr. Chairman.

Hey, it is good to see you.

Mr. HALPERN. You too, sir.

Mr. AMODEI. I just want to, for the record, since we want to make sure that—I didn't realize this was on the agenda, but I will

go ahead and adapt. We don't allow stoplights in Nevada's Second Congressional District. So we will learn from the mistakes people made in Ohio and other places before we allow them.

But, anyhow, listen, I have been in that office before, and you look good there in that—

Mr. HALPERN. Thank you.

Mr. AMODEI [continuing]. Older building with that old-school office. That is neat stuff. That is real wood, unlike a lot of the other ones, so good for you.

Listen, it has been about 6 years, I think, since I walked through the place, which I found phenomenally educational and just very interesting. So what I think we are going to do, if it is all right with you, is we will get on your calendar to come over and spend about an hour and sort of walk through and get tuned up on some of your technology, in terms of, you know, the whole deal downstairs there with passports and all that secure stuff, and get updated on your other stuff. And so we will just do that offline.

And, Mr. Chairman, we will make sure that, when we get that set up, if there are any other committee members, we will let you guys know, if somebody has the time or ability to tag along, if that is all right.

Mr. HALPERN. We would love that.

Mr. AMODEI. Okay. Then we will do that.

Thank you, Mr. Chairman. I yield back.

Mr. RYAN. Appreciate it, Mr. Amodei.

Hugh, I am going to just kind of open it up to you, because the couple of the questions that I was going to ask have already been asked and answered—the xPub, the GovInfo, interoperability. We have a few minutes left here. Is there anything in or around those issues that you would like to expand upon that maybe you couldn't with the other questions?

Mr. HALPERN. Thank you for that opportunity.

You know, for better or for worse, I have probably written more House committee reports than almost anybody over my 30-odd years working up there. And one of the things that I really learned was, that process stinks. It is not a good process for the people who have to create the content.

And what I am trying to do here, through xPub, is create a system where you guys, the content creators, can focus on creating that content, not about how all the pieces fit together.

So what we want to do over the next several years is build out a system where your staff can write their report in Word and do your numbers in Excel, give us those files, and we can easily get that into our system, spit that out either in print or online and in machine-readable format, so that it is not just us who can use it or you guys who can use it; there are a lot of other folks in academia or other groups who can take that data and do things you and I haven't even imagined yet. And I think those are all good uses of what we can do. And we just have to make this whole process easier.

The good news is, we have a great team here at GPO. GPO does three things, basically: One is we produce stuff—Congressional Record, the Federal Register, bills, reports, all of that stuff. Two is we make that available through GovInfo and through our Federal

Depository Libraries. And lastly is we build the tools that enable you all to produce the documents you need.

And we are continuing to work with the Clerk, House Leg. Counsel, other folks, to try and figure out are there things that we can do, services we can provide, that make your processes easier.

And we have a great team here, and they have been very supportive of me as Director and trying to get the job done for you all. So I really appreciate the opportunity.

The other thing I would say—and let me just say, as somebody who spent 30 years up there, 15 of them on the floor, I understand the pressures that you all are under for this allocation, and we will manage one way or the other. But just keep in mind that, if we can't fund these things now, we will have to figure out creative ways to do it, and that may delay some of the projects that, frankly, you all want us to be doing.

Mr. RYAN. Well, we appreciate it. We all love and respect you, Hugh. We appreciate your service. And to have you in this position, we feel very lucky, so we know we are in good hands. So we appreciate it.

I want to thank the committee. We have had a busy, hectic week with a lot of hearings, and I think they have all been very productive. And we will see you all back here next week.

So, Hugh, thanks again for your service.

Mr. HALPERN. Thank you, sir.

Mr. RYAN. Please thank your team.

This committee is adjourned.

THURSDAY, MARCH 18, 2021.

**FY 2022 BUDGET HEARING—OFFICE OF
CONGRESSIONAL WORKPLACE RIGHTS**

WITNESS

SUSAN TSUI GRUNDMANN, EXECUTIVE DIRECTOR, OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

Mr. RYAN. The committee will come to order.

This hearing is fully virtual, so we need to address a few housekeeping matters. Members are responsible for muting and unmuting themselves. For the purposes of eliminating inadvertent background noise, the chair or staff designated by the chair may mute participants' microphones when they are not under recognition.

If I notice when you are recognized that you have not unmuted yourself, I will ask you if you would like the staff to unmute you. If you indicate approval by nodding, staff will unmute your microphone. We will begin with the chair and ranking member, then members present at the time the hearing is called. The order will be recognized in order of seniority.

We are using the 5-minute clock, which you will notice on your screen. It will show how much time is remaining. If there is a technology issue, we will move to the next member until the issue is resolved, and you will retain the balance of your time.

Finally, in regard to adding extraneous or additional material to the record, under House rules, we have set up an email address where members can send anything they wish to submit for the record after seeking recognition for its inclusion. That email address has been provided in advance to your staff.

I would like to welcome the executive director of the Office of Congressional Workplace Rights, Ms. Susan Grundmann, to present the fiscal year 2022 budget request. It is always a pleasure to be with you. The Office of Congressional Workplace Rights is responsible for administering the Congressional Accountability Act for the approximately 30,000 employees in the legislative branch. The mission of the office is to continue assisting the legislative branch community in creating and maintaining a workplace that is safe, accessible, and free from discrimination, and other unlawful employment practices.

You are not requesting an increase over the seven and a half million and 31 full-time employees provided last year. While your budget is not increasing, I understand that you plan to make cybersecurity improvements, along with necessary IT system and network upgrades in line with governmentwide security standards.

These costs have been projected at \$500,000. Since your budget is a zero-sum game, I hope you can explain where the savings are going to come from. I look forward to your testimony today.

At this point, I would like to yield to my colleague and friend from the Pacific Northwest, the Ranking Member Jaime Herrera Beutler, for any opening comments she would like to make.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

And welcome, back Mrs. Grundmann. It is a pleasure to have you. The Office of Congressional Workplace Rights 2022 fiscal year request of \$7.5 million, the same as fiscal year 2021 enacted level. After receiving funding increases over the last 2 years, we really appreciate the flat funding request. We are now approaching 2 years since the implementation of the CAA Reform Act, which greatly expanded your office's duties, and your office's biennial report to Congress advocates for legislative action on 11 items, ranging from strengthening whistleblower protections to providing subpoena authority to extending protections to employees who serve on jury duty.

