CONGRESSIONAL CYBERSECURITY OVERSIGHT: WHO’S WHO AND HOW IT WORKS

Lawrence J. Trautman
ABSTRACT

Cybersecurity remains perhaps the greatest challenge to the economic and physical well being of governments, individuals, and business worldwide. During recent months the United States has witnessed many disruptive and expensive cyber breaches. No single U.S. governmental agency or congressional committee maintains primary responsibility for the numerous issues related to cybersecurity. Good oversight stands at the core of good government. Oversight is Congress’s way of making sure that the administration is carrying out federal law in the way Congress intended. So many aspects of cybersecurity have the potential for use by: terrorists; by foreign entities as a tool to conduct industrial espionage against U.S. business; and by nation state adversaries, or others intent upon creating serious disruption. These various threats mean that cybersecurity policy in many ways must be treated just like the strategic and operational plans of a country at war.

The purpose of this article is to provide a road map of the various congressional committees exercising jurisdiction over matters relating to cybersecurity. First, a few thoughts are offered about the role of Congressional oversight. Second, for perspective, a brief outline of how the executive branch, in the absence of legislation between 2002 and December 2014, handled responsibility for all things cyber. Next, a discussion of Congressional cybersecurity oversight for the 114th Congress is provided, including an analysis of committee jurisdiction, leadership, membership, and key staff. Finally, the important role contributed by professional congressional staff, the Government Accountability Office, Congressional Budget Office, and the Library of Congress Congressional Research Service (CRS) is covered. My hope is that this article will add to
the important discussion and foster greater understanding about Congressional oversight of cybersecurity.

Key Words: Administrative Law, Congress, Congressional Committees, Cybersecurity, Foreign Policy, Intelligence, Legislatures, Library of Congress, National Security, Oversight, Separation of Powers, Technology, U.S. House of Representatives, U.S. Senate,

JEL Classifications: D60, D72, D73, D74, D78, D82, G18, H1, H2, H3, H4, H11, H56, K23, K40, L20, L32, L86, L98, N40, O30, O31, O32, O33, O34, O38

CONTENTS

I. OVERVIEW .................................................................................................................................................. 5

II. ROLE OF CONGRESSIONAL OVERSIGHT ............................................................................................... 8

III. THE EXECUTIVE BRANCH AND CYBERSECURITY ................................................................................ 18

IV. CONGRESSIONAL OVERSIGHT 2015-2016 ....................................................................................... 24

V. THE SENATE .............................................................................................................................................. 26

VI. SENATE COMMITTEE ON ARMED SERVICES ....................................................................................... 27

VII. SENATE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS ........................................... 33

VIII. SENATE COMMERCE, SCIENCE AND TRANSPORTATION COMMITTEE ............................... 34

IX. SENATE HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE (HSGAC) .............. 40

X. SENATE SELECT COMMITTEE ON INTELLIGENCE ............................................................................... 45

XI. SENATE JUDICIARY COMMITTEE ........................................................................................................... 48
Subcommittee on Crime and Terrorism .......................................................... 50
Subcommittee on Privacy, Technology and the Law ....................................... 51

XII. THE HOUSE ......................................................................................... 52

XIII. ARMED SERVICES COMMITTEE .................................................. 53
Subcommittee on Oversight & Investigations .................................................. 55
Subcommittee on Emerging Threats and Capabilities .................................. 55

XIV. ENERGY & COMMERCE COMMITTEE ........................................... 56
Subcommittee on Commerce, Manufacturing, and Trade ........................... 60
Subcommittee on Communications and Technology .................................... 61
Subcommittee on Energy and Power ........................................................... 62
Subcommittee on Health ............................................................................. 63
Subcommittee on Oversight and Investigations ........................................... 64

XV. HOUSE COMMITTEE ON FINANCIAL SERVICES ............................ 65

XVI. HOUSE COMMITTEE ON HOMELAND SECURITY ....................... 68
Subcommittee on Counterterrorism and Intelligence .................................... 70
Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies .. 70
Subcommittee on Emergency Preparedness, Response and Communications ........... 71
Subcommittee on Oversight and Management Efficiency ............................ 72

XVII. HOUSE JUDICIARY COMMITTEE ..................................................... 73
Subcommittee on Courts, Intellectual Property and the Internet .................. 75
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations ....... 76

XVIII. COMMITTEE ON OVERSIGHT & GOVERNMENT REFORM ............ 76
Subcommittee on Government Operations .................................................. 78
Subcommittee on Information Technology .................................................. 79
Subcommittee on National Security ............................................................. 80

XIX. HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE .......... 81
CIA Subcommittee ................................................................................... 83
Department of Defense Intelligence and Overhead Architecture Subcommittee .......... 83
Emerging Threats Subcommittee .................................................................. 84
NSA and Cybersecurity Subcommittee ......................................................... 84

XX. HOUSE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY ......... 85
Subcommittee on Oversight ........................................................................ 86
Subcommittee on Research and Technology ............................................... 87

XXI. ROLE OF LEADERSHIP .................................................................... 89
CONGRESSIONAL CYBERSECURITY OVERSIGHT:
WHO’S WHO AND HOW IT WORKS

“We face a growing array of cyber threats from foreign intelligence services, terrorists, criminal groups, and hacktivists, who are increasing their capacity to steal, manipulate, or destroy information and networks in a manner that risks compromising our personal and national security. They do so via a manmade environment that is constantly evolving and through the use of techniques and capabilities that are continually changing.”

Adm. Michael S. Rogers, USN
Director, National Security Agency
Chief, Central Security Services
Commander, U.S. Cyber Command

I. OVERVIEW

To paraphrase a statement attributed to Otto von Bismarck, “nobody should ever watch the making of either sausages or laws.” Cybersecurity remains perhaps the greatest challenge to the economic and physical well being of governments, individuals, and business worldwide. During recent months the United States has witnessed many cyber breaches of such entities as Target, Home Depot, the U.S. Postal Service, and

---

1 Hearing to Consider the Nomination of Vice Admiral Michael S. Rogers, USN to be Admiral and Director, National Security Agency/Chief, Central Security Services/Commander, U.S. Cyber Command: Hearing Before the U.S. Senate, Committee on Armed Services of the, 113th Cong. (2014) (Statement of Adm. Michael S. Rogers, USN).
5 Id. at __, citing Laura Stevens & Danny Yadron, Postal Service Hit by a Vast Data Breach, WALL ST. J., Nov. 11, 2014 at A4; Center for Strategic & International Studies, Significant Cyber Incidents Since 2006, available at
Sony Pictures Entertainment. Of particular concern, data breaches during 2015 of sensitive information at the U.S. Office of Personnel Management results in a serious threat to national security, since “the Social Security Numbers (SSNs) of 21.5 million individuals was stolen from the background information databases. This includes 19.7 million individuals that applied for a background investigation, and 1.8 million non-applicants… [and] findings from interviews conducted by background investigators and approximately 1.1 million include fingerprints. Usernames and passwords…”

The terms cybersecurity and cyberattack have become broadly used without widespread acceptance as to their exact meaning. Professor David Thaw has observed that, “the terms are too-often used broadly to include all of electronic crimes, military action, domestic guard/homeland security activities, corporate risk management, financial


security, and a wide spectrum of other activities related to computers, the Internet, privacy, and other similar topics.” No single U.S. governmental agency or congressional committee maintains primary responsibility for the numerous issues related to cybersecurity. It is observed that “good oversight stands at the core of good government. It is Congress’s way of making sure that the administration is carrying out federal law in the way Congress intended.”

The purpose of this article is to provide a road map of the various congressional committees exercising jurisdiction over matters relating to cybersecurity. First, a few thoughts are offered about the role of Congressional oversight. Second, for perspective, a brief outline of how the executive branch, in the absence of legislation between 2002 and December 2014, handled responsibility for all things cyber. Next, a discussion of Congressional cybersecurity oversight for the 114th Congress is provided, including an analysis of committee jurisdiction, leadership, membership, and key staff. Finally, the

---

14 LEE H. HAMILTON, HOW CONGRESS WORKS AND WHY YOU SHOULD CARE, 106 (Indiana University Press 2004).
important role contributed by professional congressional staff, the Government Accountability Office, Congressional Budget Office, and the Library of Congress Congressional Research Service (CRS) is covered. My attempt to include and up-to-date guide to relevant congressional staff will inevitably fail. No doubt, many staffers will have moved on either before or shortly after this article is published. However, it is my hope that these pages will add to the important discussion and foster greater understanding about the Congressional oversight of cybersecurity.

II. ROLE OF CONGRESSIONAL OVERSIGHT

The concept of Congressional oversight is firmly rooted as fundamental to the American system of governmental checks and balances among the three branches of government. Walter Oleszek observes that “the first congressional investigation in

---

American history, in 1792, delved into the conduct of the government in the wars against the Indians.”

Professors Cochran, Mayer, Carr and Cayer observe that

Government, first, exists to provide security from internal and external threats to the lives, liberties, and properties of its members. National defense and foreign policy are examples of this purpose. Another is crime policy, which intends to establish order and to protect citizens from each other through crime prevention and the punishment of criminals.

It is often observed that “committees are where the real work” of Congress is achieved. Lee H. Hamilton, U.S. Representative from 1965 to 1999, observes that “good oversight helps Congress evaluate how programs are administered and how they perform – ferreting out waste and fraud, determining whether programs have out lived their usefulness, compelling the administration to explain or justify its policies.”

Congressional oversight activity can take any of several forms, “formal committee and subcommittee oversight hearings are the most firmly rooted form of

20 Hamilton, supra note 14 at 107.
21 See Feinstein supra note 16 at 6, citing JOEL D. ABERBACH, KEEPING A WATCHFUL EYE: THE POLITICS OF CONGRESSIONAL OVERSIGHT 132 (1990) (considering the informal communication between congressional staffers and agencies’ legislative liaisons as a form of oversight); WILLIAM T. GORMLEY: TAMING THE BUREAUCRACY 199 (1989) (arguing that some constituent casework can be considered a form of oversight); Carl J. Friedrich, Public Policy and the Nature of Administrative Responsibility, 1 PUB. POL. 6 (Carl J. Friedrich & Edward Mason eds., 1940) (asserting that policymaking “is a continuous process, the formulation of which is inseparable from its execution”); Keith W. Smith, Styles of Oversight: Congressional Committee Oversight of the Executive Branch 42 (2005) (unpublished Ph.D. dissertation, University of California, Berkeley) (on file with Moffitt Library, Berkeley); Jonathan Bendor & Adam Meirowitz, Spatial Models of Delegation, AM. POL. SCI. REV. 293 (2004); Matthew D. McCubbins, Roger G. Noll & Barry R. Weingast, Administrative Procedures As Instruments of Political Control, 3 J. L. ECON. & ORGAN. 243 (1987); Matthew D. McCubbins & Thomas Schwartz, Congressional Oversight Overlooked: Police Patrols Versus Fire Alarms, 28 AM. J. POL. SCI. 165 (1984) (describing alternative methods of oversight); Matthew D. McCubbins, Roger G. Noll & Barry R. Weingast,
oversight.” 22 Brian Feinstein observes that while “Congress began holding oversight hearings as early as 1791[;] 23 according to Arthur Schlesinger, Jr., the Constitution does not explicitly refer to Congress’s oversight authority for the simple reason that such authority was considered implicit in the body’s general legislative powers; in other words, oversight was considered a given.” 24 By virtue of the oversight process, “Congress has played a crucial role in checking the abuse of executive powers… in the Teapot Dome scandal of 1923… in the cases of Watergate and Iran-Contra… members of Congress have unearthed many policy failures, saved taxpayers billions of dollars, and identified corrupt or illegal behavior.” 25 Hamilton observes, “Passing legislation and providing oversight are two key functions of Congress, but almost all the attention goes to legislating. I agree with Woodrow Wilson who said ‘Quite as important as lawmaking

22 See Feinstein supra note 16 at 7, citing Cong. Research Serv., Congressional Investigations, CRS Annotated Constitution 90, available at http://www.law.cornell.edu/anncon/html/art1frag9_user.html (“The Court has long since accorded its agreement with Congress that the investigatory power is so essential to the legislative function as to be implied from the general vesting of legislative power in Congress.”); see also Jack M. Beerman, Congressional Administration, 43 SAN DIEGO L. REV. 61, 64-64 (2006) (observing that “Congress is deeply involved in the day to day administration of the law” as “insufficiently noted in legal scholarship”); Beerman, id. at 122 (explaining how the Legislative Reorganization Act of 1946 rearranged committee jurisdictions and formed professional oversight staffs for certain committees, thereby establishing long-lasting oversight institutions). But see Mark Seidenfeld, The Psychology of Accountability and Political Review of Agency Rules, 51 DUKE L.J. 1059 (2001); Jonathan R. Macey, Organizational Design and Political Control of Administrative Agencies, 8 J.L. ECON. & ORG. 93 (1992).
23 See Feinstein supra note 16 at 7 citing M. Nelson McGearry, Congressional Investigations: Historical Development, 18 U. CHI. L. REV. 425 (1951) (observing that the House of Representatives in 1791 convened a special committee to investigate the U.S. Army’s defeat by Native American forces in the Battle of the Wabash).
24 See Feinstein supra note 16 at 7 citing Arthur M. Schlesinger, Jr., Introduction, In CONGRESS INVESTIGATES: A DOCUMENTED HISTORY, 1792-1974, VOL. 1, xix (Arthur M. Schlesinger, Jr. & Roger Bruns eds., 1975) (“[I]t was not considered necessary to make an explicit grant of such authority. The power to make laws implied the power to see whether they were faithfully executed.”).
25 Hamilton, supra note 14 at 106.
is vigilant oversight of administration.”26 Almost “all legislation is referred to a
committee, and sometimes to more than one. ‘Writing legislation on the floor’ – sending
matters directly for full Senate debate – doesn’t allow committee experts to shape the bill
first, and is discouraged.”27 With the 1946 Legislative Reorganization Act, oversight
responsibility was formally recognized by Congress in requiring “that the House and
Senate standing committees exercise ‘continuous watchfulness of the execution by the
administrative agencies’ of any law under their jurisdiction.”28

Many cybersecurity issues are often the same or similar to those falling under the
jurisdiction of the Department of Homeland Security (DHS). During an interview
conducted by National Public Radio, DHS Deputy Secretary Jane Holl Lute disclosed
that 108 committees and subcommittees exercised jurisdiction over DHS during the 110th
Congress.29 Professors Clinton, Lewis, and Selin find that “an increase in the number of
committees also undercuts the ability of Congress to respond collectively to the actions of
the presidency or the bureaucracy.”30 These survey results further indicate that “when
more committees are involved in monitoring and potentially directing agency
policymaking, Congress is less influential than the president for determining agency
policy. Increasing the number of involved committees may maximize the electoral
benefits for members and provide a platform for making public proclamations on issues

26 Hamilton, supra note 14 at 106, citing WOODROW WILSON, CONGRESSIONAL GOVERNMENT,
195 (1885).
(last viewed July 29, 2015).
30 See Joshua David Clinton, David E. Lewis & Jennifer Lee Selin, Influencing the Bureaucracy:
(reporting a survey conducted during the 110th Congress, 2007-2009, of 2,400 federal executives
responsible for implementing agency policy in 128 different agencies and bureaus).
of importance… Although somewhat dated, Congressional Quarterly lists the following ways in which the oversight functions are exercised by Congress:

1. Hearings and investigations…
2. [Omitted, due to change in law]…
3. Authorizations…
4. Nonstatutory controls, such as informal contacts between executive officials and committee members and staff, and statements incorporated in committee reports and conference reports, hearings and floor debates…
5. [Government Accountability Office] [GAO] audits of agencies and programs;
6. Requirements that executive agencies submit to Congress periodic reports on program implementation;
7. Informal groups within Congress and organizations outside Congress that inform members about specific problems in administering programs;
8. The Senate confirmation process…
9. Program evaluation through the use of social science and management methodology, such as surveys, cost-benefit analysis and efficiency studies;
10. Casework…; and
11. Studies by congressional support agencies, including the Congressional Research Service, the Office of Technology Assessment and the Congressional Budget Office.  