So I look forward to hearing from you more about your progress on those initiatives and the budgetary impact of any legislative proposals, including your semi-annual report. I appreciate the work of you and your team to protect the rights of employees, assuring access for persons with disabilities, and educating our constituency on CAA's mandate.

So I yield back, Mr. Chairman.

Mr. RYAN. Excellent. Thank you.

Without objection, your written testimony, Ms. Grundmann, will be made part of the record. Please summarize your statements for the members of the committee. Once you have finished your statement, we will move to the question and answer part of the hearing.

You now have the floor.

Ms. GRUNDMANN. Thank you.

Good morning, Chairman Ryan, Ranking Member Herrera Beutler, and other distinguished members of this committee. It is good to be back. It is great to see you and it is good to be seen. On behalf of the Office of Congressional Workplace Rights, thank you for this opportunity to address your questions on our 2022 budget justification.

When last we met, we were just barely 6 months into a new process, the administrative dispute process that fully implemented on June 19, 2019. And today we continue under the Reform Act, but we do so while working remotely as a result of the pandemic. And like our sister offices, we make it work.

Mediations and hearings continue in a virtual environment. Training and education continues via Zoom for government, our new friend. And that particular aspect of our function has taken on increased significance because some employing offices have designated us for the purpose of their mandatory training. Safety and health and public accessibility meetings move forward, and when there are physical inspections required, our inspectors maintain social distancing, follow the guidelines of the CDC, and the Office of Attending Physician. It is not business as usual, but it is business in our new norm.

And in addition to our day-to-day mission, we also successfully launched and delivered the results for the first ever legislative-wide climate survey. The results we delivered were for the House and Senate, and this includes questions about respondent's attitudes towards sexual harassment. This was somewhat of a monumental undertaking for our office because, as you know, we are very small. It took four people on staff plus a contractor, the contractor, five people, supported by the employing offices. We were able to reach 30,000 people in the legislative branch, both online and on paper.

We issued proposed substantive regulations on paid parental leave, which provides for 12 weeks of paid leave in connection with the birth or a placement of a child. Following full public notice and comment, we are now working towards those final regulations that will be sent to you and the Senate later this year for congressional approval.

We held our annual mediators and hearing officers summit to update them on trends that we have seen and take their feedback on issues that have arisen. We completed our biennial occupational safety and health report, which will be published once the security review is completed. Our public accessibility report is also completed and will be ready to deliver to you shortly, and as the ranking member mentioned, we have completed our recommendations to you which laws that you have passed should also be made applicable to the legislative branch. We call this our 102(b) report, and that is the section that is referenced in the CAA. It has been published in the Congressional Record and is available online to us on our website. And with our 2-year anniversary approaching, we do make recommendations to changes in the Reform Act process. We took stock of all the events that have occurred during the last 18 months and overhauled our strategic plan. What we created, we think, is a much more transparent, much more outward-facing plan that will give you a roadmap of where we plan to go in the next 5 years.

In terms of appropriations, let me spot a couple trends for you. As we predicted last year, costs for hearing officers have dramatically increased. In fact, they have more than tripled over the last year, and that is due to, as we predicted, more employing offices coming within our jurisdiction, more categories of employees, and due to changes in our process.

And, while our process has changed and while we continue to work remotely, some things that haven't changed is the volume of work that we still have. We are seeing that our spending is not tied to a fiscal year. Certainly, cases can span more than a fiscal year, and inspections that involve specialized expertise can span several years.

So, without asking for more money, we are asking for more time to spend it. As always, we credit the men and women who work tirelessly to meet our mission while striving towards our vision, which is a respectful, safe, healthy, and accessible congressional workplace with equal opportunity and treatment for all.

Thanks to this committee's constant support, we achieved our funding request for fiscal year 2021, and we are not asking for more money in 2022 or additional FTE.

I thank you for the privilege of your time, and I look forward to answering your questions.
[The information follows:]

Statement of
Susan Tsui Grundmann, Executive Director
Office of Congressional Workplace Rights
Before the Subcommittee on the Legislative Branch,
Committee on Appropriations, United States House of Representatives
Fiscal Year 2022 Budget Request
March 4, 2021

Chairman Ryan, Ranking Member Herrera Beutler, and Members of the Legislative Branch Subcommittee, thank you for allowing me the opportunity to submit for the record this statement regarding the budget request for FY 2022 for the Office of Congressional Workplace Rights (OCWR). I want to express our appreciation to this Subcommittee for its continued support of the OCWR and its mission to advance workplace rights, safety, and health for employees in the legislative branch, and accessibility for members of the public with disabilities.

The OCWR's Statutory Mandate

The Congressional Accountability Act of 1995 (CAA) embodies a promise by Congress to the American public that it will hold itself accountable to the same federal workplace and accessibility laws that it applies to private sector employers and executive branch agencies. Congress established the OCWR to administer the CAA.

The OCWR is a very small office with a very broad mandate. With 31 FTE positions inclusive of a part-time Board of Directors, the OCWR serves the same functions as multiple agencies in the executive branch, including the Equal Employment Opportunity Commission, the Occupational Safety and Health Administration, the Department of Labor, and the Federal Labor Relations Authority. We are responsible for enforcing federal workplace and accessibility laws that cover more than 30,000 employees in the legislative branch, including the House of Representatives, the Senate, the United States Capitol Police, the Library of Congress, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of Attending Physician, and the Office of Congressional Accessibility Services, and our own office, among others. We administer the administrative dispute resolution (ADR) process established by the CAA to resolve workplace disputes; we carry out training and education programs on the laws made applicable to the legislative branch by virtue of the CAA; and we advise Congress on needed changes and amendments to the CAA.

Furthermore, our General Counsel is responsible for inspecting—at least once each Congress—over 18 million square feet of facilities and grounds in the legislative branch for compliance with the Occupational Safety and Health (OSH) Act, as well as the public areas of all facilities in the legislative branch for compliance with titles II and III of the Americans with Disabilities Act (ADA). The OCWR Office of the General Counsel is also responsible for investigating allegations of OSH, ADA, and unfair labor practice (ULP) violations filed under the Act, and for filing and prosecuting complaints of OSH, ADA, and ULP violations.