Inherent Tension Surrounding National Security Matters

Sensitive information having national security significance must be safeguarded to ensure the vital national security interests of any nation state. So many aspects of cybersecurity have the potential for use by: terrorists; by foreign entities as a tool to conduct industrial espionage against U.S. business; and by nation state adversaries, or others intent upon creating serious disruption. These various threats mean that

31 Id. at 2.
cybersecurity policy in many ways must be treated just like the strategic and operational plans of a country at war.33

Admiral Bob Inman, USN (Retired) is former Director of the National Security Agency, Deputy Director of Central Intelligence, and an experienced venture capitalist and seasoned corporate director of many well known and important U.S. corporations such as AT&T, Fluor, SAIC, Xerox (just to name a few). In the author’s opinion, Admiral Inman is perhaps the most experienced and thoughtful senior executive of the U.S. intelligence community. During congressional testimony, Admiral Inman has counseled

For the public support, [oversight] will be critical for funding and sustaining a significant level of intelligence activities by the country in the

years ahead. There has to be oversight. The media would like to do it. It’s not feasible with the issues of protection of sources and methods, so there must be mechanisms in both the Congress and the executive branch which work. Optimally, I would prefer a joint committee for oversight in the Congress. There may be other reasons that that’s simply not achievable, not practical… The oversight activities must be bipartisan in their daily conduct for them to be fully effective… I don’t have great confidence in an Inspectors General process for focusing on the broad issues. They’re good for trying to ferret out corruption, criminal activity, but the President, any President needs wise advice that constantly is assessing, are the country’s needs being met where they don’t have the requirement for institutional loyalty.34

During his Senate confirmation hearings to become Deputy Director of Central Intelligence, Robert M. Gates says, “Intelligence is a force multiplier for military operations. It more than pays for itself. There’s no sense in building new weapons if you can’t detect and assess enemy threats, or even identify targets during crisis.”35 Gates believes that congressional oversight of the U.S. intelligence community and activities is “a key element in preserving intelligence programs, and in maintaining public understanding and support for intelligence.”36 Indeed, “the gravest danger facing intelligence is that intelligence studies, or even intelligence operations, may become influenced by policy or even political influences. Every effort must be made to see that intelligence reports and analyses are not made into props for policymakers. Intelligence has to be completely objective.37

Oversight has created an environment that fosters adherence to the rules at all levels and discourages corner cutting or abuses. The committees have contributed to improving the quality of our work and to

34 Hearing of the Commission on the Roles and Capabilities of the United States Intelligence Community, 104th Cong. (1996) (statement of Admiral Bob Inman, USN (Retired), former Director of the National Security Agency and Deputy Director of Central Intelligence).
35 Nomination of Robert M. Gates to be Deputy Director of Central Intelligence: Hearing Before the Select Committee on Intelligence of the U.S. Senate, 99th Cong. (1986) (Statement of Robert M. Gates).
36 Id.
37 Id.
efficiency. And, finally, the congressional committees and executive oversight organizations such as the Intelligence Oversight Board and the President’s Foreign Intelligence Advisory Board should give Americans confidence that their intelligence service is accountable, carries out its activities according to the law and that we are guided by standards and values acceptable to them.

The relationship between the congressional oversight committees and the intelligence community is unique in the world – the first attempt ever to conduct secret intelligence operations accountable to the people and responsible to the law and to the Congress. While the oversight process may occasionally lead to frictions in the gray area resulting from the overlap between congressional authorities and the duties of the executive, it has now been the practice of both branches of Government for 10 years now to try to resolve such difficulties in a spirit of comity and mutual understanding. This unique relationship between us depends on mutual trust, candor, and respect and I assure you I intend to conduct myself with this in mind…

Because intelligence is secret and our Agency is closed to public scrutiny, I believe we must take the initiative to reach out to policy-makers, the Congress, the private sector, and critics and experts of all stripes for help in improving the substance of our work, our efficiency and our effectiveness… Intelligence must be relevant, timely, and responsive to the real requirements of the policymaker if it is to be useful and effective. And relevance can be insured only by a close, day to day, working relationship. At the same time, intelligence must remain independent. Our very existence depends upon a reputation for integrity and for objectivity.  

Admiral Michael S. Rogers was questioned at length by Senators McCain, Reed, Inhofe, Wicker, Ayotte, Lee, Manchin, Blumenthal, Donnelly, Kaine and King during his confirmation hearing to become: Director of the National Security Agency; Chief, Central Security Services; and Commander, U.S. Cyber Command. When asked by Senator Tim Kayne to speak about the “unique challenges in defining ‘war’ in cyberspace, what war is, what hostilities are, what military action is,” Admiral Rogers responded

Whatever we do within the cyber arena, international law will pertain; that if we find ourselves getting to a point where we believe that cyber is

---

38 Id. at 40.
taking us down an armed conflict scenario, that the rules and the law of armed conflict will pertain every bit as much in this domain as it does in any other. I don’t think cyber is inherently different in that regard. I think those sets of procedures, those sets of policies and law, as a Nation have stood us in good stead. I think they represent a good point of departure for us.

Senator KAINE: … Would it be your view then that pure cyber war – somebody wipes out our grid and then we think about taking activity to respond – is that not war? It could have a huge effect on human life. It could have huge effect on the economies of the two nations. Is that not war unless it then leads to armed conflict?

Admiral ROGERS: … I believe that an offensive, destructive act that has significant impact for us, I believe now we’re starting to get on the boundaries of is that an act of war. Now, everything varies on a case by case basis and I’m always concerned about broad general statements. 39

Professor Frederick R. Chang, former National Security Agency (NSA) Director of Research says in congressional testimony that, “we are paying a heavy price for our technological dependence and the problem is worsening with the passage of time. Our trust in cyberspace has been taken from us by hackers, cybercriminals and sophisticated cyber attackers who intend to do us harm.”40

During late 2010 Senator John McCain observes

CYBERCOM was established… by the Secretary of Defense… Since then I have shared the concerns… about ensuring that the role, mission, legal authorities, and rules of engagement that CYBERCOM will employ are well thought out and understood… The Department must have a centralized command to address the challenges of cyber warfare, to provide the support to the regional combatant commands, and to ensure that DOD, while focused on its own military networks and information grid, also is ready, if directed by the President, to assume a position of leadership and support to civilian authorities in this regard.

Continuing intrusions and attacks by difficult to identify and locate actors on our civilian and military networks and web sites demand not only a robust defensive capability, but the ability to respond offensively when the circumstances call for it. One need only consider the examples of cyber warfare conducted against the Republic of Georgia in 2008 and Estonia in 2007 to appreciate the nature of this form of modern warfare.  \(^{41}\)

Thoughtful observers remain mindful that “the issue of congressional oversight of intelligence is complex, combining as it does the political and structural complexities of Congress with the difficulty of monitoring something of strategic significance that, by definition, operates in the shadows.”  \(^{42}\) Professor Jennifer Kibbe states that “intelligence is more crucial than ever to national security, but as the executive branch and the intelligence community try to maximize the utility of intelligence in meeting national security needs, it is imperative that the congressional overseers meet their obligations as well.”  \(^{43}\) Professor Kibbe offers the following three reasons that congressional oversight of intelligence-related issues is particularly important

1. The first, most obvious reason is the inherent secrecy of the subject…
2. [Because] ‘the intelligence community is constrained in its ability to convince the American public that it can be trusted and deserves their support,’ Congress also plays an important role in explaining and representing the intelligence community to the public; and
3. A third reason legislative oversight is so important is that, done well, it helps to improve the intelligence product, whether that means collection, analysis or covert action. When administration and intelligence officials know that they will have to explain a funding


\(^{43}\) Id. at 25.
choice or particular operation to Congress, it has the effect of adding a layer to their own internal vetting.\textsuperscript{44}

III. THE EXECUTIVE BRANCH AND CYBERSECURITY

The American constitutional concept of separation of powers “is based on the notion that governmental power must be divided among counterimposed institutions in order to prevent the accumulation of power in any single part of government.”\textsuperscript{45} Many scholars have written about presidential powers and congressional limits to the powers of the executive branch.\textsuperscript{46} Manheim and Ides also point to the wisdom of power sharing via a system of checks and balances, wherein “the greatest security against tyranny… lies not in a hermetic division among the Branches, but in a carefully crafted system of checked and balanced power within each Branch.”\textsuperscript{47}


\textsuperscript{47} Manheim & Ides, supra note 45, citing Mistretta v. United States, 488 U.S. 361, 381 (1989).
Executive Order 13636

In the more than decade absence of cybersecurity legislation, President Obama issued on February 12, 2013, Executive Order 13636, “Improving Critical Infrastructure Cybersecurity,” directing the Executive Branch to:

1. Develop a technology-neutral voluntary cybersecurity framework;
2. Promote and incentivize the adoption of cybersecurity practices;
3. Increase the volume, timeliness and quality of cyber threat information sharing;
4. Incorporate strong privacy and civil liberties protections into every initiative to secure our critical infrastructure; and
5. Explore the use of existing regulation to promote cyber security.\footnote{Exec. Order No. 13636, 78 Fed. Reg. 11,739 (Feb. 19, 2013).}

organizations manage cybersecurity risks. The resulting Framework, created through collaboration between government and the private sector, uses a common language to address and manage cybersecurity risk.”

Elsewhere, the author observes that “During December 2014, just hours before the holiday recess, the U.S. Congress passed five major legislative proposals designed to enhance U.S. cybersecurity. Following signature by the President, these became the first cybersecurity laws to be enacted in over a decade, since passage of the Federal Information Security Management Act of 2002. One of my previous articles presents a brief outline of each of the following legislative proposals designed to strengthen U.S. cybersecurity: The National Cybersecurity Protection Act of 2014; The Federal Information Security Modernization Act of 2014; The Cybersecurity Workforce Assessment Act; The Homeland Security Workforce Assessment Act; and the Cybersecurity Enhancement Act of 2014.


53 See Trautman, supra note 50.


Released several weeks later, the President’s 2015 National Security Strategy states, “we will grow our investment in crucial capabilities like cyber… We will safeguard our science and technology base to keep our edge in the capabilities needed to prevail against any adversary.” The National Security Strategy observes, “We are working with the owners and operators of our Nation’s critical cyber and physical infrastructure across every sector – financial, energy, transportation, health, information technology, and more – to decrease vulnerabilities and increase resilience.”

Further, Prosperity and security increasingly depend on an open, interoperable, secure, and reliable Internet. Our economy, safety, and health are linked through a networked infrastructure that is targeted by malicious government, criminal, and individual actors who try to avoid attribution. Drawing on the voluntary cybersecurity framework, we are securing Federal networks and working with the private sector, civil society, and other stakeholders to strengthen the security and resilience of U.S. critical infrastructure. We will continue to work with the Congress to pursue a legislative framework that ensures high standards. We will defend ourselves, consistent with U.S. and international law, against cyber attacks and impose costs on malicious cyber actors, including through prosecution of illegal cyber activity. We will assist other countries to develop laws that enable strong action against threats that originate from their infrastructure. Globally, cybersecurity requires that long-standing norms of international behavior – to include protection of intellectual property, online freedom, and respect for civilian infrastructure – be upheld, and the Internet be managed as a shared responsibility between states and the private sector with civil society and Internet users as key stakeholders.

2015 Cybersecurity Legislative Proposal

During early 2015, the Administration’s updated legislative proposal is designed to promote “better cybersecurity information sharing between the private sector and the

---

60 Id. at 9.
61 Id. at 12.
government, and it enhances collaboration and information sharing amongst the private sector.”

The cybersecurity proposal specifically encourages the sharing of appropriate private sector cyber threat information with DHS’s “National Cybersecurity and Communications Integration Center (NCCIC), which will then share it in as close to real-time as practicable with relevant federal agencies and with private sector-developed and operated Information Sharing and Analysis Organizations (ISAOs) by providing targeted liability protection for companies that share information with these entities.” With a view toward safeguarding the personal privacy information of American citizens, the proposal requires DHS and “the Attorney General, in consultation with the Privacy and Civil Liberties Oversight Board and others, to develop receipt, retention, use, and disclosure guidelines for the federal government.”

During 2015 numerous Congressional committees proceeded to hold hearings relevant to cybersecurity legislation.

2015 National Data Breach Reporting Proposal

The Administration also updated its security breach reporting consumer reporting proposal, to assist “business and consumers by simplifying and standardizing the existing patchwork of 46 state laws… that contain these requirements into one federal statute, and puts in place a single clear and timely notice requirement to ensure that companies notify

---


63 Id.

64 Id.

65 See discussion of hearings by specific committees and subcommittees, infra.
their employees and customers about security breaches.” As of August 27, 2015, numerous bills were moving through the House or Senate on this subject.

Cyber Threat Intelligence Integration Center

On February 25, 2015, President Barak Obama announced creation of the Cyber Threat Intelligence Integration Center (CTIIC), noting that “In creating the CTIIC, the Administration is applying some of the hard-won lessons from our counterterrorism efforts to augment that ‘whole of government’ approach by providing policymakers with a cross-agency view of foreign cyber threats, their severity, and potential attribution.” The purpose of the new CTIIC will be to provide “intelligence needed to carry out” the cybersecurity missions of agencies such as the: National Cyber Investigative Joint Task Force (NCIJTC) as it coordinates, integrates, and shares domestic cyber threat investigation information; the National Cybersecurity and Communications Integration Center (NCCIC) (network defense and incident response mission); and the U.S. Cyber

---


Command in its stated mission of defending the nation from significant cyberspace attacks.\textsuperscript{69}

IV. CONGRESSIONAL OVERSIGHT 2015-2016

During the last two years of the Obama presidency, the Republican Party will enjoy an expanded majority in the U.S. House of Representatives, and a newly claimed majority status during 2015 in the Senate. Widespread consensus holds that the two most recent congresses have been among the least productive, “and in a political climate today that’s far more polarized than that of the Clinton era, expectations for the 114\textsuperscript{th} Congress are not high.”\textsuperscript{70} Passage of the Budget Control Act during 2011 resulted in severe across-the-board federal agency spending cuts, proving particularly difficult for the Department of Defense. Hogan Lovells observes that “unless Congress and the Administration can agree to eliminate or reform the sequester mechanism, DOD will face deep spending cuts in 2016.”\textsuperscript{71} Successful repeal of the sequester is assumed in the President’s FY2016 budget, and it is believed that “Republicans in both the House and Senate are also eager to eliminate sequester cuts for defense and national security programs for FY2016 and beyond.”\textsuperscript{72} Despite recent unprecedented congressional gridlock, “two bills nonetheless get passed every year; an appropriations measure to fund the government, and the National Defense Authorization Act (NDAA)… Congress passes legislation authorizing hundreds of billions of dollars in defense spending year after year.”\textsuperscript{73}

\textsuperscript{69} Id.
\textsuperscript{71} Id. at 46.
\textsuperscript{72} Id.
\textsuperscript{73} Id.
Unlike many nation states, in the U.S. almost all critical infrastructure and cyber-sensitive assets are held in the private sector. Accordingly, the cybersecurity assets of almost every corporation that Congress seeks to protect through regulation “not only generally possess expertise useful to the rulemaking process, but in fact possess superior knowledge regarding information security threats and defenses not otherwise available to regulators.” Therefore, Congress and “Federal regulators leverage this knowledge not only voluntarily, but in some cases by mandate engaging private entities in the rulemaking and de facto standards-setting process.” This process of “management-based regulation “has developed “under which the regulated entities themselves develop and adhere to their own individualized compliance plans. While these plans must meet general guidelines, the regulatory goal becomes the development of and adherence to the plan, rather than compliance with specific technical obligations directly.” Using the term “management-based regulatory delegation,” Professor David Thaw depicts this contemporary regulatory process as “a deliberate encoding of regulatory capture both in the rulemaking and enforcement stages of the administrative process to engage the superior knowledge possessed by regulated entities.”

Committees are the mechanism Congress has designed to conduct its business. John Aldrich and David Rohde observe, “Committees, through the division of labor, permit the chamber to stretch its capabilities by having only a subset of members

---

76 Id.
77 Id. at 290.
78 Id.
consider each issue [oversight] and piece of legislation in detail.” Jurisdiction over matters of cybersecurity is claimed by numerous committees. Presented below is a description of the various committees claiming jurisdiction, their leadership, committee membership, and key staff. Congressional staffs perform many important and necessary functions such as scheduling; communications, media and press relations; administrative support; and chamber floor operations. However, due to the size of many committee and subcommittee staffs, I have attempted to identify those staff members, generally policy and national security specialists, who may be most significantly involved in cyber-related issues.

V. THE SENATE

The new Republican majority in the U.S. Senate results in a reshuffling of committee chairmen for those committees having jurisdiction over various elements of cybersecurity. The work of the Senate is divided into 20 committees, 68 subcommittees, and 4 joint committees to collectively handle all the issues the Senate covers. Most committees are further divided into subcommittees, to focus on particular issue areas, such as the Judiciary Subcommittee on Crime and Terrorism or the Appropriations Subcommittee on Defense. Senators are motivated to gain appointment to and serve on committees that provide an opportunity to weigh in on issues of particular interest to themselves or their constituents. It is through the work of committees “where senators establish expertise and reputations, and make their imprint on American law and policy. A senator’s committee assignments will determine much of his or her career, similar to

choosing a major in college. Through committee work, senators dive into particular issues and make these issues their own…”

The following committees in the Senate play a role in cybersecurity oversight: Armed Services; Banking, Housing, and Urban Affairs; Committee on Commerce, Science and Transportation (Subcommittee on Communications, Technology, and the Internet); the Homeland Security and Government Affairs Committee (HSGAC); Senate Select Committee on Intelligence (SSCI); and Senate Judiciary Committee.