The CAA Reform Act

On December 21, 2018, the Congressional Accountability Act of 1995 Reform Act, S. 3749, was signed into law. Not since the passage of the CAA in 1995 has there been a more significant moment in the evolution of legislative branch workplace rights. The new law focuses on protecting victims, strengthening transparency, holding violators accountable for their personal conduct, and refining the adjudication process.

The Reform Act also includes many important changes that dramatically expand the OCWR's duties and responsibilities, as well as the number of employees covered by the CAA. These duties and responsibilities under the Reform Act include:

- substantially modifying the ADR process under the CAA, including creating additional procedures for the review of claims by preliminary hearing officers;
- developing and implementing procedures for Members of Congress to reimburse the Treasury for awards and settlement payments resulting from specified harassment or retaliation claims;
- developing and implementing procedures for employing offices to reimburse the Treasury for payments resulting from specified claims of discrimination;
- appointing confidential advisors to provide information and guidance to legislative branch employees about their rights under the CAA;
- renaming our office as the Office of Congressional Workplace Rights to more clearly reflect the mission of the Office to the legislative branch community;
- extending CAA protections to unpaid staff, including interns, detailees, and fellows, as well as employees of the Stennis Center for Public Service, the U.S.-China Economic and Security Review Commission, the Congressional-Executive Commission on China, and the Helsinki Commission;
- significantly expanding OCWR reporting obligations;
- developing and administering a biennial workplace climate survey of all legislative branch employees to collect information on the workplace environment and attitudes regarding sexual harassment;
- creating a program to permanently retain records of investigations, mediations, hearings, and other proceedings;
- establishing an electronic system to receive and keep track of claims; and
- developing and implementing means by which legislative branch employees who work outside of the Washington, D.C., area—such as in Members' district and state offices—have equal access to OCWR services and resources.

Some of the changes in the CAA Reform Act became effective immediately, such as the name change of our office, but most became effective 180 days from enactment, i.e., on June 19, 2019.

Today, not only have we experienced more than a year under the new system, but we did so while operating remotely as result of the COVID-19 pandemic. Despite that fact, we still have been able to successfully complete our mission: confidential advising continues uninterrupted; mediations and hearings occur in a virtual environment; education and training continues via Zoom; meetings with employing offices on safety and health inspections occur virtually; and where physical inspections are required, our inspectors maintain social distancing and follow the procedures set forth by the CDC and the Office of Attending Physician to reduce the transmission of COVID-19. Moreover, the biennial workplace climate survey of the legislative branch was administered electronically for the first time in FY 2020.

The OCWR's FY 2022 Budget Justification

This year, the office is requesting to remain at the FY 2021 funding level of \$7,500,000. The FY 2022 budget request continues to focus on supporting the OCWR's statutory mandates and improving the delivery of services to the covered community under the CAA. The requested amount is sufficient for the office's operations, including hearings, mediations, safety and health inspections, ULP investigations, and ADA inspections. This amount will also allow us to carry out our mission to educate and train Members of Congress, their staff, and other legislative branch offices and employees on their rights and responsibilities under the CAA through the development of materials specifically designed for the legislative branch—materials that are easily understood, practical rather than legalistic, and proven effective.

The OCWR made significant progress in FY 2020 on many of the Reform Act initiatives discussed above, including developing and implementing a secure e-filing system and revising virtually all publications and education and training materials that the OCWR produces to incorporate the changes set forth in the Reform Act. Although many of the initial changes mandated by the Reform Act have already been implemented, the OCWR will continue to expand and improve on these efforts in FY 2022 and beyond. For example, the e-filing system will require continued cybersecurity upgrades and design modifications to assure information security and confidentiality. Online training and educational modules must be continually updated to reflect changes in the law and new ADR procedures, such as preliminary review will affect the costs associated with adjudication of those claims. Moreover, the legislative branch workplace climate survey will require administration every 2 years.

Approximately 70 percent of the requested amount reflects personnel costs, including increased compensation and benefits associated with additional staff hired during this fiscal year. The remainder of the requested amount would pay for services, including cross-servicing providers such as the Library of Congress and the National Finance Center, and other equipment and supplies needed to operate the OCWR.

Of the FY 2022 requested amount, the OCWR is requesting that a total of \$2,000,000 remain available until September 30, for the services of essential contractors, including hearing officers, mediators, and safety and health inspectors, and for the ongoing costs associated with administering the biennial workplace climate survey of legislative branch employees and cybersecurity enhancements.

Alternative Dispute Resolution Program

The OCWR requests a total of \$500,000 for non-personnel services for FY 2022 for administration of its ADR program, which represents our best estimate for the cost of administration of that program in the coming fiscal year. The CAA establishes an ADR process that provides employing offices and covered employees a neutral, efficient, and cost-effective means of resolving workplace disputes. We strive to ensure that stakeholders have full access to these ADR procedures. The OCWR enjoys a 100 percent affirmance rate in employment cases by the U.S. Court of Appeals for the Federal Circuit. The OCWR continues to do more with less, maintaining a flat rate of pay for contract mediators, a standardized hourly fee for hearing officers, and rate limitations for other outside service providers.

In any given year, it is difficult to predict the number of cases that will be filed with the OCWR's ADR program, the complexity or duration of administrative proceedings, or the overall costs associated with case processing and adjudication. Recent developments add to the difficulty of making such predictions. Notably, FY 2020 included an unprecedented period of telework in the legislative branch given the COVID-19 pandemic. The fact that most employees are no longer in the physical workplace may have had a significant, albeit temporary, impact on the number of claims filed. Furthermore, recent changes to the law—including the amendment of the CAA's Family and Medical Leave Act provisions to provide paid parental leave benefits to legislative branch employees—may also have an impact on the number of claims filed with the OCWR in the future. Other changes in the Reform Act—such as extending CAA protections to unpaid staff, including interns, detailees, and fellows—also increase the pool of potential claimants under the ADR process.

Education and Training Programs

The OCWR is requesting a total of \$310,000 for non-personnel services for FY 2022 for its Education and Training programs. The OCWR has a statutory mission to educate and train Members of Congress and legislative branch employees on their rights and responsibilities under the CAA.

In FY 2020, the OCWR delivered training in person, online, and via video conferencing to staff throughout the country. In light of the unique demands presented by the COVID-19 pandemic and increased teleworking, the OCWR also created numerous online videos to enhance remote learning and implemented improved web-conferencing capabilities for effective, real-time training. In addition to providing training to employing offices, the OCWR conducted in-person seminars for staff on their rights and responsibilities under the CAA. Training modules, quarterly newsletters, and informational brochures are also available on the OCWR website, at www.ocwr.gov.

In FY 2021, the OCWR continues to provide information and training opportunities to the covered community, and it is completing revisions of all of its educational materials including its website and print content. These efforts are vital to our ongoing mission to provide stakeholders in the legislative branch with current, dynamic, and innovative educational and outreach materials.

Safety and Health and Public Access

The OCWR is requesting a total of \$150,000 for non-personnel services for FY 2022 for its Occupational Safety and Health and ADA public access inspection programs. OCWR occupational safety and health inspections and investigations have led to the discovery and abatement of thousands of serious fire and other safety hazards in House and Senate buildings and in and around the Capitol complex. OCWR ADA inspections and investigations have also led to the identification and removal of thousands of barriers to access on the campus. As a result of OCWR inspections and investigations, the overall safety and accessibility of the Capitol Hill campus has greatly improved. The OCWR will continue to work directly with the Architect of the Capitol and other offices on the Hill to develop cost-effective solutions to safety and access problems. Our inspectors and consultants, who are trained OSH and ADA specialists, have demonstrated that they can work directly with employing offices and provide technical support at the point where assistance is needed.

The budget request in this area will allow the OCWR to continue to provide the level of expertise and assistance that the community needs and deserves.

Information Systems

The OCWR is requesting a total of \$1,062,000 for non-personnel services for FY 2022 for the Information Systems program. As mandated by the Reform Act, the OCWR successfully launched its secure online claims reporting and tracking e-filing system in June 2019 on a compressed 6-month timeline. In FY 2021 and FY 2022, the OCWR will continue to enhance and improve its web-based e-filing system—and other key applications—to proactively identify threats and to mitigate the vulnerabilities to its systems.

In late FY 2019, the OCWR also developed and began implementation of its plan for the upgrade of its Facility Management Assistant program for OSH inspections. In FY 2020, OCWR completed several project phases for this program. Initial testing of the upgrade of Records Management Suite has been completed, and the OSH team is testing and finalizing the features.

The Reform Act also mandated enhanced cybersecurity along with a GAO audit of the OCWR's cybersecurity practices. The OCWR has already made significant progress on these priority items, which is discussed in our budget request. In FY 2021, the OCWR will work to develop and implement oversight procedures for each of its externally operated systems, as well as policies and procedures for managing cybersecurity risk.

To date, the OCWR has spent over \$500,000 toward updating its cybersecurity and anticipates the FY 2022 funding to go toward continued upgrades, maintenance and hosting.

Additional Services

The remainder of the requested amount covers increases in contract services, including those furnished by cross-service providers, such as the Library of Congress and the National Finance Center, and other services, equipment, and supplies needed to operate the OCWR.

Thank you very much for providing us with this opportunity to brief you on our FY 2022 budget request. As the Executive Director of the OCWR, I am proud of the work that our highly professional and talented staff members perform every day. We are available to answer any questions or to address any concerns that the Chair of the Subcommittee or its Members may have.

Susan Tsui Grundmann
Executive Director

Mr. RYAN. Great. Thank you for your testimony. We are going to move to the question and answer, and we will begin with the distinguished gentlewoman from the State of Washington, Ms. Herrera Beutler.

Ms. HERRERA BEUTLER. Thank you, Mr. Chairman.

The first thing I want to ask about, Ms. Grundmann, is last year's hearing we were discussing the role of your office in the implementation of the new 12-week paid parental leave that is available to legislative employees, which went into effect last year in October.

Could you fill us in on efforts on the implementation of the rules associated with that policy and what is your office doing to inform House offices and employees about the new policy?

Ms. GRUNDMANN. Absolutely. There is tons of information on our website. We have gone through that public notice and comment period receipt, and we generally when we do this, we receive a lot of intelligent guidance from the employing offices. Some of the opinions that have been received are diametrically opposed, so we are working towards reconciling them currently with our board.

Ms. HERRERA BEUTLER. What do you mean? Like someone saying, "Hey, we don't like this"?

Ms. GRUNDMANN. Well, it is more than—it is a really complicated piece of legislation that you passed. And in terms of how the 12 weeks is tracked, that depends on, you know, how much annual leave, whether you can assert that annual leave, how many kids. So there are a lot of different scenarios, and we have tried to play out those scenarios in some guidance on our website.

The comment period has closed. We are working towards file regulations. We hope to have them out soon. Once they are completed, they will be sent to you. You will have to pass them into law for your congressional approval because they are substantive regulations as opposed to the procedural regulations that we have the authority to promulgate.

Ms. HERRERA BEUTLER. So help me understand because I thought we passed it last October?

Ms. GRUNDMANN. You did.

Ms. HERRERA BEUTLER. It is not effective yet; is that what you are saying?

Ms. GRUNDMANN. It is effective. It is effective, but in order for us to create the framework in the congressional community, we have to pass substantive regulations, bring them to you for your passage. So the law is effective, but how it is going to be implemented is in these substantive regulations.

Ms. HERRERA BEUTLER. There are offices pushing back saying they are not providing this, correct?

Ms. GRUNDMANN. They should be. They should be.

Ms. HERRERA BEUTLER. It is just providing—I am a little unclear about providing—obviously, it is not as cut and dry as you have a baby, adopt a baby, or get a baby placed, and then you take your 12 weeks.

Ms. GRUNDMANN. Right.

Ms. HERRERA BEUTLER. Is that because of the different—not necessarily congressional offices, but the different types of offices across—you know, because Federal employees? Is that part of this,

or you are just looking at Federal employees and some employing offices are, I don't know, questioning it?

Ms. GRUNDMANN. They shouldn't be questioning—this particular piece of legislation is just for the legislative branch. So it is unique. Actually, it is landmark. It is huge. You have gone over and above what is happening in the executive branch, and it is just reconciling the different kinds of comments. When you see the final document as you have seen with our procedure regulations in the past, we do explain every move that we make.

We talk about the comments and why we have accepted them or why we have tried to reconcile them with other comments. And, generally, all the employing offices, your counsel sends us something. I believe OHEC also sent us something as well.