VI. SENATE COMMITTEE ON ARMED SERVICES

Established on December 10, 1816 as the “Senate Committee on Military Affairs; on the Militia; and Naval Affairs,” the committee merged over time on several occasions to become what is now known as the current Committee on Armed Services. The Armed Services Committee describes its jurisdiction as:

1. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations;
2. Common defense;
3. Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force, generally;
4. Maintenance and operation of the Panama Canal, including administration, sanitation, and government of the Canal Zone;
5. Military research and development;
6. National security aspects of nuclear energy;
7. Naval petroleum reserves, except those in Alaska;
8. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces, including overseas education of civilian and military dependents;
9. Selective service system; and
10. Strategic and critical materials necessary for the common defense. The Senate has also given the committee the authority to study and review, on a comprehensive basis, matters relating to the common defense policy of the United States, and report thereon from time to time.85

85 Id., citing Standing Rules of the Senate, Rule XXV, 1(c)(1).
Based on the Committee’s documents, several Armed Services subcommittees appear to have jurisdiction over various aspects of cybersecurity oversight, as more fully discussed below. Membership of the Senate Committee on Armed Services is as follows:86

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>John McCain, Arizona, Chairman</td>
<td>Jack Reed, Rhode Island, Ranking Member</td>
</tr>
<tr>
<td>James M. Inhofe, Oklahoma</td>
<td>Bill Nelson, Florida</td>
</tr>
<tr>
<td>Jeff Sessions, Alabama</td>
<td>Claire McCaskill, Missouri</td>
</tr>
<tr>
<td>Roger F. Wicker, Mississippi</td>
<td>Joe Manchin, West Virginia</td>
</tr>
<tr>
<td>Kelly Ayotte, New Hampshire</td>
<td>Jeanne Shaheen, New Hampshire</td>
</tr>
<tr>
<td>Deb Fischer, Nebraska</td>
<td>Kirsten E. Gillibrand, New York</td>
</tr>
<tr>
<td>Tom Cotton, Arkansas</td>
<td>Richard Blumenthal, Connecticut</td>
</tr>
<tr>
<td>Mike Rounds, South Dakota</td>
<td>Joe Donnelly, Indiana</td>
</tr>
<tr>
<td>Joni Ernst, Iowa</td>
<td>Mazie K. Hirono, Hawaii</td>
</tr>
<tr>
<td>Thom Tillis, North Carolina</td>
<td>Tim Kaine, Virginia</td>
</tr>
<tr>
<td>Dan Sullivan, Arkansas</td>
<td>Angus S. King, Maine</td>
</tr>
<tr>
<td>Mike Lee, Utah</td>
<td>Martin Heinrich, New Mexico</td>
</tr>
<tr>
<td>Lindsey Graham, South Carolina</td>
<td></td>
</tr>
<tr>
<td>Ted Cruz, Texas</td>
<td></td>
</tr>
</tbody>
</table>

_**Key Staff:**_

**Majority and Non-Designated:**

*Majority Staff Director* .......... Chris Brose  
*Deputy Staff Director* .......... Cord Sterling  
*Policy Director and Counsel.* Katie Wheelbarger  
*Majority General Counsel* ...... Steven M. Barney  
*Senior Military Advisor* ...... James Hickey  
*Chief Clerk* ......................... Greg R. Lilly  
*Chief Investigator* .............. Kathryn Edelman  
*Counsel* ............................. Samantha Clark  
*Communications Director* .... Dustin Walker

*Majority Professional Staff* ...

Adam J. Barker, Matt Donovan, Elizabeth Everett, Allen M. Edwards, Anish Goel, Tom W. Goffus, Bill Greenwalt, Jeremy Hayes, John Lehman, Daniel A. Lerner, Brad Patout, Jason Potter, Diem Salmon, Eric Sayers, Rob Soofer, Jennifer White

86 U.S. Senate Committee on Armed Services, About, Committee Members, _available at http://www.armed-services.senate.gov/about/members_ (last viewed Sept. 2, 2015).
The Senate Armed Services Committee’s Subcommittee on Emerging Threats and Capabilities states that its jurisdiction includes responsibility for “Policies and programs to counter emerging threats including the proliferation of weapons of mass destruction, terrorism, and illegal drugs; homeland defense; technology base programs; special operations programs; and emerging operational concepts.” 87 Membership of the Senate Committee on Armed Services Committee’s Subcommittee on Emerging Threats and Capabilities is as follows: 88

Subcommittee on Emerging Threats and Capabilities

The Senate Armed Services Committee’s Subcommittee on Emerging Threats and Capabilities states that its jurisdiction includes responsibility for “Policies and programs to counter emerging threats including the proliferation of weapons of mass destruction, terrorism, and illegal drugs; homeland defense; technology base programs; special operations programs; and emerging operational concepts.” 87 Membership of the Senate Committee on Armed Services Committee’s Subcommittee on Emerging Threats and Capabilities is as follows: 88

MAJORITY (Republican)  
Bill Nelson, Florida, Ranking Member  
Joe Manchin, West Virginia  
Jeanne Shaheen, New Hampshire  
Kirsten E. Gillibrand, New York  
Joe Donnelly, Indiana

MINORITY (Democratic)  
Deb Fischer, Nebraska, Chair  
Kelly Ayotte, New Hampshire  
Tom Cotton, Arkansas  
Joni Ernst, Iowa  
Thom Tillis, North Carolina

88 Id.
Key Staff:

Majority Staff (Lead) .......... Tom W. Goffus
Majority Research Analyst. Natalie Nicolas


Subcommittee on Readiness and Management Support

The Senate Armed Services Committee’s Subcommittee on Readiness and Management Support states that its jurisdiction, in relevant part, includes responsibility for “Military readiness including training, logistics, and maintenance; contracting and acquisition policy; defense industrial and technology base policies; [and] information technology management policy.”

In addition, this subcommittee has oversight responsibility for the following Department of Defense offices: “Under Secretary of Defense (Acquisition, Technology, and Logistics); Department of Defense Deputy Chief Management Officer; and the Chief Management Officers of the military departments.”

Membership of the Senate Committee on Armed Services Committee’s Subcommittee on Readiness and Management Support is as follows:

MAJORITY (Republican) MINORITY (Democratic)

Kelly Ayotte, New Hampshire, Chair Tim Kaine, Virginia, Ranking Member
James M. Inhofe, Oklahoma Claire McCaskill, Missouri
Deb Fischer, Nebraska Jeanne Shaheen, New Hampshire
Mike Rounds, South Dakota Mazie K. Hirono, Hawaii
Joni Ernst, Iowa Martin Heinrich, New Mexico

---

90 Id.
91 Id.
Mike Lee, Utah
John McCain, Arizona, Ex Officio
Jack Reed, Rhode Island, Ex Officio

Key Staff:
Majority Staff (Lead)… Bill Greenwalt
Staff Assistant: Leah Scheunemann
Minority Staff…………. John H. Quirk V (Lead), Arun Seraphin, Michael J. Noblet, Ozge Guzelsu

Subcommittee on Strategic Forces

The Senate Armed Services Committee’s Subcommittee on Strategic Forces has numerous areas of responsibility, including “Nuclear and strategic forces; intelligence programs; space programs; cyber space programs; Department of Energy defense nuclear and environmental programs; and ballistic missile defense.” 92 The subcommittee’s budget oversight responsibility includes: “Procurement and RDT&E for DOD nuclear and strategic forces, missile defense, space systems, and cyberspace systems; Department of Energy defense-funded programs; intelligence activities, including the National Intelligence Program and the Military Intelligence Program.” 93 This subcommittee is also responsible for DOD and DOE oversight of the “Under Secretary of Defense (Intelligence); Assistant Secretary of Defense for Nuclear and Chemical and Biological Defense Programs; National Nuclear Security Administration; and Assistant Secretary of Energy (Environmental Management).” 94 Other oversight responsibilities include: “Strategic Command; space commands of the military departments; Missile Defense Agency; National Security Agency; Defense Intelligence Agency; National Reconnaissance Office; National Geospatial-Intelligence Agency; and Defense Nuclear

---

93 Id.
94 Id.
Facilities Safety Board.” Membership of the Senate Committee on Armed Services Committee’s Subcommittee on Strategic Forces is as follows:

**MAJORITY (Republican)**

- Jeff Sessions, Alabama, Chairman
- James M. Inhofe, Oklahoma
- Deb Fischer, Nebraska
- Mike Lee, Utah
- Lindsey Graham, South Carolina
- Ted Cruz, Texas
- John McCain, Arizona, Ex Officio

**MINORITY (Democratic)**

- Joe Donnelly, Indiana, Ranking Member
- Bill Nelson, Florida
- Joe Manchin, West Virginia
- Angus S. King, Maine
- Martin Heinrich, New Mexico
- Jack Reed, Rhode Island, Ex Officio

**Key Staff:**
- **Majority Staff (Lead)**... Rob Soofer (Lead)
- **Staff Assistant**.............. Lauren Davis
- **Minority Staff**.............. Jonathan S. Epstein (lead), Creighton Greene, Thomas K. McConnell, Carolyn A. Chuhta

**VII. SENATE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS**

During December 2014 the Senate Committee on Banking, Housing and Urban Affairs held oversight hearings on “Cybersecurity: Enhancing Coordination to Protect the Financial Sector.” A hearing on “Oversight of Financial Stability and Data Security” was held during February, 2014. Membership of the Senate Committee on Banking, Housing and Urban Affairs consists of:

---

95 Id.

96 Id.


MAJORITY (Republican) | MINORITY (Democratic)
----------------------|----------------------
Richard Shelby, Alabama, Chairman | Sherrod Brown, Ranking Member
Mike Crapo, Idaho | Jack Reed, Rhode Island
Bob Corker, Tennessee | Charles Schumer, New York
David Vitter, Louisiana | Robert Menendez, New Jersey
Patrick Toomey, Pennsylvania | Mark Warner, Virginia
Mark Kirk, Illinois | Jeff Merkley, Oregon
Dean Heller, Nevada | Elizabeth Warren, Massachusetts
Tim Scott, South Carolina | Heidi Heitkamp, North Dakota
Ben Sasse, Nebraska | Joe Donnelly, Indiana
Tom Cotton, Arkansas | 
Mike Rounds, South Dakota | 
Jerry Moran, Kansas | 

**Key Staff:**

*Majority and Non-Designated:*
- **Majority Staff Director & Counsel:** William Duhnke
- **Majority Deputy Staff Director:** Dana Wade
- **Majority Chief Counsel:** Jelena McWilliams
- **Majority Senior Counsel:** Beth Zorc
- **Senior Counsel (Nat’l Security):**
  - And Chief Investigative Counsel: Chris Ford
- **Majority Counsel:** Travis Hill
- **Senior Investigative Counsel:** Lucas Moskowitz, John O’Hara
- **Investigative Counsel:** Brian Daner
- **Securities Counsel:** Elad Roisman
- **Majority Chief Economist:** Thomas Hogan
- **Majority Sr. Professional Staff:** Chad Davis, Shannon Hines
- **Majority Professional Staff:** Shelby Begany, Jennifer Deci, Jay Dunn

*Minority staff members:*
- **Minority Staff Director:** Mark Powden
- **Minority Deputy Staff Director:** Laura Swanson
- **Minority Policy Director:** Colin P.J. McGinnis
- **Minority Chief Counsel:** Graham Steele
- **Minority Senior Counsel:** Jeanette Quick, Elisha Tuku
- **Minority Press Secretary:** Greg Vadala
- **Minority Legislative Assistants:** Megan Cheney, Phil Rudd
- **Minority Professional Staff:** Erin Berry, Homer Carlisle, Beth Cooper, Adam Healy

VIII. SENATE COMMERCE, SCIENCE AND TRANSPORTATION COMMITTEE
Through U.S. history, numerous Senate committees have held jurisdiction over subject matter currently assigned to the Committee on Commerce, Science and Transportation. As you might suspect, the Senate’s needs during colonial and frontier times were much different than today. Accordingly, over the years the jurisdiction held by today’s Committee was governed by the following progenitor committees:

“Committee on Commerce and Manufactures (1816-1825); Committee on Commerce (1825-1946, 1961-1977); Committee on Manufactures (1825-1855, 1864-1946); Committee on Interstate Commerce (1885-1946); Committee on Interoceanic Canals (1899-1946); Committee on Interstate and Foreign Commerce (1946-1961); and Committee on Aeronautical and Space Sciences (1958-1977).”

The Committee reports that

In 1961, the name of the Committee on Interstate and Foreign Commerce was shortened to the Committee on Commerce. Many simply called it the "Commerce Committee," a shorthand reference to the Committee that continues to this day…

The Committee System Reorganization Amendments of 1977… changed the name of the Committee on Commerce to the present-day Committee on Commerce, Science, and Transportation. The Committee on Aeronautical and Space Sciences was terminated in 1977; its functions were transferred to the modern-day "Commerce Committee."

This name change was made to reflect the expanded jurisdiction given the Committee… Specifically, the Committee was given responsibility for the regulation of consumer products and services for the first time. The Committee also was charged with the nation’s science, engineering, and technology policy. Related to its new science responsibilities was jurisdiction over non-military aeronautical and space science policy…

In a move related to the Committee's new science responsibilities, it also was given jurisdiction over transportation issues surrounding non-

---

military aeronautical and space policy.\textsuperscript{101}

Membership of the Senate Commerce, Science, and Transportation Committee is as follows:\textsuperscript{102}

\begin{table}[h]
\begin{tabular}{|l|l|}
\hline
MAJORITY (Republican) & MINORITY (Democratic) \\
\hline
John Thune, South Dakota, Chairman & Bill Nelson, Florida, Ranking Member \\
Roger Wicker, Mississippi & Maria Cantwell, Washington \\
Roy Blunt, Missouri & Claire McCaskill, Missouri \\
Marco Rubio, Florida & Amy Klobuchar, Minnesota \\
Kelly Ayotte, New Hampshire & Richard Blumenthal, Connecticut \\
Ted Cruz, Texas & Brian Schatz, Hawaii \\
Deb Fischer, Nebraska & Ed Markey, Massachusetts \\
Jerry Moran, Kansas & Cory Booker, New Jersey \\
Dan Sullivan, Alaska & Tom Udall, New Mexico \\
Ron Johnson, Wisconsin & Joe Manchin, West Virginia \\
Dean Heller, Nevada & Gary Peters, Michigan \\
Cory Gardner, Colorado & \\
Steve Daines, Montana & \\
\hline
\end{tabular}
\end{table}

\textit{Key Staff:}
\textit{Majority and Non-Designated:}
\textit{Majority Staff Director}.............  David Schwietert
\textit{Majority Deputy Staff Director}.....  Nick Rossi
\textit{Majority General Counsel}.........  Rebecca Seidel
\textit{Majority Deputy General Counsel}  Jason Van Beek
\textit{Legislative Counsel}...............  Jennifer Dorrer
\textit{Chief Clerk}.......................  Anne Willis Hill
\textit{Hearing Clerk}.......................  Stephanie Gamache
\textit{Majority Chief Investigator}.......  Ashok Pinto
\textit{Majority Office Manager}.........  Theresa Eugene
\textit{Maj. Communications Director}....  Frederick Hill
\textit{Director of Information Technology}  Jonathan Bowen

\textit{Minority staff members:}
\textit{Minority Staff Director}.............  Kim E. Lipsky

\textsuperscript{102} U.S. Senate Committee on Commerce, Science, & Transportation, Committee Membership List, available at \url{http://www.senate.gov/general/committee_membership/committee_memberships_SSCM.htm} (last viewed Sept. 2, 2015).
Minority Deputy Staff Director.... Christopher Day
Minority General Counsel......... Clint Odom
Minority Investigative Counsel.... Meeran Ahn
Minority Communications Dir..... Bryan Gulley

Subcommittee on Communications, Technology and the Internet

The Senate Commerce, Science, and Transportation Committee’s Subcommittee on Communications, Technology, and the Internet states that its jurisdiction includes jurisdiction over legislation, Congressional action, and other matters relating to communications. For these purposes, “communications” includes telephones, cell phones, the Internet, commercial and noncommercial television, cable, satellite broadcast, satellite communications, wireline and wireless broadband, radio, consumer electronic equipment associated with such services, and public safety communications. The Subcommittee also is responsible for oversight of the Federal Communications Commission (FCC), the Corporation for Public Broadcasting (CPB), and the National Telecommunications and Information Administration (NTIA) at the Department of Commerce, which is the administration primarily responsible for the management of government spectrum and advising the President on telecommunications policy.103

Membership of the Senate Commerce, Science, and Transportation Committee’s Subcommittee on Communications, Technology, and the Internet consists of:104

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roger Wicker, Mississippi, Chairman</td>
<td>Brian Schatz, Hawaii, Ranking Member</td>
</tr>
<tr>
<td>Roy Blunt, Missouri</td>
<td>Maria Cantwell, Washington</td>
</tr>
<tr>
<td>Marco Rubio, Florida</td>
<td>Claire McCaskill, Missouri</td>
</tr>
<tr>
<td>Kelly Ayotte, New Hampshire</td>
<td>Amy Klobuchar, Minnesota</td>
</tr>
<tr>
<td>Ted Cruz, Texas</td>
<td>Richard Blumenthal, Connecticut</td>
</tr>
<tr>
<td>Deb Fischer, Nebraska</td>
<td>Edward J. Markey, Massachusetts</td>
</tr>
</tbody>
</table>

Jerry Moran, Kansas
Dan Sullivan, Alaska
Ron Johnson, Wisconsin
Dean Heller, Nevada
Cory Gardner, Colorado
Steve Daines, Montana
John Thune, South Dakota, Ex Officio

Cory Booker, New Jersey
Tom Udall, New Mexico
Joe Manchin, West Virginia
Gary C. Peters, Michigan
Bill Nelson, Florida, Ex Officio

Key Staff:

Majority staff members:
Majority Policy Director ................ David Quinalty
Majority Counsel ......................... Jeffrey Farrah, Gregory Orlando, Jason Van Beek
Advisor to Chmn. Wicker ............... Crystal Tully
Majority Research Asst ................ Matthew Plaster
Additional Staff ......................... Jamie Susskind

Minority staff members:
Minority Senior Counsel ............... John Branscome
Minority Counsel ......................... Shawn Bone
Minority Legislative Asst ............. Simone Hall
Advisor to Ranking  
Member Schatz ......................... Melika Carroll

Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security

The Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security has jurisdiction over matters involving the protection of consumers. Regarding the fairness of consumer transactions, the Subcommittee “[S]eeks to prevent scams and fraud, and promotes the safety of products people buy. In the modern economy, commerce increasingly includes the exchange of sensitive personal information, either online or in consumer-facing settings.”

---

and Transportation Committee’s Subcommittee on Consumer Protection, Product Safety, Insurance and Data Security consists of:

**MAJORITY (Republican)**

- Jerry Moran, Kansas, Chairman of the Board of Directors
- Roy Blunt, Missouri
- Ted Cruz, Texas
- Deb Fischer, Nebraska
- Dean Heller, Nevada
- Cory Gardner, Colorado
- Steve Daines, Montana
- John Thune, South Dakota, Ex Officio

**MINORITY (Democratic)**

- Richard Blumenthal, CT, Ranking Member
- Claire McCaskill, Missouri
- Amy Klobuchar, Minnesota
- Edward J. Markey, Massachusetts
- Cory Booker, New Jersey
- Tom Udall, New Mexico
- Bill Nelson, Florida, Ex Officio

**Key Staff:**

**Majority Staff Members:**

- Majority Counsel: Peter Feldman
- Majority Investigator: Cherilyn Pascoe
- Staff Research Assistant: Andrew Timm

**Minority Staff Members:**

- Minority Senior Counsel: Christian Fjeld
- Minority Legislative Asst: Brian No

The Subcommittee on Science, Space and Competitiveness is charged with oversight responsibility for issues impacting science, technology, engineering, and math research and development and policy; standards and measurement; and civil space policy. The Subcommittee conducts oversight on the National Science Foundation, the National Aeronautics and Space Administration, the National Institute of Standards and Technology, the Office of Science and Technology Policy, and the National Technical Information Service. Advancements in science and technology are vital to the nation’s continued economic security, innovation, and competitiveness.

---


107 See U.S. Senate Committee on Commerce, Science, & Transportation, Subcommittee on Science, Space and Competitiveness, *available at*
Membership of the Senate Commerce, Science, and Transportation Committee’s Subcommittee on Science, Space and Competitiveness consists of:

**MAJORITY (Republican)**

<table>
<thead>
<tr>
<th>Ted Cruz, Texas, Chairman</th>
<th>Gary Peters, Michigan, Ranking Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marco Rubio, Florida</td>
<td>Edward J. Markey, Massachusetts</td>
</tr>
<tr>
<td>Jerry Moran, Kansas</td>
<td>Cory Booker, New Jersey</td>
</tr>
<tr>
<td>Dan Sullivan, Alaska</td>
<td>Tom Udall, New Mexico</td>
</tr>
<tr>
<td>Cory Gardner, Colorado</td>
<td>Brian Schatz, Hawaii</td>
</tr>
<tr>
<td>Steve Daines, Montana</td>
<td>Bill Nelson, Florida, Ex Officio</td>
</tr>
<tr>
<td>John Thune, South Dakota, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

**MINORITY (Democratic)**

<table>
<thead>
<tr>
<th>Bailey Edwards, Suzanne Matwyshen-Gillen, and Missye Brickell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jaclyn Keshian</td>
</tr>
</tbody>
</table>

**Key Staff:**

**Majority Staff Members**

- Bailey Edwards, Suzanne Matwyshen-Gillen, and Missye Brickell

**Staff Assistant**

- Jaclyn Keshian

**Minority Staff Director**

- Nick Cummings

**Minority Professional Staff**

- Alicia Brown

**Staff Assistant**

- Owen Berger

**IX. SENATE HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE (HSGAC)**

Following passage of the Homeland Security Act of 2002, this Committee changed its name from its former designation as the Senate Governmental Affairs Committee to reflect its expanded jurisdiction which now includes “homeland security issues. In addition to governmental affairs, the Committee now oversees and receives legislation, messages, petitions, and memorials on all matters relating to the Department of Homeland Security, except for appropriations, the Coast Guard, the Transportation

---


注108: Id.
Security Administration, immigration, customs revenue, commercial operations, and trade.”

As the Senate’s primary oversight committee, the HSGAC has general broad jurisdiction over government operations, and particularly over the Department of Homeland Security. The primary responsibilities of the HSGAC include: “to study the efficiency, economy, and effectiveness of all agencies and departments of the federal government; evaluate the effects of laws enacted to reorganize the legislative and executive branches of government; and study the intergovernmental relationships between the U.S. and states and municipalities… and international organizations,” where the United States has membership. The four Subcommittees of the HSGAC are: the Permanent Subcommittee on Investigations (PSI); Financial and Contracting Oversight (FCO); The Efficiency and Effectiveness of Federal Programs and the Federal Workforce (FPFW); and the Emergency Management, Intergovernmental Relations and the District of Columbia (EMDC). With respect to cybersecurity, the HSGAC has held numerous hearings, including on the topic of Beyond Silk Road: Potential Risks, Threats, and Promises of Virtual Currencies.” Covington & Burling reports that “Senator Johnson has said that he is interested in using the committee’s investigative powers to pursue ‘border security and illegal immigration, cybersecurity, homegrown terrorist threats,

---

110 Id.
111 Id.
securing the electrical grid, streamlining oversight of the DHS and the regulation of American businesses – particularly the energy sector.”

On January 28, 2015 hearings were held by the HSGAC on the subject of “Protecting America from Cyber Attacks: The Importance of Information Sharing.” Other important cyber related hearings include those on the topics of: The IRS Data Breach: Steps to Protect Americans’ Personal Information; and Under Attack: Federal Cybersecurity and the OPM Data Breach.

Membership of the Senate Homeland Security and Government Affairs Committee is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ron Johnson, Wisconsin, Chairman</td>
<td>Thomas R. Carper, Del., Ranking Member</td>
</tr>
<tr>
<td>John McCain, Arizona</td>
<td>Claire McCaskill, Missouri</td>
</tr>
<tr>
<td>Rob Portman, Ohio</td>
<td>Jon Tester, Montana</td>
</tr>
<tr>
<td>Rand Paul, Kentucky</td>
<td>Tammy Baldwin, Wisconsin</td>
</tr>
<tr>
<td>James Lankford, Oklahoma</td>
<td>Heidi Heitkamp, North Dakota</td>
</tr>
<tr>
<td>Michael B. Enzi, Wyoming</td>
<td>Cory A. Booker, New Jersey</td>
</tr>
<tr>
<td>Kelly Ayotte, New Hampshire</td>
<td>Gary C. Peters, Michigan</td>
</tr>
<tr>
<td>Joni Ernst, Iowa</td>
<td></td>
</tr>
<tr>
<td>Ben Sasse, Nebraska</td>
<td></td>
</tr>
</tbody>
</table>

**Key Staff:**

113 Robert Kelner, Lanny Breuer, Dan Bryant, Ethan Posner, Brian Smith & Richard Hertling, Congressional Investigations Outlook in the 114th Congress, Covington & Burling, (Dec. 18, 2014), available at [http://www.cov.com/files/Publication/c04b2ca8-a5fe-4381-a021-458f848d5ab0/Presentation/PublicationAttachment/debf792e-33a3-417c-bf0c-46ab451cde65/Congressional_Investigations_Outlook_in_the_114th_Congress.pdf](http://www.cov.com/files/Publication/c04b2ca8-a5fe-4381-a021-458f848d5ab0/Presentation/PublicationAttachment/debf792e-33a3-417c-bf0c-46ab451cde65/Congressional_Investigations_Outlook_in_the_114th_Congress.pdf) (last viewed Sept. 2, 2015).


**Majority and Non-Designated:**
- **Majority Staff Director:** Keith Ashdown
- **Majority Chief Counsel:** Christopher Hixon
- **Majority Chief Counsel (Gov. Affairs):** Patrick Bailey
- **Majority Deputy Chief Counsel (Governmental Affairs):** Gabrielle Singer
- **Majority Chief Counsel (for Investigations):** David Brewer
- **Majority Chief Counsel (for Homeland Security):** William McKenna
- **Majority Deputy Chief Counsel (for Homeland Security):** Brooke Ericson
- **Majority Counsel:** Courtney Allen, Kyle Brosnan, Caroline Ingram, Michael Lueptow
- **Chief Economist:** Satya Thallam
- **Senior Policy Advisor:** Roland Foster
- **Senior Investigators:** Brian Downey, Luke Rosiak
- **Majority Sr. Professional Staff:** Sean Casey, Gabriel Sudduth
- **Majority Professional Staff:** Colleen Berny, Joshua McLeod, Rebecca Nuzzi, Jennifer Scheaffer
- **Chief Clerk:** Laura Kilbride
- **Hearing Clerk:** Lauren Corcoran
- **Budget and Payroll Manager:** Claudette David
- **Systems Administrator:** Dan Muchow, Scott Langill (Deputy)
- **Publications Clerk:** Joyce Ward
- **Archivist:** Katie Delacenserie
- **Research Assistants:** Chris Boness
- **Other Staff:** Drew Baney, Cory Wilson

**Majority Staff Subject Area:**
- **Homeland Security & Counter Terrorism:** David Luckey

**Minority Staff:**
- **Minority Staff Director:** Gabrielle Batkin
- **Minority Staff Director:** John Kilvington
- **Minority Chief Counsel:** Mary Beth Schultz
- **Minority Chief Counsel (for Governmental Affairs):** Troy Cribb
- **Minority Chief Counsel (for Homeland Security):** Stephen Viña
- **Minority Senior Counsel:** Holly Idelson, Kata Sybenga
- **Minority Communications Director:** Jennie Westbrook
- **Minority Press Assistant:** Jill Farquharson
- **Minority Sr. Professional Staff:** Harlan Geer, Matt Grote, John Kane, Peter Tyler
Minority Professional Staff…….. Deirdre Armstrong, Brian Turbyfill
Minority Legislative Assistant... Robert Bradley
Minority Legislative Aides... Brian Papp, Abby Shenkle
Other Minority Staff............. Paul Babiarz, Charles Carithers, Susan Corbin,
                                Bruce Marsh, Jill Mueller, and Richard Colley

Permanent Subcommittee on Investigations (PDI)

During May 2014, the Permanent Subcommittee on Investigations held a hearing,
“Online Advertising and Hidden Hazards to Consumer Security and Data Privacy,” to
“investigate data collection processes and security vulnerabilities that have inflicted
significant costs on Internet users and American businesses.”

Membership of the Senate HSGAC’s Permanent Subcommittee on Investigations consists of:

MAJORITY (Republican)                      MINORITY (Democratic)

Rob Portman, Ohio, Chairman                Claire McCaskill, MO, Ranking Member
John McCain, Arizona                        Jon Tester, Montana
Rand Paul, Kentucky                         Tammy Baldwin, Wisconsin
James Lankford, Oklahoma                    Heidi Heitkamp, North Dakota
Kelly Ayotte, New Hampshire                 Ben Sasse, Nebraska

Key Staff:
Majority Staff Director................. Brian Callanan
Majority Chief Counsel............. Derek Lyons
Majority Senior Counsel........... Mark Angehr
Majority Counsel..................... Philip Alito, Andrew Polesovsky
Majority Policy Director...... Brent Bombach

Minority Staff Members:
Minority Staff Director.......... Margaret Daum
Minority Counsel.................. Joseph Eaton, Sarah Garcia, Robert Roach,
                                 Brandon Reavis
Minority Professional Staff.... Adam Henderson

118 Online Advertising and Hidden Hazards to Consumer Security and data Privacy: Hearing
Before the Senate Homeland Security and Government Affairs Comm., Permanent Subcomm. on
Investigations, 113th Cong. (2014), available at http://www.hsgac.senate.gov/hearings/online-
119 U.S. Senate Homeland Security & Governmental Affairs Committee, Permanent
Subcommittee on Investigations, About the Permanent Subcommittee on Investigations, available
X. SENATE SELECT COMMITTEE ON INTELLIGENCE

Given the continued growth of suspected nation state involvement in cyberattacks, the Senate Select Committee on Intelligence (SSCI) plays an important role in the fabric of congressional cybersecurity oversight.\(^{120}\) The SSCI was created during 1976 as the appropriate committee to “oversee and make continuing studies of [U.S] intelligence activities and programs…,” to “submit…appropriate proposals for legislation and report to the Senate concerning such intelligence activities and programs,” and to “provide vigilant legislative oversight over the intelligence activities… to assure that such activities are… Constitutional and [lawful].”\(^{121}\) As a “select” rather than “standing” committee, the Senate majority and minority leaders are responsible for choosing SSCI members “rather than determined in the party caucuses that preceded each new Congress. The committee’s chairman and vice chairman would be selected by their respective caucus but could not, at the same time, serve as chairman or ranking minority member of a major standing committee.”\(^{122}\)

Committee membership is set at 15: “eight from the majority party and seven from the minority. The one-seat majority is dictated by Senate resolution and, unlike most other committees, does not change in proportion with the overall Senate ratio of majority to minority membership.” The SSCI is intentionally structured to promote bipartisanship, with “two members (one per side) from the Appropriations, Armed

\(^{120}\) U.S. Senate Select Committee on Intelligence, About the Committee, Overview of the Senate Select Committee on Intelligence: Responsibilities and Activities, available at http://www.intelligence.senate.gov/about.html (last viewed Sept. 2, 2015).

\(^{121}\) U.S. Senate Select Committee on Intelligence, About the Committee, Overview of the Senate Select Committee on Intelligence: Responsibilities and Activities, available at http://www.intelligence.senate.gov/about.html (last viewed Sept. 2, 2015).

Services, Foreign Relations, and Judiciary Committees in order to ensure appropriate coordination with those Committees. The Senate Majority and Minority Leaders and the Chairman and Ranking Member of the Armed Services Committee serve as ex officio SSCI members.”

The SSCI describes its activities as follows:

- **Hearings:** The Committee meets roughly twice a week for 1 1/2 to 2 hours, generally in closed session. Most hearings involve appearances by senior Intelligence Community officials—heads of agencies, senior program managers, and senior intelligence analysts—who present testimony and answer Senators’ questions. The topics for hearings include agency activities, intelligence collection programs, and intelligence analysis on a geographic region or issue (e.g., stability in the Middle East, Iran’s nuclear program, terrorism threats). The Committee occasionally meets in open session, such as annual hearings to receive intelligence testimony on the national security threats to the United States, and for the Committee to consider the President’s nominees to intelligence positions requiring Senate confirmation.

- **Legislation:** The Committee writes an annual intelligence authorization bill that authorizes funding levels for intelligence activities (these set caps for agency funding) and provides legislative provisions that limit or allow intelligence conduct. The Committee also periodically considers stand-alone legislation, including laws governing surveillance of U.S. citizens (such as the Foreign Intelligence Surveillance Act, known as “FISA”). On occasion, the Committee reviews intelligence aspects of treaties as part of the Senate’s ratification process.

- **Investigations and Reviews:** The Committee conducts reviews of intelligence programs or events, ranging from routine and continuing study (the conduct of covert action programs and intelligence operations) to formal inquiries.

- **Confirmations:** The Committee considers and makes recommendations to the Senate for the President’s nominees to serve in intelligence positions requiring the Senate’s confirmation.

- **Analysis:** The Committee receives and reviews intelligence analysis on a broad range of topics to inform policy decisions.

- **Daily Oversight:** The Committee, through its staff, tracks the regular collection and analysis activities of the Intelligence Community, enabling the Committee to engage with the Intelligence Community.