Ms. HERRERA BEUTLER. Okay. Okay. Thank you. With my time left, I wanted to prioritize here. Oh, the workplace rights training. So we are spending—CAO spends millions of dollars to contract out for the workplace rights training for Members and staff, and your staff also does workplace rights training.

Would it be beneficial for the House to explore working with your agency to have OCWR lead the required trainings? If conversations like that are already taking place, I would like to know about it. But it just seems like that might be an efficiency or simplification that we could benefit from.

Ms. GRUNDMANN. We would love to do it. And I think we talk about this every year. This is something we do have a great deal of interest in. With the funding in the FTE that you gave us last year, we were able to retain two full-time educators on our staff. Those educators not only have training in the CAA, but it is over and above. They carry certificates with respect to unconscious bias, which is our number one module in demand. Those certificates actually come from Cornell University. They will work with all employing offices in terms of developing strategies, scenarios that fit your—that fit the environment that you work in.

So the shorthand answer is yes. We are very interested.

Ms. HERRERA BEUTLER. Okay. Okay. Thank you, Mr. Chairman. I yield back.

Mr. RYAN. Thank you.

Up next is the distinguished gentlewoman from Massachusetts, Ms. Clark.

Ms. CLARK. Thank you so much, Mr. Chairman, and thank you, Director Grundmann, for being with us here today.

As we have discussed in past hearings, I am very interested and concerned about the instances of sexual harassment and discrimination in our congressional workplace, and I appreciate all your efforts to implement the provisions of the Reform Act to address this problem.

I know this has been a tumultuous year, to put it lightly, but I am hoping that you can update me in progress that has been made. And also if you can specifically address the climate survey? Were you able to get the response rate up, and are there any weaknesses in the handling of sexual assault that you feel you have been able to address and make improvements on?

So sorry for the triple question in one question.

Ms. GRUNDMANN. All right. Let me see if I can break it apart. In terms of the climate survey, the statute requires that we deliver the results to three particular committees, and that is CHA, Senate Rules, and Homeland Security and Governmental Affairs. The actual survey itself, keep in mind, that it is a baseline. It is a snapshot in time, so there really isn't anything to compare it to at this point in time. The comparison will come when we re-administer the survey next year.

In terms of results for the legislative community, we are completing reports for the other employing offices. The House and the Senate have been completed. The House did very well. You set the baseline very high.

In terms of the next step in training, we are looking at training over and above the baseline of law. Because if you just train on the letter of the law itself, you really haven't gotten to the underlying behaviors that can cause discrimination, that can cause—lead to a hostile work environment.

So, for that reason, you know, we have branched out. We have done the implicit bias module, which is available to you right now. And, in fact, we have had discussions with the CAO in terms of loading our materials on to your website so that you can have access to them directly and that they can be tracked through your through the CAO as well. So that is the first step.

The second step is, you know, we want to work directly with your offices in terms of tailoring training specifically to your needs. And a good example of this is let's talk about last summer and the death of George Floyd. In the wake of his passing, in the wake of his death, we were asked to develop and deliver modules on racial equity, on civility, and on inclusion, and those requests are still coming in to this day.

So I would encourage you to reach out to our office and, you know, set something up. Training is our cornerstone. It is preventive in nature, and it is the way to go.

Ms. CLARK. Thank you so much for that.

And can you tell me a little bit about the response rate and how that went? Did you see improvements?

Ms. GRUNDMANN. It is not—because this is a baseline, there is nothing to compare it to, but in terms of the House's response rate, it was very good. You were well within the margin of error.

Ms. CLARK. Okay. Excellent.

I also wonder if you can update me on the alternative dispute resolution program. Last time we spoke, it was just 6 months into taking effect, and I am hoping you can give me a better sense a year and a half in about how things are progressing? Have you noticed significant number of cases increased, or has the pandemic just—you know, not seen the progress you might have hoped for?

Ms. GRUNDMANN. Again, let me parse that out. In terms of changes, there are some trends that we have seen. One, mediation is down, but we expected that because mediation is now voluntary. Two, there are more requests for administrative hearings because with mediation being voluntary, the only option is adjudication, and there is a much shorter timeframe for employees to request that hearing. They only have 10 days. Three, case processing times

are also shorter now because the employee is pretty much in adjudication on day one.

In terms of the types of issues we are seeing, they are the same types of issues that we have seen before: Discrimination mostly based on race and color. Retaliation as well. In terms of caseload that is a difficult question to answer. Let me see if I can get to it succinctly. We don't count cases the same way as we did under the old system. So, if you saw in our statement—I think we gave you this—under the old system, we counted cases before they reached adjudication. So, if you look at our past, we had, you know, a number of cases coming in through, quote, counseling, and then a steep drop off to the filing of a complaint before a hearing officer.

Now the system reversed. So employee comes in. They are before a preliminary review hearing officer pretty much on day one, which is the rise in cost in terms of hearing officers. So we can't count cases the same way anymore because there are really no two equivalences. In terms of the workload, it is still the same.

One more thing to note: The Reform Act created a confidential adviser, and she is at the beginning of our process. She is receiving calls directly from employees in the legislative branch with questions, with concerns at the same rate as she was receiving before the pandemic. So, in terms of workload, it really hasn't changed for us, despite working remotely.

Ms. CLARK. Great. Thank you. I see my time has expired. Thanks for being with us today.

Ms. GRUNDMANN. Thank you.

Mr. RYAN. Thank you, Ms. Clark.

Next is the distinguished gentleman from Nevada, Mr. Amodei.

Mr. AMODEI. Thanks, Mr. Chairman. You guys have done a pretty good job of covering my stuff. So I will yield back. Thank you.

Mr. RYAN. Thank you, Mr. Amodei.

Next is the distinguished gentleman from Hawaii, Mr. Case.

Mr. CASE. Good morning, Ms. Grundmann. We shared a common experience: law school. One of my professors taught me that lawyers that don't read footnotes starve. So I did read your footnote in your submission that says here—I am just reading it: Approximately \$800,000, or 12 percent, of your general expenses budget remained unexpended at the end of fiscal year 2020. Okay. That was fiscal year 2020, right?

So what happened to that? Was that carried over and do you have the same issue this year?