---

123 U.S. Senate Select Committee on Intelligence, About the Committee, Overview of the Senate Select Committee on Intelligence: Responsibilities and Activities, available at http://www.intelligence.senate.gov/about.html (last viewed Sept. 2, 2015).
early on if it becomes aware of an issue. The Committee’s Audit and Oversight staff conducts longer-term oversight projects.  

During March 2015, the Senate Intelligence Committee passed the **Cybersecurity Information Sharing Act** (S.754), creating “additional incentives to increase sharing of cybersecurity threat information while protecting individual privacy and civil liberties interests and offering liability protection to the private sector.”

Membership of the Senate Select Committee on Intelligence for the 114th Congress is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Burr, North Carolina, Chairman</td>
<td>Dianne Feinstein, Calif., Vice Chairman</td>
</tr>
<tr>
<td>James Risch, Idaho</td>
<td>Ron Wyden, Oregon</td>
</tr>
<tr>
<td>Dan Coats, Indiana</td>
<td>Barbara Mikulski, Maryland</td>
</tr>
<tr>
<td>Marco Rubio, Florida</td>
<td>Mark Warner, Virginia</td>
</tr>
<tr>
<td>Susan Collins, Maine</td>
<td>Martin Heinrich, New Mexico</td>
</tr>
<tr>
<td>Roy Blunt, Missouri</td>
<td>Angus King, Maine</td>
</tr>
<tr>
<td>James Lankford, Oklahoma</td>
<td>Mazie Hirono, Hawaii</td>
</tr>
<tr>
<td>Tom Cotton, Arkansas</td>
<td>Harry Reid, Nevada, Ex Officio</td>
</tr>
<tr>
<td>Mitch McConnell, Kentucky, Ex Officio</td>
<td>Jack Reed, Rhode Island, Ex Officio</td>
</tr>
<tr>
<td>John McCain, Arizona, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

**Key Staff:**

- **Majority Staff Director** …………. Chris Joyner
- **Majority Deputy Staff Director** ……. Jack Livingston
- **Majority General Counsel** ………….. Michael Geffroy
- **Minority Staff Director** ………….. David Grannis
- **Minority Deputy Staff Director** …… Kerry Sutten
- **Counsel** …………………………. Michael Buchwald, Brett Freedman
- **Professional Staff** ………………. Nate Adler
- **Director of Technology & Information management** …………. Oliver Galloway

---

124 *Id. See also* Nicholas R. Seabrook & Nick Cole, Secret Law: The Politics of Appointments to the U.S. Foreign Intelligence Surveillance Court (unpublished manuscript, on file with author).


XI. SENATE JUDICIARY COMMITTEE

Established in 1816 as one of the original Senate standing committees, the influential Senate Committee on the Judiciary enjoys broad legislative jurisdiction, thus assuring “its primary role as a forum for the public discussion of social and constitutional issues. The Committee is also responsible for oversight of key activities of the executive branch, and is responsible for the initial stages of the confirmation process of all judicial nominations for the federal judiciary.”127 Regarding jurisdiction, the Committee states

In addition to its critical role in providing oversight of the Department of Justice and the agencies under the Department’s jurisdiction, including the Federal Bureau of Investigation, and the Department of Homeland Security, the Judiciary Committee plays an important role in the consideration of nominations and pending legislation… Executive nominations for positions and… select nominations for the Department of Homeland Security and the Department of Commerce are referred to the Senate Judiciary Committee… In addition to its role in conducting oversight and consideration of nominations, the Senate Judiciary Committee also considers legislation, resolutions, messages, petitions, memorials and other matters, as provided for in the Standing Rules of the Senate. These areas include: Civil liberties… Government information… Judicial proceedings, civil and criminal, generally… Patent Office; Patents, copyrights, and trademarks… and Protection of trade and commerce against unlawful restraints and monopolies.128

Presented below is the Senate Judiciary Committee membership:129

**MAJORITY (Republican)**

<table>
<thead>
<tr>
<th>Name</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chuck Grassley</td>
<td>Iowa</td>
</tr>
<tr>
<td>Orrin G. Hatch</td>
<td>Utah</td>
</tr>
<tr>
<td>Jeff Sessions</td>
<td>Alabama</td>
</tr>
<tr>
<td>Lindsey Graham</td>
<td>South Carolina</td>
</tr>
<tr>
<td>John Cornyn</td>
<td>Texas</td>
</tr>
<tr>
<td>Michael S. Lee</td>
<td>Utah</td>
</tr>
<tr>
<td>Ted Cruz</td>
<td>Texas</td>
</tr>
<tr>
<td>Jeff Flake</td>
<td>Arizona</td>
</tr>
<tr>
<td>David Vitter</td>
<td>Louisiana</td>
</tr>
<tr>
<td>David Perdue</td>
<td>Georgia</td>
</tr>
<tr>
<td>Thom Tillis</td>
<td>North Carolina</td>
</tr>
</tbody>
</table>

**MINORITY (Democratic)**

<table>
<thead>
<tr>
<th>Name</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrick Leahy</td>
<td>Vermont</td>
</tr>
<tr>
<td>Dianne Feinstein</td>
<td>California</td>
</tr>
<tr>
<td>Charles Schumer</td>
<td>New York</td>
</tr>
<tr>
<td>Dick Durbin</td>
<td>Illinois</td>
</tr>
<tr>
<td>Sheldon Whitehouse</td>
<td>Rhode Island</td>
</tr>
<tr>
<td>Amy Klobuchar</td>
<td>Minnesota</td>
</tr>
<tr>
<td>Al Franken</td>
<td>Minnesota</td>
</tr>
<tr>
<td>Christopher A. Coons</td>
<td>Delaware</td>
</tr>
<tr>
<td>Richard Blumenthal</td>
<td>Connecticut</td>
</tr>
</tbody>
</table>

**Key Staff:**

- **Majority and Non-Designated:**
  - **Majority Staff Director:** Kolan Davis
  - **Majority Deputy Staff Director:** Rita Lari
  - **Majority Chief Counsel (for Nominations):** Ted Lehman
  - **Chief Investigative Counsel:** Jason Foster
  - **Majority Investigative Counsel:** Josh Flynn-Brown, Paul Junge, Jay Lim, Katherine Nikas
  - **Majority Counsel:** Fred Ansell, Nathan Hallford, Tim Kelly, DeLisa Lay, Lauren Mehler, Jonathan Nebavi

- **Majority Counsel to Sen. Hatch:** Matthew Sandgren
- **Majority Communications Director:** Beth Levine
- **Majority Press Secretary:** Taylor Foy
- **Majority Professional Staff:** Barbara Ledeen, Kasey O’Connor, and Jeffrey Snyder
- **Other Majority Staff:** Theresa Bauman, Francis Cissna, Jacob Neilson

**Minority Staff:**

- **Minority Staff Director:** Kristine Lucius
- **Minority General Counsel (for National Security):** Lara Flint
- **Minority General Counsel (for Nominations & Oversight):** Maggie Whitney

---

Minority Chief Counsel to
Senator Feinstein .......... Neil F. Quinter
Minority Senior Counsel .... Chanda Betourney, Alexandra Givens, Josh Hsu
Minority Counsel ............. Garrett Levin, Nazneen Mehta, David Pendle, and Olga Medina

Minority Counsel to
Senator Feinstein .......... Eric Haren
Minority Legislative Counsel ... Emily Livingston
Minority Press Secretary....... Jessica Brady
Minority Chief Clerk ............ Roslyne Turner
Minority Law Librarian ......... Charles Papirmeister
Minority Professional Staff .... Patrick Sheahan, Scott Wilson, and Adrienne Wojciechowski
Minority Legislative Staff....... Logan Gregoire, Dan Taylor

Subcommittee on Crime and Terrorism

The Senate Judiciary Committee’s Subcommittee on Crime and Terrorism describes its jurisdiction as follows:

(1) Oversight of the Department of Justice’s (a) Criminal Division, (b) Drug Enforcement Administration, (c) Executive Office for U.S. Attorneys, (d) Office on Violence Against Women, (e) U.S. Marshals Service, (f) Community Oriented Policing Services and related law enforcement grants, (g) Bureau of Prisons, (h) Office of the Pardon Attorney, (i) U.S. Parole Commission, (j) Federal Bureau of Investigation, and (k) Bureau of Alcohol, Tobacco, Firearms, and Explosives, as it relates to crime or drug policy; (2) Oversight of the U.S. Sentencing Commission; (3) Youth violence and directly related issues; (4) Federal programs under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (including the Runaway and Homeless Youth Act); (5) Criminal justice and victims’ rights policy; (6) Oversight of the Office of National Drug Control Policy; (7) Oversight of the U.S. Secret Service; (8) Corrections, rehabilitation, reentry and other detention-related policy; and (9) Parole and probation policy; (10) Oversight of anti-terrorism enforcement and policy; (11) Oversight of Department of Homeland Security functions as they relate to anti-terrorism enforcement and policy; (12) Oversight of State Department consular operations as they relate to anti-terrorism enforcement and policy; (13) Oversight of encryption policies and export licensing; and (14) Oversight of espionage laws and their enforcement.130

---

Membership of the Judiciary Committee’s Subcommittee on Crime and Terrorism is presented below:\footnote{131}

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lindsey Graham, South Carolina, Chair</td>
<td>Sheldon Whitehouse, RI, Ranking Mbr.</td>
</tr>
<tr>
<td>David Vitter, Louisiana</td>
<td>Charles Schumer, New York</td>
</tr>
<tr>
<td>Jeff Sessions, Alabama</td>
<td>Amy Klobuchar, Minnesota</td>
</tr>
<tr>
<td>John Cornyn, Texas</td>
<td>Al Franken, Minnesota</td>
</tr>
<tr>
<td>Jeff Flake, Arizona</td>
<td>Patrick Leahy, Vermont, Ex Officio</td>
</tr>
<tr>
<td>Chuck Grassley, Iowa, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

**Key Staff:**

- **Majority General Counsel:** Lee Holmes
- **Professional Staff:** Scott Graber
- **Minority Chief Counsel:** Ayo Griffin
- **Minority Counsel:** Michael Fischer
- **Minority Legislative Counsel:** Lara Quint

*Subcommittee on Privacy, Technology and the Law*

The Senate Judiciary Committee’s Subcommittee on Privacy, Technology and the Law provides the following description regarding its jurisdiction:

1. Oversight of laws and policies governing the collection, protection, use and dissemination of commercial information by the private sector, including online behavioral advertising, privacy within social networking websites and other online privacy issues;
2. Enforcement and implementation of commercial information privacy laws and policies;
3. Use of technology by the private sector to protect privacy, enhance transparency and encourage innovation;
4. Privacy standards for the collection, retention, use and dissemination of personally identifiable commercial information; and
5. Privacy implications of new or emerging technologies.\footnote{132}

\footnote{131} United States Senate Committee on the Judiciary, Members, available at \url{http://www.judiciary.senate.gov/about/members} (last viewed Sept. 2, 2015).

\footnote{132} United States Senate Committee on the Judiciary, About the Committee, Subcommittees: Subcommittee on Privacy, Technology and the Law, available at \url{http://www.judiciary.senate.gov/about/subcommittees#privacy} (last viewed Sept. 2, 2015).
Presented below is a list of membership of the Judiciary Committee’s Subcommittee on Privacy, Technology and the Law:\textsuperscript{133}

\begin{tabular}{|l|l|}
\hline
\textbf{MAJORITY (Republican)} & \textbf{MINORITY (Democratic)} \\
\hline
Jeff Flake, Arizona, Chairman & Al Franken, Ranking Member \\
Orrin G. Hatch, Utah & Dianne Feinstein, California \\
David Perdue, Georgia & Charles Schumer, New York \\
Michael S. Lee, Utah & Sheldon Whitehouse, Rhode Island \\
Thom Tillis, North Carolina & Christopher Coons, Delaware \\
Lindsey Graham, South Carolina & Patrick Leahy, Vermont, Ex Officio \\
Chuck Grassley, Iowa, Ex Officio & \\
\hline
\end{tabular}

\textit{Key Staff:}

\begin{tabular}{l}
\textit{Majority Legislative} \\
Correspondent\ldots & Adam Kazda \\
\hline
\textit{Minority Judiciary} \\
Counsel\ldots\ldots\ldots & Leslie Hylton, Nick Wunder \\
\hline
\textit{Minority Counsel Detailee} & Samantha Chaifetz \\
\hline
\end{tabular}

\textbf{XII. THE HOUSE}

Professor Charles Jones observes that Congressional committees form “the framework within which legislative populations are formed for participating in cross-institutional networks.”\textsuperscript{134} The following committees in the House are expected to play a role in cybersecurity oversight during the 114\textsuperscript{th} Congress: Armed Services; Energy and Commerce; Homeland Security; Oversight and Government Reform; Permanent Select Committee on Intelligence; and Science and Space Technology.

\textsuperscript{133} United States Senate Committee on the Judiciary, Members, \textit{available at} http://www.judiciary.senate.gov/about/members (last viewed Sept. 2, 2015).

XIII. ARMED SERVICES COMMITTEE

The House Committee on Armed Services has exclusive jurisdiction over matters of “defense policy generally, ongoing military operations, the organization and reform of the Department of Defense and Department of Energy, counter-drug programs, acquisition and industrial base policy, technology transfer and export controls, joint interoperability, the Cooperative Threat Reduction program, Department of Energy nonproliferation programs, and detainee affairs and policy.”

Membership of the House Committee on Armed Services for the 114th Congress is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mac Thornberry, Texas, Chairman</td>
<td>Adam Smith, Wash., Ranking Member</td>
</tr>
<tr>
<td>Walter B. Jones, North Carolina</td>
<td>Loretta Sanchez, California</td>
</tr>
<tr>
<td>J. Randy Forbes, Virginia</td>
<td>Robert A. Brady, Pennsylvania</td>
</tr>
<tr>
<td>Jeff Miller, Florida</td>
<td>Susan A. Davis, California</td>
</tr>
<tr>
<td>Joe Wilson, South Carolina</td>
<td>James R. Langevin, Rhode Island</td>
</tr>
<tr>
<td>Frank A. LoBiondo, New Jersey</td>
<td>Rick Larsen, Washington</td>
</tr>
<tr>
<td>Rob Bishop, Utah</td>
<td>Jim Cooper, Tennessee</td>
</tr>
<tr>
<td>Michael R. Turner, Ohio</td>
<td>Madeleine Z. Bordallo, Guam</td>
</tr>
<tr>
<td>John Kline, Minnesota</td>
<td>Joe Courtney, Connecticut</td>
</tr>
<tr>
<td>Mike Rogers, Alabama</td>
<td>Niki Tsongas, Massachusetts</td>
</tr>
<tr>
<td>Trent Franks, Arizona</td>
<td>John Garamendi, California</td>
</tr>
<tr>
<td>Bill Shuster, Pennsylvania</td>
<td>Henry C. “Hank” Johnson Jr., Georgia</td>
</tr>
<tr>
<td>K. Michael Conaway, Texas</td>
<td>Jackie Speier, California</td>
</tr>
<tr>
<td>Doug Lamborn, Colorado</td>
<td>Joaquin Castro, Texas</td>
</tr>
<tr>
<td>Robert J. Wittman, Virginia</td>
<td>Tammy Duckworth, Illinois</td>
</tr>
<tr>
<td>Duncan Hunter, California</td>
<td>Scott H. Peters, California</td>
</tr>
<tr>
<td>John Fleming, Louisiana</td>
<td>Marc A. Veasey, Texas</td>
</tr>
<tr>
<td>Mike Coffman, Colorado</td>
<td>Tulsi Gabbard, Hawaii</td>
</tr>
<tr>
<td>Chris P. Gibson, New York</td>
<td>Timothy Walz, Minnesota</td>
</tr>
<tr>
<td>Vicky Hartzler, Missouri</td>
<td>Beto O’Rourke, Texas</td>
</tr>
<tr>
<td>Joseph J. Heck, Nevada</td>
<td>Donald Norcross, New Jersey</td>
</tr>
<tr>
<td>Austin Scott, Georgia</td>
<td>Ruben Gallego, Arizona</td>
</tr>
<tr>
<td>Mo Brooks, Alabama</td>
<td>Mark Takai, Hawaii</td>
</tr>
<tr>
<td>Richard B. Nugent, Florida</td>
<td>Gwen Graham, Florida</td>
</tr>
<tr>
<td>Paul Cook, California</td>
<td>Brad Ashford, Nebraska</td>
</tr>
</tbody>
</table>

Jim Bridenstine, Oklahoma  
Brad R. Wenstrup, Ohio  
Jackie Walorski, Indiana  
Bradley Byrne, Alabama  
Sam Graves, Missouri  
Ryan Zinke, Montana  
Elise Stefanik, New York  
Martha McSally, Arizona  
Steve Knight, California  
Tom MacArthur, New Jersey  
Steve Russell, Oklahoma