Ms. GRUNDMANN. That is precisely why we are asking for an increase in the carryovers. We don't want more money; we just need more time to spend it. We are starting to see that our spending is really not tied to the fiscal year. We don't control the number of cases that come in. We don't control the number of requests for investigations or inspections that come into our OSHA program and our public accessibility program. So that is the key.

And so you are actually seeing hard evidence of why we are looking for a larger carryover.

Mr. CASE. Okay. And then you say here that this is attributable, at least in part, to a closure of the workplace. The reason I am asking this question is because some of the other folks that have testified to us have actually seen general expenses go up during

COVID-19. And so, I mean, they have reasons for why that happened.

Why generally did yours go down? I mean, you still have a physical presence. You still had personnel. Was that because the cases themselves went down as a result of the closure of the workplace?

Ms. GRUNDMANN. Not necessarily that, but the publication expenses that we generally have—we usually hard copy things. We don't do that anymore. Our board consists of attorneys around the country, and they travel in for board meetings. Their travel was canceled this year, so that is a partial attribution. But we talk about those costs going down. At the same time, we have costs going up. And we are talking about specifically the hearing officers. That is three times more than we spent last year.

So one hand goes up; the other hand goes down.

Mr. CASE. Okay. And that was kind of my next question. When you talk about hearing officers, why did they go up three times? That wasn't like their rate went up three times? That was just the utilization went up that much?

Ms. GRUNDMANN. Exactly. It is all attributable to three things: The first is more employing offices within our jurisdiction, as we predicted last year. The second is more categories of employees. And the third really is that change in our process.

If you recall, under the old process, the hearing officer didn't enter the picture until the very end of the process, and we only had maybe three to five cases involving a hearing officer in any year under the old system.

In the new system, the hearing officer is there pretty much on day one undergoing a preliminary review of the employee's claim within the first 30 days of the filing of that claim. So it is very intense. The hearing officer also shows up at the end of the case for a merits review. So it is not surprising that this has happened.

Mr. CASE. Okay. And then I wanted to pick up on a comment that the chair made in his opening remarks to the effect of cybersecurity. Because that was one of the major recommendations out of the GAO was that you increase your cybersecurity capacity, and you have responded to the GAO on that, but it is unfinished business.

And so I am just curious whether the complete response on cybersecurity does or doesn't require more resources? It looks like, from your perspective at least this fiscal year, no, but, you know, we have all got to up our cybersecurity game.

Ms. GRUNDMANN. Yes. So, as you know, we work very closely with the Library of Congress for cybersecurity. In fact, we are heavily dependent on them. We have satisfied all their concerns. The system is undergoing continuous monitoring. So the costs are steady. They are really, basically, expenses that we owe the Library. And so we can predict where they are coming.

In terms of upgrading, that is where we are. It is one day at a time. The next phase we are looking for—and that is certainly in our budget justification—is we are talking about migrating our Occupational Safety and Health and public accessibility findings into the system also covered by the Library.

Mr. CASE. Okay. Great. Thank you.

Ms. GRUNDMANN. Sure. Thank you.

Mr. RYAN. Thank you, Mr. Case.

Next is the distinguished gentleman from Washington State, Mr. Newhouse.

Mr. NEWHOUSE. Thank you, Mr. Chairman.

Good morning, everybody.

Thank you, Ms. Grundmann, for testifying today.

Like many of the offices that this committee oversees, the work of the Office of Workplace Rights is—probably an understatement—but has changed significantly over the past year. Not only the definition of workplace has changed, but also how folks communicate and, unfortunately, instances where your office gets involved I am assuming has also changed and evolved.

So I am just curious how some of your training maybe has changed to reflect some of these new realities that I hope are not permanent, but certainly we are dealing with them today?

Ms. GRUNDMANN. Absolutely. And you hit it right—the hammer right on the nail. Excuse my analogy.

Mr. NEWHOUSE. I know what you mean.

Ms. GRUNDMANN. Again, the environment has changed. We are seeing more modules, the development from in-person training to online training. In addition to that, we are training scenarios also include scenarios that are based on virtual environments, working remotely. And then, again, we talk about what happened last summer.

The nature of our work has changed. We are talking more about preventive measures. We are talking about bystander intervention. We are talking about implicit bias. We are talking about addressing, you know, the tension in terms of the workplace of racial equity, civility, inclusion.

Those are the types of issues that employing offices are bringing to us now. And, again, back to our two educators, they are fabulous. They are certified in this stuff. And they can tailor a training to address a specific situation in your office or generalized situation. And we know this from experience that employing offices have all different dynamics, and so the dynamic that we train in one office may not work for the other.

So there is a lot of work that goes in on the front end, kind of working with this office. What do you want to hear? What do you need to hear? And what situations do you need addressed? It is very, very personalized to each particular group of people.

Mr. NEWHOUSE. Okay. Well, thank you very much. I appreciate that and look forward to continuing to work with you. And I know you have got a difficult road, and I appreciate your dedication to making things as workable as possible. So thank you very much for being with us today.

I will yield back my time, Mr. Chairman.

Mr. RYAN. Thank you, Mr. Newhouse.

Next is the distinguished gentlewoman from Virginia, Ms. Wexton.

Ms. WEXTON. Thank you, Mr. Chairman.

And it is great to meet you, Director Grundmann, albeit virtually.

Thank you for joining us here today. I want to follow up a little bit more on some of my questions that my colleagues have had

about this climate survey. Because the statute indicates that it needs to be performed every 2 years, and that it will include a module on or questions on sexual harassment and sexual assault type questions, but that is a minimum.

And so I am just curious whether you had any plans to ask other questions about other things. You are talking about racial equity and things of that nature, maybe the impacts of January 6 or working remotely on people because, you know, I think that it is great that some offices are coming to you proactively and asking for help with modules on those topics, but not all offices are going to do that and not all staff are going to be that forthcoming maybe to their Member or to their chief.

So do you have any plans to expand the scope of those surveys?

Ms. GRUNDMANN. So the statute requires that we consult with CHA, Senate Rules, Homeland Security and Governmental Affairs in the Senate with regards to methodologies and procedures. And in that context, it is also the content as well. So what we will do for the next cycle of surveys is we will propose changes. We will add questions. I can reasonably see adding a series of questions on how the pandemic was handled. Did offices do well? Were people prepared?