Seth Moulton, Massachusetts  
Pete Aguilar, California

**Key Staff:**

**Majority and Non-Designated:**

- Majority Staff Director ........ Robert Simmons  
- Majority Deputy Staff Director ........ Jenness Simler  
- Exec. Assistant to Staff Director ........ Candace Wagner  
- Majority General Counsel ............ Catherine McElroy  
- Majority Counsel ................. Tim Morrison  
- Majority Director of Communications ........ Claude Chafin  
- Majority Press Secretary ............ Nick Mikula  
- Majority Spokesperson ............ Alison Lynn  
- Majority Professional Staff... Heath Bope, Christopher Bright, Jaime Beth Cheshire, Everett Coleman, Elizabeth Conrad, Ryan Crumpler, Alexander Gallo, Kevin Gates, Dave Giachetti, Jeanette James, Stephen Kitay, Michael Miller, Mark Moorehouse, Rebecca Ross, Jack Schuler, Katie Sendak, David Sienicki, John Sullivan, Jesse Tolleson, Peter Villano, Drew Walter, John Wason, Joseph Whited, and Lynn Williams  
- Majority Clerks..................... Colin Bosse, Michael Tehrani, Abigail Gage, Katie Rember, Eric Smith, and Kathryn Thompson

**Security Manager ..................**  
Cyndi Howard

**Minority Staff:**

- Minority Staff Director ........ Paul Arcangeli  
- Exec. Assistant to Staff Director ........ Betty Gray  
- Minority Counsel ................. William Johnson, Leonor Tomero  
- Minority Professional Staff.... Michael Amato, Douglas Bush, Mike Casey, Brian Garrett, Craig Greene, Lindsay Kavanaugh, Phil MacNaughton, and Vickie Plunkett
Subcommittee on Oversight & Investigations

The subcommittee on Oversight and Investigations conducts investigations and studies of all jurisdictional areas held by “the House Armed Services Committee, including inquiries into allegations of waste, fraud, abuse, and wrongdoing and inefficiencies within the Department of Defense. Members and staff conduct comprehensive oversight studies of major programs and issues and produce reports for the Committee and DOD providing recommendations and improvements of these programs.” Membership of the House Committee on Armed Services Committee’s Subcommittee on Oversight and Investigations is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vicky Hartzler, Missouri, Chairman</td>
<td>Jackie Speier, California, Ranking Member</td>
</tr>
<tr>
<td>Jeff Miller, Florida</td>
<td>Jim Cooper, Tennessee</td>
</tr>
<tr>
<td>K. Michael Conaway, Texas</td>
<td>Henry C. “Hank” Johnson Jr., Georgia</td>
</tr>
<tr>
<td>Joseph J. Heck, Nevada</td>
<td>Gwen Graham, Florida</td>
</tr>
<tr>
<td>Austin Scott, Georgia</td>
<td>Adam Smith, Washington, Ex Officio</td>
</tr>
<tr>
<td>Martha McSally, Arizona</td>
<td></td>
</tr>
<tr>
<td>Mac Thornberry, Texas, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:

Majority Staff Director .... Christopher Bright
Majority Professional ...... Heath Bope, Elizabeth Conrad
Other .............................. Darreisha Bates

Minority Staff Director .... Mike Amato

Subcommittee on Emerging Threats and Capabilities

Responsibilities of the subcommittee on Emerging Threats and Capabilities include “overseeing counter-terrorism programs and initiatives and counter proliferation of weapons of mass destruction. Additionally, this subcommittee oversees U.S. Special

---


137 Id.
Operations Forces, the Defense Advanced Research Projects Agency (DARPA), information technology and programs, force protection policy and oversight, and related intelligence support… [ensuring protection] against terrorist attacks and unconventional threats.”

138 Membership of the House Committee on Armed Services Committee’s Subcommittee on Emerging Threats and Capabilities is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Wilson, South Carolina, Chairman</td>
<td>James R. Langevin, RI, Ranking Member</td>
</tr>
<tr>
<td>John Kline, Minnesota</td>
<td>Jim Cooper, Tennessee</td>
</tr>
<tr>
<td>Bill Shuster, Pennsylvania</td>
<td>John Garamendi, California</td>
</tr>
<tr>
<td>Duncan Hunter, California</td>
<td>Joaquin Castro, Texas</td>
</tr>
<tr>
<td>Richard B. Nugent, Florida</td>
<td>Marc A. Veasey, Texas</td>
</tr>
<tr>
<td>Ryan Zinke, Montana</td>
<td>Donald Norcross, New Jersey</td>
</tr>
<tr>
<td>Trent Franks, Arizona</td>
<td>Brad Ashford, Nebraska</td>
</tr>
<tr>
<td>Doug Lamborn, Colorado</td>
<td>Pete Aguilar, California</td>
</tr>
<tr>
<td>Mo Brooks, Alabama</td>
<td>Adam Smith, Washington, Ex Officio</td>
</tr>
<tr>
<td>Bradley Byrne, Alabama</td>
<td></td>
</tr>
<tr>
<td>Elise Stefanik, New York</td>
<td></td>
</tr>
<tr>
<td>Mac Thornberry, Texas, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:

Majority Staff Director… Peter Villano
Majority Professional Staff Kevin Gates

Minority Staff Director… Lindsay Kavanaugh
Minority Professional Staff Brian Garrett

XIV. ENERGY & COMMERCE COMMITTEE

Created on December 14, 1795, the oldest House standing legislative committee is the Committee on Energy and Commerce (E&C). The Energy and Commerce Committee “is vested with the broadest jurisdiction of any congressional authorizing committee. Today it has responsibility for the nation’s telecommunications, consumer


139 Id.
protection, food and drug safety, public health research, environmental quality, energy policy, and interstate and foreign commerce.”¹⁴⁰ The E&C Committee has oversight jurisdiction of multiple independent agencies and cabinet-level departments, including the Departments of Commerce, Energy, Health and Human Services, and Transportation—and Environmental Protection Agency (EPA), Federal Communications Commission (FCC), Federal Trade Commission (FTC), and Food and Drug Administration (FDA).¹⁴¹

Energy and Commerce Committee Chairman Fred Upton observes that “Sadly, every American is now aware of the economic havoc that hacking can wreak on American soil… It is a threat to private investment, public companies, jobs, economic freedom, and overall growth. The Sony incident underscores the clear and present threat to America’s thriving digital economy.”¹⁴² Accordingly, Chairman Upton announced that “the Energy and Commerce Committee will continue its active examination of this growing threat to jobs, whether from foreign nations, state enterprises, or other criminal elements. The economic damage is real, and we must work to protect American jobs and commerce.”¹⁴³ Ranking member Frank Pallone states that the committee “will continue looking at ways to protect personal data from hackers, but we also need to craft new ways to make it harder for thieves and hackers to use personal information when it is stolen.”¹⁴⁴

¹⁴¹ Id.
¹⁴³ Id.
The committee’s previous cybersecurity threat and security work has included such topics as: agency data protection; consumer information protection; intellectual property and technology protection; Internet governance and security; and supply chain security. Subcommittees having jurisdiction over cybersecurity matters include: Commerce, Manufacturing, and Trade; Communications and Technology; Energy and Power; Health; and Oversight and Investigations. Membership of the House Energy & Commerce Committee is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fred Upton, Michigan, Chairman</td>
<td>Frank Pallone, Jr., N. J., Ranking Member</td>
</tr>
<tr>
<td>Joe Barton, Texas, Chairman Emeritus</td>
<td>Bobby L. Rush, Illinois</td>
</tr>
<tr>
<td>Ed Whitfield, Kentucky</td>
<td>Anna G. Eshoo, California</td>
</tr>
<tr>
<td>Joseph R. Pitts, Pennsylvania</td>
<td>Gene Green, Texas</td>
</tr>
<tr>
<td>Greg Walden, Oregon</td>
<td>Diana DeGette, Colorado</td>
</tr>
<tr>
<td>Tim Murphy, Pennsylvania</td>
<td>Lois Capps, California</td>
</tr>
<tr>
<td>Michael C. Burgess, Texas</td>
<td>Michael F. Doyle, Pennsylvania</td>
</tr>
<tr>
<td>Marsha Blackburn, Tennessee, Vice Chair</td>
<td>Jan Schakowsky, Illinois</td>
</tr>
<tr>
<td>Steve Scalise, Louisiana</td>
<td>G. K. Butterfield, North Carolina</td>
</tr>
<tr>
<td>Bob Latta, Ohio</td>
<td>Doris O. Matsui, California</td>
</tr>
<tr>
<td>Cathy McMorris Rodgers, Washington</td>
<td>Kathy Castor, Florida</td>
</tr>
<tr>
<td>Gregg Harper, Mississippi</td>
<td>John Sarbanes, Maryland</td>
</tr>
<tr>
<td>Leonard Lance, New Jersey</td>
<td>Jerry McNerney, California</td>
</tr>
<tr>
<td>Brett Guthrie, Kentucky</td>
<td>Peter Welch, Vermont</td>
</tr>
<tr>
<td>Pete Olson, Texas</td>
<td>Ben Ray Lujan, New Mexico</td>
</tr>
<tr>
<td>David McKinley, West Virginia</td>
<td>Paul Tonko, New York</td>
</tr>
<tr>
<td>Mike Pompeo, Kansas</td>
<td>John Yarmuth, Kentucky</td>
</tr>
<tr>
<td>Adam Kinzinger, Illinois</td>
<td>Yvette D. Clarke, New York</td>
</tr>
<tr>
<td>Morgan Griffith, Virginia</td>
<td>David Loebsack, Iowa</td>
</tr>
<tr>
<td>Gus Bilirakis, Florida</td>
<td>Kurt Schrader, Oregon</td>
</tr>
<tr>
<td>Bill Johnson, Ohio</td>
<td>Joseph P. Kennedy III, Massachusetts</td>
</tr>
</tbody>
</table>

Billy Long, Missouri  
Renee Ellmers, North Carolina  
Larry Bucshon, Indiana  
Bill Flores, Texas  
Susan Brooks, Indiana  
Markwayne Mullin, Oklahoma  
Richard Hudson, North Carolina  
Chris Collins, New York  
Kevin Cramer, North Dakota  

Tony Cardenas, California

**Key Staff:**

**Majority and Non-Designated:**
- **Majority Staff Director:** Gary Andres
- **Majority Deputy Staff Director:** Alexa Marrero
- **Majority General Counsel:** Karen Christian
- **Majority Deputy General Counsel:** Peter Kielty
- **Majority Chief Counsel:** Charles Ingebretson (Oversight & Investigations), Alan Slobodin (Investigations), Tom Hassenboehler (Energy & Power), David McCarthy (Environment & Economy), Paul Nagle (Commerce, Manuf. & Trade), David Redl (Communications & Tech.)
- **Majority Sr. Energy Counsel:** Mary Neumayr
- **Majority Counsel:** Patrick Currier, Graham Default, Melissa Froelich, Kelsey Guyselman, Grace Koh, Ben Lieberman, Tina Richards, Krista Rosenthal, Samuel Spector, John Stone
- **Majority Senior Professional Staff:** Jerry Couri, Marty Dannenfelser
- **Majority Professional Staff:** Paul Edattel, Robert Horne, Carly McWilliams, Brandon Mooney, Katie Novaria, John Ohly, Tim Pataki, Tara Rothschild, Peter Spencer, Olivia Trusty, Andy Zach
- **Majority Senior Policy Advisor:** Ray Baum
- **Majority Policy Coordinators:** Allison Busbee, James Decker, Mark Ratner, Christopher Santini, Chris Sarley, Nick Abraham
- **Majority Legislative Clerks:** Will Batson, Brittany Havens, Kirby Howard, Charlotte Savercoul, Jessica Wilkerson
- **Majority Communications Director:** Sean C. Bonyun
- **Majority Press Secretary:** Noelle Clemente, Dan Schneider
- **Majority Deputy Press Secretary:** Andy Duberstein
- **Majority Press Assistant:** Leighton Brown, Macey Sevcik
- **Majority Staff Other:** David Bell, Rebecca Card, Sean Corcoran, Gene Fullano, Theresa Gambo, Graham Pittman, Michelle Rosenberg, Tim Torres, Traci Vitek, Greg Watson, Jene Woodrow

**Minority Staff:**
The E&C Subcommittee on Commerce, Manufacturing, and Trade states that it “has consistently focused on sensible consumer protections for the 21st century. The panel leads the committee’s efforts to address complex questions of individual privacy in the online ecosystem.” Membership of the House Energy & Commerce Committee, Subcommittee on Commerce, Manufacturing, and Trade consists of:

### MAJORITY (Republican)
- Michael C. Burgess, Texas, Chairman
- Leonard Lance, New Jersey, Vice Chair
- Marsha Blackburn, Tennessee
- Gregg Harper, Mississippi
- Steven Brett Guthrie, Kentucky
- Pete Olson, Texas
- Mike Pompeo, Kansas
- Adam Kinzinger, Illinois
- Gus Bilirakis, Florida
- Susan Brooks, Indiana
- Markwayne Mullin, Oklahoma
- Fred Upton, Michigan, Ex Officio

### MINORITY (Democratic)
- Jan Schakowsky, Illinois, Ranking Member
- Yvette D. Clarke, New York
- Joseph P. Kennedy III, Massachusetts
- Tony Cardenas, California
- Bobby L. Rush, Illinois
- G. K. Butterfield, North Carolina
- Peter Welch, Vermont
- Frank Pallone, Jr., N. J., Ex Officio

### Key Staff:
- Majority Staff Director ............ Paul Nagle
- Minority Chief Counsel ............ Michelle Ash
- Counsel ............................. Lisa Goldman
Subcommittee on Communications and Technology

The E&C Subcommittee on Communications and Technology states that its jurisdiction includes

Electronic communications, both Interstate and foreign, including voice, video, audio and data, whether transmitted by wire or wirelessly, and whether transmitted by telecommunications, commercial or private mobile service, broadcast, cable, satellite, microwave, or other mode; technology generally; emergency and public safety communications; cybersecurity, privacy, and data security; the Federal Communications Commission, the National Telecommunications and Information Administration, the Office of Emergency Communications in the Department of Homeland Security; and all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.¹⁴⁸

Membership of the House Energy & Commerce Committee, Subcommittee on Communications and Technology is as follows:¹⁴⁹

MAJORITY (Republican)                  MINORITY (Democratic)
Greg Walden, Oregon, Chairman          Anna G. Eshoo, CA, Ranking Member
Bob Latta, Ohio, Vice Chairman          Michael F. Doyle, Pennsylvania
John Shimkus, Illinois                  Peter Welch, Vermont
Marsha Blackburn, Tennessee             John Yarmuth, Kentucky
Steve Scalise, Louisiana                Yvette D. Clarke, New York
Leonard Lance, New Jersey               David Loebsack, Iowa
Brett Guthrie, Kentucky                 Bobby L. Rush, Illinois
Pete Olson, Texas                       Diana DeGette, Colorado
Mike Pompeo, Kansas                     G. K. Butterfield, North Carolina
Adam Kinzinger, Illinois                 Doris O. Matsui, California
Gus Bilirakis, Florida                   Jerry McNerney, California
Bill Johnson, Ohio                       Ben Ray Lujan, New Mexico
Billy Long, Missouri                     Frank Pallone, Jr. New Jersey, (Ex Officio)
Renee Ellmers, North Carolina

Key Staff:

Majority Chief Counsel.... David Redl
Majority Counsel............ Kelsey Guyselman, Grace Koh
Majority Sr Policy Advisor Ray Baum
Majority Other Staff........ Gene Fullano

Minority Chief Counsel.... David Goldman
Minority Policy Analyst Ryan Skukowski

Subcommittee on Energy and Power

The E&C Subcommittee on Energy and Power has broad jurisdiction over matters involving “energy information…cybersecurity…all laws, programs, and government activities affecting energy matters, including all aspects of the above-referenced jurisdiction related to the Department of Homeland Security.” Membership of the House Energy & Commerce Committee, Subcommittee on Energy and Power consists of:

MAJORITY (Republican) MINORITY (Democratic)

Ed Whitfield, Kentucky, Chairman Bobby L. Rush, Illinois, Ranking Member
Pete Olson, Texas, Vice Chair Jerry McNerney, California
John Shimkus, Illinois Paul Tonko, New York
Joseph R. Pitts, Pennsylvania Eliot L. Engel, New York
Bob Latta, Ohio Gene Green, Texas
Gregg Harper, Mississippi Lois Capps, California
David McKinley, West Virginia Michael F. Doyle, Pennsylvania
Mike Pompeo, Kansas Kathy Castor, Florida
Adam Kinzinger, Illinois John Sarbanes, Maryland
Morgan Griffith, Virginia Peter Welch, Vermont
Bill Johnson, Ohio John Yarmuth, Kentucky