In terms of what we saw last summer, definitely, that area can be beefed up, but this, again, is a baseline. So we are asking about employees' knowledge about what they personally experienced, what they saw. If they saw it or they experienced it, do they know what to do next? Those are the types of questions in the baseline.

So, from thereon, we have to keep some of the same questions to continue to monitor the growth in the baseline, but we can add additional questions next go round. And the timing of your question is impeccable because as we are wrapping up this first round of surveys, we are actually starting on the second survey now to be delivered next year.

Ms. WEXTON. Okay. So what does it entail for your office to come up with those new questions, in addition to consulting with those committees that you mentioned that are in the statute? What else does it entail for you guys to come up with these questions and decide, you know, what methodology are you going to use for those questions?

Ms. GRUNDMANN. So, in terms of methodology, we are talking about the delivery of the survey itself because the statute requires that the survey be anonymous and confidential, which are two difficult things, which is how the survey was issued last time.

In terms of the content, we are watching. We are learning. We are thinking of the things that people have said, people have told us in terms of our confidential advising, the themes that we are seeing, and we can reach out into those themes. And you have seen these surveys before. You ask a question, strongly agree, agree, neither, strongly—but that is the type of questions. They are not open-ended questions.

The areas that we covered during the last survey are the same across the legislative branch: discrimination, sexual harassment, retaliation. We talk about reasonable accommodation as well. Those are areas of interest to these particular committee members. And, again, the pandemic has really changed the dynamic of the

workforce, not only in our community but throughout the country, throughout the world.

So those types of questions will actually be included this time, and we will see if the committees agree with us.

Ms. WEXTON. Great. I understand that you are still just getting started on this process and you have the one survey under your belt and you are working on the next one. Do you have any thoughts on whether this could become an annual thing?

Ms. GRUNDMANN. Under the statute, it is a biennial. If you want to make it an annual survey, then we would have to change the statute.

Ms. WEXTON. Okay.

Ms. GRUNDMANN. Really, it is tied to the Congress. It is tied to each Congress. It is a monumental undertaking, that much I can tell you, but we have learned some good lessons, and I think it is going to be a lot tighter sounder next time.

Ms. WEXTON. Great. Well, I hope it will be a little less monumental every time you do one. So thank you very much for your responses and everything you are doing.

And, with that, I yield back, Mr. Chairman.

Mr. RYAN. Thank you, Ms. Wexton.

I appreciate this. The committee has covered a lot of the main areas. I have one final question I would like to ask. In December of 2019, as you know, the GAO conducted a study of the OCWR management practices to fully implement the statutory requirements of the CAA Reform Act. They are finalizing their strategic plan for 2021 to 2026.

Has COVID-19 and January 6 changed the strategic plan at all?

Ms. GRUNDMANN. We started working on the strategic plan last summer. So it was all pretty much done remotely. What you will see in the strategic plan are particular action items that are really related to working remotely.

In terms of post-January 6, there are a number of things that we are doing that are outside the strategic plan, and that is we are going to be looking at emergency action plans. We are going to be looking at escape hoods. And we are also going to be looking in terms of keeping the police officers safe in public demonstrations, and safe includes their mental well-being as well.

Also, in addition to outside the strategic plan because it is still a very dynamic environment that we are living in, we are putting on a brown bag in about 2 weeks. You are invited, and we are going to talk about the mental health issues about working through a pandemic and now returning to work gradually.

Mr. RYAN. That is great.

With that, are you interfacing with the House office of well-being that we started, the wellness office here? We should at least get you connected so you know about each other and you know of some of the work they are doing.

Ms. GRUNDMANN. That is great. And we have communicated with the CAO. They have been very supportive of our work, and we will continue to do so. That will be wonderful. Thank you.

Mr. RYAN. Okay. Our staff will make sure you get connected to Bryan over there. I think that would be important relationship for you guys to cultivate.

Ms. GRUNDMANN. Okay.

Mr. RYAN. With that, if anybody has a final question for the good of the order?

All right. Well, thank you, Ms. Grundmann. We appreciate all your great work and look forward to, you know, watching what transpires here over the next year. So thank you so much.

Ms. GRUNDMANN. Great. Thank you.

Mr. RYAN. This hearing is adjourned.

[Questions and answers submitted for the record follow:]

Chairman Ryan Record QuestionsQuestion 1:

Ms. Grundmann, your office is charged with a broad and important statutory mandate and even in the last few years, OCWR has made significant progress in improving the safety and accessibility of our workplace, in part because of the implementation of the Reform Act. Like all other Legislative Branch agencies, COVID-19 and the aftermath of the January 6 Insurrection represent massive strain to our working environment.

- How has your office ensured that workplace rights are upheld during the COVID-19 pandemic?

The OCWR has ensured that workplace rights are upheld during the COVID-19 pandemic through adjustments to our Administrative Dispute Resolution (ADR) program, Education & Training program, and Occupational Safety and Health (OSH) program to operate safely and effectively in the pandemic environment. OCWR employees are successfully performing all mission critical functions remotely, which has minimized the impact of COVID-19 on our overall operations.

Our ADR program utilizes technology to support confidential advising and claims processing. Covered employees are able to file claims remotely, and all matters continue to be processed in accordance with statutory deadlines. The OCWR's Confidential Advisor continues to inform individuals in the legislative branch about their rights and responsibilities under the Congressional Accountability Act (CAA). The Office regularly receives telephone calls and email inquiries from employees, employers, unions, and representatives regarding questions about potential violations of workplace rights. The OCWR also offers videoconferencing services and other accommodations for individuals with disabilities.

In conformance with the Reform Act, the OCWR established the Secure Online Claims Reporting and Tracking E-filing System (SOCRATES), a secure e-filing system which allows parties and their representatives to file claims remotely, and which permits OCWR staff to monitor and process these claims. The OCWR uses a secure and confidential file sharing platform to enable users to exchange messages, documents, and files with each other and OCWR staff securely via a highly encrypted communication system. The OCWR continues to conduct hearings and mediations remotely using secure web conferencing and videoconferencing applications. Two remote hearings have been successfully conducted thus far, and the Office of the Clerk of the OCWR works closely with all parties prior to the hearing to ensure proceedings run smoothly.

The Education & Training program has added two trainers during the pandemic to meet the increased demand for training. With the availability of videoconferencing tools, the OCWR has provided 'real time' training to staff in offices throughout the country. Topics include the CAA, Implicit Bias, Civility & Inclusion, Racial Justice, and other areas relevant to the provisions of

the CAA to promote knowledge of and compliance with the CAA. OCWR trainers have supplemented their credentials remotely during the pandemic, including obtaining certificates from Cornell University on Diversity & Inclusion. The training focused on strategies to increase employee engagement, counter unconscious bias, and build an inclusive work culture. Requests for training on implicit or unconscious bias continues to be in demand. In addition, the OCWR has created and uploaded to our website numerous training modules that explain the provisions of the CAA, emphasize the importance of bystander intervention, and provide tools to recognize and prevent workplace harassment and discrimination. To ensure that covered employees are aware of their workplace protections, we also distribute newsletters quarterly that provide information on workplace rights, and provide offices with CAA Workplace Rights notices for posting.

The OCWR's OSH program also continues with inspection meetings conducted remotely. When a physical inspection is required, OCWR inspectors have been on-site while maintaining social distancing and adhering to OAP and CDC guidelines.

The OCWR's Office of General Counsel has also delivered virtual brown bag presentations to the legislative branch community covering topics such as Paid Parental Leave in the Legislative Branch, Pandemics and the CAA, the CAA Causation Standard after *Babb v. Wilkie*, Pregnancy, Maternity, and Parenthood under the CAA, SCOTUS Recap 2019-2020, Recent Guidance on Paid Parental Leave in the Legislative Branch, and Restorative Practices During Turbulent Times, Managing the Stress of Traumatic Events and Persevering through the Pandemic.

- Has the pandemic slowed down your work in implementing The Reform Act?

The OCWR fully implemented the Reform Act by its effective date of June 19, 2019. We continue to refine and improve our processes while working remotely. The pandemic has not slowed this work down.

- Has your Office seen an uptick in complaints since COVID-19 and the January 6 Insurrection?

The OCWR experienced a brief decline in requests for information and advice during the initial phase of the pandemic, as offices began to close down on-site operations. However, calls and emails to OCWR returned to regular levels quickly thereafter, as new questions arose concerning the application of the CAA during the pandemic. For instance, the OCWR handled many requests related to reasonable accommodation under the Americans with Disabilities Act, taking leave pursuant to the Family Medical Leave Act for COVID-related health conditions, as well as questions from individuals concerning the newly-enacted Families First Coronavirus Response Act and the Federal Employee Paid Parental Leave Act. Although the questions OCWR received did not always translate into a filed claim, the inquiries about traditional workplace disputes did not cease.

The number of formal claims filed at OCWR decreased slightly during the past year, which may be attributable to any number of factors, including the unprecedented period of telework given the COVID-19 pandemic, or the relatively recent major changes that occurred in case processing

post-Reform Act (after June 2019). We continue to monitor case processing trends, and as additional claims are processed, the pool of available data will grow and provide the OCWR with increased statistical confidence in its assessments.

OCWR's ADR program has not received any claims so far filed directly as a result of the insurrection. Under the Occupational Safety and Health provisions of the CAA, the OCWR General Counsel is investigating safety and health issues arising out of the injuries and fatalities that occurred as a result of the incident on January 6 and has opened several investigations into pandemic-related concerns raised by employees.

Question 2:

You've identified for us the wide range of legislative branch offices you are required to assist in workplace rights actions and your budget request includes of \$310,000 for non-personnel services for FY22 for Education and Training programs.

- What revisions are you making to your educational materials? Is the material different for each Legislative branch entity you serve?

The OCWR is revising the full suite of our educational materials including the OCWR website and print content. This will enable OCWR to provide stakeholders with up-to-date, engaging and innovative educational materials. OCWR educators work directly with each employing office to tailor each training session to their specific needs or interests. In this way, every training module delivered is unique and germane to each legislative branch entity we serve.

- How are you planning to further engage staff in the next few months while we are still teleworking?

As stated earlier, we have been able to work remotely while minimizing the impact on our daily operations. Training requests still come in and trainings are tailored and delivered remotely. E-newsletters are emailed to the legislative branch community on a quarterly basis and print brochures are sent to home addresses of new employees. Workplace Rights posters are distributed, and virtual brown bag presentations on topics of interest for the legislative branch community will continue to be developed and delivered each month.

- Do you have any sense of how your users are responding to procedures related to submitting and resolving claims or any other services and trainings you provide?

Our users understand that they are now working in a virtual environment. In order to get a greater sense of how users are responding to services and trainings, OCWR plans to develop a customer feedback survey for OCWR training and outreach engagements. This project is an action item in OCWR's 2021-2026 Strategic Plan.

Question 3:

I see in your request that you anticipate ongoing costs for the subsequent biennial survey in 2022. Your request is estimated at \$250,000. I'd like to check in about that.

- What was the feedback from the first survey?

According to the statute, “The Office shall furnish the information obtained from the surveys conducted under this section to the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate (2 U.S.C. § 1388(e)).” On July 27, 2020, the OCWR furnished the survey results to the House to CHA and the Senate to the aforementioned Senate committees. On March 31, 2021, the OCWR furnished the survey results for employing offices of the legislative branch to the aforementioned committees.

- How do you plan on making the process better for 2022?

Discussions have already begun with OCWR staff and our vendor to streamline the survey and enhance response rates. The OCWR Executive Director meets annually with leaders and agency heads throughout the legislative branch, and adjustments to the administration process will be a topic of discussion at these meetings. Any changes to the process will be in accordance with the statute, which requires that, “the Office shall carry out this section, including establishment of methodologies and procedures under subsection (c), in consultation with the Committee on House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate (2 U.S.C. § 1388(e)).”

- Are you expanding the scope of the survey for 2022?

As you are aware, the first survey was a baseline. The data from the next survey will be compared against the data collected from the first. For that reason, expanding the scope of the survey may be limited. However, given the unprecedented nature of the pandemic, we are considering adding a series of questions regarding employing offices’ response to the pandemic. Final content will be coordinated with the three aforementioned committees.

- What are some other reforms you are making?

The OCWR will update the communications strategy to match the condition of the workplace during the next survey administration. We will streamline the survey in order to reduce its length without compromising its content. The OCWR was encouraged by the support of oversight in promoting the survey to employing offices during the first survey administration. We look forward to this Subcommittee’s continued support in boosting response rates for the next administration of the survey.