151 Id.
Membership of the the E&C Subcommittee on Health is as follows.\textsuperscript{153}

\begin{footnotesize}
\begin{tabular}{ll}
\textbf{MAJORITY (Republican)} & \textbf{MINORITY (Democratic)} \\
Joe Pitts, Texas, Chairman & Gene Green, Texas, Ranking Member \\
Brett Guthrie, Kentucky, Vice Chairman & Eliot L. Engel, New York \\
Ed Whitfield, Kentucky & Lois Capps, California \\
John Shimkus, Illinois & Jan Schakowsky, Illinois \\
Tim Murphy, Pennsylvania & G. K. Butterfield, North Carolina \\
Michael C. Burgess, Texas & Kathy Castor, Florida \\
\end{tabular}
\end{footnotesize}


Marsha Blackburn, Tennessee                    John Sarbanes, Maryland
Cathy McMorris Rodgers, Washington            Doris O. Matsui, California
Leonard Lance, New Jersey                     Ben Ray Lujan, New Mexico
Morgan Griffith, Virginia                      Kurt Schrader, Oregon
Gus Bilirakis, Florida                         Joseph P. Kennedy III, Massachusetts
Billy Long, Missouri                           Tony Cardenas, California
Renee Ellmers, North Carolina                  Frank Pallone, Jr., N. J., Ex Officio
Larry Bucshon, Indiana                         
Susan Brooks, Indiana                          
Chris Collins, New York                        
Kevin Cramer, North Dakota                     
Joe Barton, Texas                               
Fred Upton, Michigan, Ex Officio

Key Staff:
Majority Chief Counsel………….. Clay Alspach
Majority Policy Advisor………….. Heidi Stirrup
Other……………………………… Michelle Rosenberg, Traci Vitek

Minority Counsel………………… Arielle Woronoff
Majority Policy Advisor………….. Rachel Pryor
Policy Analyst…………………… Ziky Ababiya

Subcommittee on Oversight and Investigations

The E&C Subcommittee on Oversight and Investigations states that it has
“responsibility for oversight of agencies, departments and programs within the
jurisdiction of the full committee, and for conducting investigations within such
jurisdiction.”\textsuperscript{154} Membership of the House Energy & Commerce Committee,
Subcommittee on Oversight and Investigations is as follows:\textsuperscript{155}

MAJORITY (Republican)                  MINORITY (Democratic)

\footnotesize\textsuperscript{154} United States House of Representatives, Energy & Commerce Committee, Committee
Jurisdiction, \textit{available at}
\url{http://democrats.energycommerce.house.gov/index.php?q=page/committee-jurisdiction} (last

\footnotesize\textsuperscript{155} United States House of Representatives, Energy & Commerce Committee, Subcommittees:
Oversight and Investigations, Membership \textit{available at}
\url{http://energycommerce.house.gov/subcommittees/oversight-and-investigations} (last viewed Sept.
2, 2015).
During oversight hearings on the topic “A Global Perspective on Cyber Threats,” Frank J. Cilluffo testified that a single U.S. bank confronted 30,000 cyber-attacks during the prior week alone. Every day, an attack is mounted on average every 34 seconds, “and these attacks are just the attacks that the bank actually knows about, by virtue of a known malicious signature or IP address. As for the source of the known attacks, approximately 22,000 came from criminal organizations; and 400 from nation-states.”

On June 24, 2015 the House Committee on Financial Services held hearings on

---


157 Id.
“Evaluating the security of the U.S. Financial Sector.” Membership of the House Committee on Financial Services consists of:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeb Hensarling, Texas, Chairman</td>
<td>Maxine Waters, CA, Ranking Member</td>
</tr>
<tr>
<td>Peter T. King, New York</td>
<td>Carolyn B. Maloney, New York</td>
</tr>
<tr>
<td>Edward R. Royce, California</td>
<td>Nydia M. Velázquez, New York</td>
</tr>
<tr>
<td>Frank D. Lucas, Oklahoma</td>
<td>Brad Sherman, California</td>
</tr>
<tr>
<td>Scott Garrett, New Jersey</td>
<td>Gregory W. Meeks, New York</td>
</tr>
<tr>
<td>Randy Neugebauer, Texas</td>
<td>Michael E. Capuano, Massachusetts</td>
</tr>
<tr>
<td>Patrick T. McHenry, NC, Vice Chairman</td>
<td>Rubén Hinojosa, Texas</td>
</tr>
<tr>
<td>Stevan Pearce, New Mexico</td>
<td>Wm. Lacy Clay, Missouri</td>
</tr>
<tr>
<td>Bill Posey, Florida</td>
<td>Stephen F. Lynch, Massachusetts</td>
</tr>
<tr>
<td>Michael G. Fitzpatrick, Pennsylvania</td>
<td>David Scott, Georgia</td>
</tr>
<tr>
<td>Lynn A. Westmoreland, Georgia</td>
<td>Al Green, Texas</td>
</tr>
<tr>
<td>Blaine Luetkemeyer, Missouri</td>
<td>Emanuel Cleaver, Missouri</td>
</tr>
<tr>
<td>Bill Huizenga, Michigan</td>
<td>Gwen Moore, Wisconsin</td>
</tr>
<tr>
<td>Sean P. Duffy, Wisconsin</td>
<td>Keith Ellison, Minnesota</td>
</tr>
<tr>
<td>Robert Hurt, Virginia</td>
<td>Ed Perlmutter, Colorado</td>
</tr>
<tr>
<td>Steve Stivers, Ohio</td>
<td>James A. Himes, Connecticut</td>
</tr>
<tr>
<td>Stephen Lee Fincher, Tennessee</td>
<td>John C. Carney, Jr., Delaware</td>
</tr>
<tr>
<td>Marlin A. Stutzman, Indiana</td>
<td>Terri A. Sewell, Alabama</td>
</tr>
<tr>
<td>Mick Mulvaney, South Carolina</td>
<td>Bill Foster, Illinois</td>
</tr>
<tr>
<td>Randy Hultgren, Illinois</td>
<td>Daniel T. Kildee, Michigan</td>
</tr>
<tr>
<td>Dennis A. Ross, Florida</td>
<td>Patrick Murphy, Florida</td>
</tr>
<tr>
<td>Robert Pittenger, North Carolina</td>
<td>John K. Delaney, Maryland</td>
</tr>
<tr>
<td>Ann Wagner, Missouri</td>
<td>Kyrsten Sinema, Arizona</td>
</tr>
<tr>
<td>Andy Barr, Kentucky</td>
<td>Joyce Beatty, Ohio</td>
</tr>
<tr>
<td>Keith J. Rothfus, Pennsylvania</td>
<td>Denny Heck, Washington</td>
</tr>
<tr>
<td>Luke Messer, Indiana</td>
<td>Juan Vargas, California</td>
</tr>
<tr>
<td>David Schweikert, Arizona</td>
<td></td>
</tr>
<tr>
<td>Frank Guinta, New Hampshire</td>
<td></td>
</tr>
<tr>
<td>Scott Tipton, Colorado</td>
<td></td>
</tr>
<tr>
<td>Roger Williams, Texas</td>
<td></td>
</tr>
<tr>
<td>Bruce Poliquin, Maine</td>
<td></td>
</tr>
<tr>
<td>Mia Love, Utah</td>
<td></td>
</tr>
<tr>
<td>French Hill, Arkansas</td>
<td></td>
</tr>
<tr>
<td>Tom Emmer, Minnesota</td>
<td></td>
</tr>
</tbody>
</table>


159 United States House of Representatives, House Committee on Financial Services, Committee Members, available at [http://financialservices.house.gov/about/members.htm](http://financialservices.house.gov/about/members.htm) (last viewed Sept. 1, 2015).
Key Staff:

Majority:

Majority Staff Director .................... Shannon McGahn
Majority Deputy Staff Director .......... Kirsten Mork, Jeff Emerson (Communications)
Majority Policy Director .................. Ed Skala
Majority Chief Counsel .................... Jim Clinger
Majority Deputy Chief Counsel .......... Frank Medina
Majority General Counsel
And Parliamentarian ...................... Joseph Clark
Majority Chief Oversight Counsel ..... Uttam Dhillon
Majority Senior Counsel and
Chief Advisor, Regulatory Policy .. Ron Rubin
Majority Senior Counsel ................. Kevin Edgar, Brian Johnson, Clinton Jones
Majority Counsel .......................... Joe Gammello, Rebekah Goshorn, Brett Sisto
Majority Senior Professional Staff.. Anthony Chang, Tallman Johnson, Joe Pinder
Majority Professional Staff ............. Brian Anderson, Jon Blum, Chris Brown,
Katelyn Christ, Marliess McManus, Pete Meachum,
Brian O’Shea, Jared Sawyer, Bryan Wood

Majority Chief Economist ............... Dino Falaschetti
Majority Legislative Assistant ......... Chase Burgess
Majority Research Analyst .............. Drew Davidhizar
Majority Communications Director .... David Popp
Majority Communications Assistant . Maria Kim
Majority Digital Director ............... Scott Schmidt
Majority Administrative assistant . Angela Gambo

Minority Staff:

Minority Staff Director .................... Charla Ouertatani
Minority Deputy Staff Director ....... Amanda Fischer
Minority Deputy Legislative
Director and Counsel .................... Lisa Peto
Minority Senior Policy Director .. Erika Jeffers
Minority Senior Counsel .............. Katelynn Bradley, Jarrod Loadholt
Minority Counsel ........................ Esther Kahng, Jason Lynch
Minority Senior Professional Staff Kris Erickson, Corey Frayer, Daniel McGlinchey,
Kirk Schwarzbach

Minority Professional Staff ............ Ola Williams
Minority Communications Director Christopher Spina
Minority Press Secretary ............... Nina Smith
Minority Press Assistant ............... Marcos Manosalvas
XVI. HOUSE COMMITTEE ON HOMELAND SECURITY

The House Committee on Homeland Security was chartered during 2002 to conduct hearings, craft necessary legislation on matters specific to homeland security, and to provide oversight over the U.S. Department of Homeland Security. Each of the Committee’s six subcommittees appears to have some relationship to the issues germane to cybersecurity: Subcommittee on Border and Maritime Security; Subcommittee on Counterterrorism and Intelligence; Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies; Subcommittee on Emergency Preparedness, Response and Communications; Subcommittee on Oversight and Management Efficiency; and Subcommittee on Transportation Security.160 During early 2015, the Committee on Homeland Security unanimously passed H.R. 1731, the National Cybersecurity Protection Advancement (NCPA) Act of 2015,161 and sent it to the full House where it subsequently achieved passage.162 Membership of the House Committee on Homeland Security for the 114th Congress follows:163

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael McCaul, Texas, Chairman</td>
<td>Bennie Thompson, MS, Ranking Member</td>
</tr>
<tr>
<td>Lamar Smith, Texas</td>
<td>Loretta Sanchez, California</td>
</tr>
<tr>
<td>Peter King, New York</td>
<td>Sheila Jackson Lee, Texas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mike Rogers, Alabama</th>
<th>James R. Langevin, Rhode Island</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candice S. Miller, Michigan</td>
<td>Brian Higgins, New York</td>
</tr>
<tr>
<td>Jeff Duncan, South Carolina</td>
<td>Cedric L. Richmond, Louisiana</td>
</tr>
<tr>
<td>Tom Marino, Pennsylvania</td>
<td>William R. Keating, Massachusetts</td>
</tr>
<tr>
<td>Lou Barletta, Pennsylvania</td>
<td>Donald M. Payne Jr., New Jersey</td>
</tr>
<tr>
<td>Scott Perry, Pennsylvania</td>
<td>Filemon Vela, Texas</td>
</tr>
<tr>
<td>Curtis Clawson, Florida</td>
<td>Bonnie Watson Coleman, New Jersey</td>
</tr>
<tr>
<td>John Katko, New York</td>
<td>Kathleen M. Rice, New York</td>
</tr>
<tr>
<td>Will Hurd, Texas</td>
<td>Norma J. Torres, California</td>
</tr>
<tr>
<td>Earl L. “Buddy” Carter, Georgia</td>
<td></td>
</tr>
<tr>
<td>Mark Walker, North Carolina</td>
<td></td>
</tr>
<tr>
<td>Barry Loudermilk, Georgia</td>
<td></td>
</tr>
<tr>
<td>Martha McSally, Arizona</td>
<td></td>
</tr>
<tr>
<td>John Ratcliffe, Texas</td>
<td></td>
</tr>
<tr>
<td>Dan Donovan, New York</td>
<td></td>
</tr>
</tbody>
</table>

**Key Staff:**

**Majority and Non-Designated:**
- Majority Staff Director
- Executive Asst. to the Director
- Majority Deputy Staff Director
- Majority General Counsel
- Majority Sr. Professional Staff
- Majority Professional Staff
- Majority Communications Dir.
- Majority Deputy Press Secretary
- Majority Senior Advisor
- Majority Clerk
- Majority Security Director
- Majority Staff Other
- Bipartisan Staff:
  - Chief Clerk
  - Deputy Chief Clerk
- Minority Staff:
  - Minority Staff Director
  - Executive Asst. to the Director
  - Minority Chief Counsel
  - Minority Sr. Professional Staff
  - Minority Professional Staff

© 2014-15 Lawrence J. Trautman  Page 69  All rights reserved.
Subcommittee on Counterrorism and Intelligence

An example of the Subcommittee on Counterrorism and Intelligence providing valuable cyber oversight is illustrated by the hearings held on the topic “Assessing Persistent and Emerging Cyber Threats to the U.S. Homeland.”

Membership of the House Committee on Homeland Security’s Subcommittee on Counterrorism and Intelligence follow:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter King, New York, Chairman</td>
<td>Brian Higgins, NY, Ranking Member</td>
</tr>
<tr>
<td>Candice S. Miller, Michigan</td>
<td>William R. Keating, Massachusetts</td>
</tr>
<tr>
<td>Lou Barletta, Pennsylvania</td>
<td>Filemon Vela, Texas</td>
</tr>
<tr>
<td>John Katko, New York</td>
<td>Bennie Thompson, MS, Ex Officio</td>
</tr>
<tr>
<td>Will Hurd, Texas</td>
<td></td>
</tr>
<tr>
<td>Michael McCaul, Texas, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:

- Majority Staff Director: Mandy Bowers
- Majority Professional Staff: John Neal
- Minority Director / Counsel: Nicole Tisdale
- Minority Professional Staff: Lori Stith

Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies

One of many examples of subcommittee oversight, during 2015, the Committee on Homeland Security’s Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies held hearings on the subject of “Emerging Threats and

---


Technologies to Protect the Homeland.” Membership of the House Committee on Homeland Security’s Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies follow:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Ratcliffe, Texas, Chairman</td>
<td>Cedric L. Richmond, LA, Ranking Mber.</td>
</tr>
<tr>
<td>Peter King, New York</td>
<td>Loretta Sanchez, California</td>
</tr>
<tr>
<td>Tom Marino, Pennsylvania</td>
<td>Sheila Jackson Lee, Texas</td>
</tr>
<tr>
<td>Scott Perry, Pennsylvania</td>
<td>James R. Langevin, Rhode Island</td>
</tr>
<tr>
<td>Curtis Clawson, Florida</td>
<td>Bennie Thompson, MS, Ex Officio</td>
</tr>
<tr>
<td>Dan Donovan, New York</td>
<td>Michael McCaul, Texas, Ex Officio</td>
</tr>
</tbody>
</table>

Key Staff:

- Majority Staff Director: Brett DeWitt
- Majority Professional Staff: Bradley Saull
- Majority Staff Other: David DeCroix

- Minority Staff Director: Christopher Schepis
- Minority Professional Staff: Cory Horton

Subcommittee on Emergency Preparedness, Response and Communications

An example of the Subcommittee on Emergency Preparedness, Response and Communications’s oversight role is found in their previous hearings on the topic, “Cyber Incident Response: Bridging the Gap Between Cybersecurity and Emergency Management.” Membership of the House Committee on Homeland Security’s Subcommittee on Emergency Preparedness, Response and Communications follow:

---


168 United States House of Representatives, The House Committee on Homeland Security, Subcommittees: Subcommittee on Emergency Preparedness, Response and Communications,
MAJORITY (Republican) | MINORITY (Democratic)
---|---
Martha McSally, Arizona, Chair | Donald M. Payne Jr., NJ, Ranking Member
Tom Marino, Pennsylvania | Bonnie Watson Coleman, New Jersey
Mark Walker, North Carolina | Kathleen M. Rice, New York
Barry Loudermilk, Georgia | Bennie Thompson, MS, Ex Officio
Dan Donovan, New York | 
Michael McCaul, Texas, Ex Officio | 

Key Staff:
- **Majority Staff Director** ...... Kerry Kenirons
- **Majority Professional Staff** Kate Bonvechio, Natalie Matson

- **Minority Staff Director** ...... Moira Bergin
- **Minority Professional Staff** Ashley Delgado

Subcommittee on Oversight and Management Efficiency

One of many examples of subcommittee oversight, during 2013, the Committee on Homeland Security’s Subcommittee on Oversight and Management Efficiency held hearings on the topic of DHS Information Technology: How Effectively Has DHS Harnessed IT to Secure Our Borders and Uphold Immigration Laws? Members of the House Committee on Homeland Security’s Subcommittee on Oversight and Management Efficiency follow:

MAJORITY (Republican) | MINORITY (Democratic)
---|---
Scott Perry, Pennsylvania, Chairman | Bonnie Watson Coleman, NJ, Ranking Mbr

---


Jeff Duncan, South Carolina  
Curtis Clawson, Florida  
Earl L. “Buddy” Carter, Georgia  
Barry Loudermilk, Georgia  
Michael McCaul, Texas, Ex Officio

Cedric L. Richmond, Louisiana  
Norma J. Torres, California  
Bennie Thompson, MS, Ex Officio

**Key Staff**

*Majority Staff Director*  Ryan Consaul  
*Maj. Sr. Professional Staff*  Luke Burke  
*Majority Professional Staff*  Diana Bergwin  
*Majority Staff Other*  Emily Gunn

*Minority Professional Staff*  Deborah Mack

**XVII. HOUSE JUDICIARY COMMITTEE**

The Committee on the Judiciary was created on June 3, 1813 as a standing committee “to consider legislation relating to judicial proceedings.”\(^{172}\) Since then, the scope of the Committee’s jurisdiction has encompassed a wide range of subjects – “Particularly important in our time is the Committee’s oversight responsibility for the Departments of Justice and Homeland Security.”\(^{173}\) Committee membership has customarily consisted of those having a background in the law, given the legal focus of the committee’s work. Because of rapid scientific progress and technological change, “an expanding list of issues, including intellectual property, cloning, and the internet, require committee members to possess a wide breadth of knowledge in order to effectively address concerns from these and other new areas.”\(^{174}\) Membership of the House Judiciary Committee for the 114\(^{th}\) Congress follows:\(^{175}\)

---


\(^{173}\) *Id.*

\(^{174}\) *Id.*

### MAJORITY (Republican)  

<table>
<thead>
<tr>
<th>Bob Goodlatte, Virginia, Chairman</th>
<th>John Conyers, Michigan, Ranking Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim Sensenbrenner, Wisconsin</td>
<td>Jerry Nadler, New York</td>
</tr>
<tr>
<td>Lamar Smith, Texas</td>
<td>Zoe Lofgren, California</td>
</tr>
<tr>
<td>Steve Chabot, Ohio</td>
<td>Shelia Jackson Lee, Texas</td>
</tr>
<tr>
<td>Darrell Issa, California</td>
<td>Steve Cohen, Tennessee</td>
</tr>
<tr>
<td>Randy Forbes, Virginia</td>
<td>Hank Johnson, Georgia</td>
</tr>
<tr>
<td>Steve King, Iowa</td>
<td>Pedro Pierluisi, Puerto Rico</td>
</tr>
<tr>
<td>Trent Franks, Arizona</td>
<td>Judy Chu, California</td>
</tr>
<tr>
<td>Louie Gohmert, Texas</td>
<td>Ted Deutch, Florida</td>
</tr>
<tr>
<td>Jim Jordan, Ohio</td>
<td>Luis Gutierrez, Illinois</td>
</tr>
<tr>
<td>Ted Poe, Texas</td>
<td>Karen Bass, California</td>
</tr>
<tr>
<td>Jason Chaffetz, Utah</td>
<td>Cedric Richmond, Louisiana</td>
</tr>
<tr>
<td>Tom Marino, Pennsylvania</td>
<td>Suzan DelBene, Washington</td>
</tr>
<tr>
<td>Trey Gowdy, South Carolina</td>
<td>Hakeem Jeffries, New York</td>
</tr>
<tr>
<td>Raul Labrador, Idaho</td>
<td>David Cicilline, Rhode Island</td>
</tr>
<tr>
<td>Blake Farenthold, Texas</td>
<td>Scott Peters, California</td>
</tr>
<tr>
<td>Doug Collins, Georgia</td>
<td></td>
</tr>
<tr>
<td>Ron DeSantis, Florida</td>
<td></td>
</tr>
<tr>
<td>Mimi Walters, California</td>
<td></td>
</tr>
<tr>
<td>Ken Buck, Colorado</td>
<td></td>
</tr>
<tr>
<td>John Ratcliffe, Texas</td>
<td></td>
</tr>
<tr>
<td>Dave Trott, Michigan</td>
<td></td>
</tr>
<tr>
<td>Mike Bishop, Michigan</td>
<td></td>
</tr>
</tbody>
</table>

### MINORITY (Democratic)  

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Key Staff:

**Majority and Non-Designated:**
- **Chief of Staff and General Counsel:** Shelley Husband
- **Deputy Chief of Staff and Chief Counsel:** Branden Ritchie
- **General Counsel and Parliamentarian:** Allison Halataei
- **Senior Counsel:** Jason Cervenak
- **Counsel:** Stephanie Gadbois
- **Professional Staff:** John Manning
- **Communications Director:** Kathryn Rexrode
- **Deputy Communications Director:** Jessica Collins
- **Public Affairs:** Bryan Alphin
- **Other Staff:**
  - Doug Alexander, Patrick Baugh, Allen Jamerson, Tim Pearson, Joe Russo, Tom Ullrich,
  - Banyon Vassar, Kelsey Deterding Williams

---

**Minority Staff:**
- **Staff Director and Chief Counsel:** Perry Apelbaum
- **Chief Legislative Counsel and**
Parliamentarian........................ Danielle Brown
Chief Counsel, Int’l Property........ Jason Everett
Chief Oversight Counsel............. Aaron Hiller
Senior Counsel........................ Susan Jensen, Keenan Keller
Counsel..................................... Slade Bond, Lillian German, Joe Graupensperger, 
                                      David Greengrass, Norberto Salinas, and 
                                      Maunica Sthanki
Professional Staff....................... Veronica Eligan, Rosalind Jackson, Maggie Lopatin
Other Staff............................... Kurt May, Dwight Sullivan
Communications Director............. Stephanie Baez

Subcommittee on Courts, Intellectual Property and the Internet

Membership on the House Committee on the Judiciary’s Subcommittee on 
Courts, Intellectual Property and the Internet is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darrell Issa, California, Chairman</td>
<td>Jerry Nadler, New York, Ranking Member</td>
</tr>
<tr>
<td>Doug Collins, Georgia, Vice Chairman</td>
<td>Judy Chu, California</td>
</tr>
<tr>
<td>Jim Sensenbrenner, Wisconsin</td>
<td>Ted Deutch, Florida</td>
</tr>
<tr>
<td>Lamar Smith, Texas</td>
<td>Karen Bass, California</td>
</tr>
<tr>
<td>Steve Chabot, Ohio</td>
<td>Cedric Richmond, Louisiana</td>
</tr>
<tr>
<td>Randy Forbes, Virginia</td>
<td>Suzan DelBene, Washington</td>
</tr>
<tr>
<td>Trent Franks, Arizona</td>
<td>Hakeem Jeffries, New York</td>
</tr>
<tr>
<td>Jim Jordan, Ohio</td>
<td>David Cicilline, Rhode Island</td>
</tr>
<tr>
<td>Ted Poe, Texas</td>
<td>Scott Peters, California</td>
</tr>
<tr>
<td>Jason Chaffetz, Utah</td>
<td>Zoe Lofgren, California</td>
</tr>
<tr>
<td>Tom Marino, Pennsylvania</td>
<td>Steve Cohen, Tennessee</td>
</tr>
<tr>
<td>Blake Farenthold, Texas</td>
<td>Hank Johnson, Georgia</td>
</tr>
<tr>
<td>Ron DeSantis, Florida</td>
<td>John Conyers, Michigan, Ex Officio</td>
</tr>
<tr>
<td>Mimi Walters, California</td>
<td></td>
</tr>
<tr>
<td>Bob Goodlatte, Virginia, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:
Majority Chief Counsel.......... Joe Keeley
Senior Counsel..................... Vishal Amin
Counsel............................... David Whitney

Minority Chief Counsel.......... Jason Everett
Counsel............................... Norberto Salinas
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations

Membership on the House Committee on the Judiciary’s Subcommittee on Crime, Terrorism, Homeland Security, and Investigations consists of:

**MAJORITY (Republican)***
- Jim Sensenbrenner, Wisconsin, Chairman
- Louie Gohmert, Texas
- Steve Chabot, Ohio
- Randy Forbes, Virginia
- Ted Poe, Texas
- Jason Chaffetz, Utah
- Trey Gowdy, South Carolina
- Raul Labrador, Idaho
- Ken Buck, Colorado
- Mike Bishop, Michigan
- Bob Goodlatte, Virginia, Ex Officio

**MINORITY (Democratic)***
- Shelia Jackson Lee, TX, Ranking Member
- Pedro Pierluisi, Puerto Rico
- Judy Chu, California
- Luis Gutierrez, Illinois
- Karen Bass, California
- Cedric Richmond, Louisiana
- John Conyers, Michigan, Ex Officio

*Key Staff:*
- **Majority Chief Counsel** ………. Caroline Lynch
- **Counsel** …………………………. Sarah Allen, Robert Parmiter
- **Clerk** ……………………………. Alicia Church

- **Minority Chief Counsel** ……….. Joe Graupensperger
- **Other** ……………………………. Vanessa Chen, Kurt May

**XVIII. COMMITTEE ON OVERSIGHT & GOVERNMENT REFORM**

During the 114th Congress this committee will be under the chairmanship of Rep. Jason Chaffetz (R-Utah). Of the Committee’s six subcommittees, three have jurisdiction over issues impacted by cybersecurity (in alphabetical order): the Subcommittee on Governmental Operations; Information Technology; and National Security. Some outside the government have characterized Rep. Chaffetz as “very tech-savvy and tech-friendly. We expect the committee will conduct oversight on government IT

---

infrastructure and procurement and cyber-security. A key indication of this is the announcement that the committee is creating a new subcommittee to deal with these specific issues.”

Membership of the House Committee on Oversight and Government Reform for the 114th Congress follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jason Chaffetz, Utah, Chairman</td>
<td>Elijah Cummings, MD, Ranking Member</td>
</tr>
<tr>
<td>John Mica, Florida</td>
<td>Carolyn Maloney, New York</td>
</tr>
<tr>
<td>Michael Turner, Ohio</td>
<td>Eleanor Holmes Norton, DC</td>
</tr>
<tr>
<td>John Duncan, Tennessee</td>
<td>William Lacy Clay, Missouri</td>
</tr>
<tr>
<td>Jim Jordan, Ohio</td>
<td>Stephen Lynch, Massachusetts</td>
</tr>
<tr>
<td>Tim Walberg, Michigan</td>
<td>Jim Cooper, Tennessee</td>
</tr>
<tr>
<td>Justin Amash, Michigan</td>
<td>Gerald E. Connolly, Virginia</td>
</tr>
<tr>
<td>Paul Gosar, Arizona</td>
<td>Matt Cartwright, Pennsylvania</td>
</tr>
<tr>
<td>Scott Desjarlais, Tennessee</td>
<td>Tammy Duckworth, Illinois</td>
</tr>
<tr>
<td>Trey Gowdy, South Carolina</td>
<td>Robin Kelly, Illinois</td>
</tr>
<tr>
<td>Blake Farenthold, Texas</td>
<td>Brenda Lawrence, Michigan</td>
</tr>
<tr>
<td>Cynthia Lummis, Wyoming</td>
<td>Ted Lieu, California</td>
</tr>
<tr>
<td>Thomas Massie, Kentucky</td>
<td>Bonnie Watson, New Jersey</td>
</tr>
<tr>
<td>Mark Meadows, North Carolina</td>
<td>Stacey E. Plaskett, Virgin Islands</td>
</tr>
<tr>
<td>Ron DeSantis, Florida</td>
<td>Mark DeSaulnier, California</td>
</tr>
<tr>
<td>Mick Mulvaney, South Carolina</td>
<td>Brendan F. Boyle, Pennsylvania</td>
</tr>
<tr>
<td>Ken Buck, Colorado</td>
<td>Peter Welch, Vermont</td>
</tr>
<tr>
<td>Mark Walker, North Carolina</td>
<td>Michelle Lujan Grisham, New Mexico</td>
</tr>
<tr>
<td>Rod Blum, Iowa</td>
<td></td>
</tr>
<tr>
<td>Jody Hice, Georgia</td>
<td></td>
</tr>
<tr>
<td>Steve Russell, Oklahoma</td>
<td></td>
</tr>
<tr>
<td>Buddy Carter, Georgia</td>
<td></td>
</tr>
<tr>
<td>Glenn Grothman</td>
<td></td>
</tr>
<tr>
<td>William Hurd, Texas</td>
<td></td>
</tr>
<tr>
<td>Gary J. Palmer, Alabama</td>
<td></td>
</tr>
</tbody>
</table>

**Key Staff:**

**Majority and Non-Designated:**

Majority Staff Director ....... Sean McLaughlin

---

177 Robert Kelner, Lanny Breuer, Dan Bryant, Ethan Posner, Brian Smith & Richard Hertling, Congressional Investigations Outlook in the 114th Congress, Covington & Burling, (Dec. 18, 2014), available at [http://www.cov.com/files/Publication/c04b2ca8-a5fe-4381-a021-458f848d5ab0/Presentation/PublicationAttachment/debf792e-33a3-417c-bf0c-46ab451cde65/Congressional_Investigations_Outlook_in_the_114th_Congress.pdf](http://www.cov.com/files/Publication/c04b2ca8-a5fe-4381-a021-458f848d5ab0/Presentation/PublicationAttachment/debf792e-33a3-417c-bf0c-46ab451cde65/Congressional_Investigations_Outlook_in_the_114th_Congress.pdf) (last viewed Sept. 2, 2015).

Subcommittee on Government Operations

Chaired during the 114th Congress by Rep. Mark Meadows (R- N.C.), the Subcommittee on Government Operations has primary jurisdiction over federal property, data standards, and federal information technology and “oversees the efficiency and management of government operations and activities, working to ensure public access to information through its oversight of the Freedom of Information Act, the Federal Advisory Committee Act, the Presidential Records Act, and the National Archives and Records Administration. Membership of the House Committee on Oversight and Government Reform’s Subcommittee on Government Operations follow:

---

179 U.S. House of Representatives, Committee on Oversight & Governmental Reform, Subcommittee on Government Operations, available at

© 2014-15 Lawrence J. Trautman Page 78 All rights reserved.
### MAJORITY (Republican)  
Mark Meadows, North Carolina, Chairman  
Jim Jordan, Ohio  
Tim Walberg, Michigan  
Trey Gowdy, South Carolina  
Thomas Massie, Kentucky  
Mick Mulvaney, South Carolina  
Ken Buck, Colorado  
Buddy Carter, Georgia  
Glenn Grothman  
Jason Chaffetz, Utah, Ex Officio  

### MINORITY (Democratic)  
Gerald E. Connolly, VA, Ranking Member  
Carolyn Maloney, New York  
Eleanor Holmes Norton, DC  
William Lacy Clay, Missouri  
Stacey E. Plaskett, Virgin Islands  
Stephen Lynch, Massachusetts  
Elijah Cummings, MD, Ex Officio  

**Key Staff:**  
**Majority Staff Director** Jennifer Hemingway  
**Deputy Majority Staff Director** Jeff Post  
**Senior Counsel** ……………… Julie Dunne  
**Counsel** ……………… Howard Denis, Katy Rother  
**Professional Staff** ………... Alexa Armstrong, Christopher D’Angelo  

**Minority Staff Counsel** ………... Lena Chang  

**Subcommittee on Information Technology**  
Rep. Will Hurd (R- Texas) will serve as chair of the Subcommittee on Information Technology during the 114th Congress. The Information Technology Subcommittee “will focus on federal IT procurement… cybersecurity, IT infrastructure, emerging technologies, and intellectual property, among other issues.”\(^{181}\) Membership of the House Committee on Oversight and Government Reform’s Subcommittee on Information Technology follow:\(^{182}\)  

### MAJORITY (Republican)  

### MINORITY (Democratic)  

---  
\(^{181}\) Id.  
\(^{182}\) Chaffetz Press Release, *supra* note 175.  
Rep. Ron De Santis (R- Florida) will serve as chair of the Subcommittee on National Security during the 114th Congress. This Subcommittee “is primarily responsible for overseeing the Departments of State, Defense and Homeland Security, and the United States Agency for International Development (USAID).” During the 114th Congress, the Subcommittee will also focus on areas related to the “VA, DOJ, and the intelligence community.” To discharge these duties, the Subcommittee “holds hearings and conducts investigations of policies, personnel and procedures within these executive entities… [and] has legislative jurisdiction over drug policy, and oversees the policies of the Office of National Drug Control Policy (ONDCP).” Membership of the

---

House Committee on Oversight and Government Reform’s Subcommittee on National Security consists of: 186

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ron DeSantis, Florida, Chairman</td>
<td>Stephen Lynch, MA, Ranking Member</td>
</tr>
<tr>
<td>John Mica, Florida</td>
<td>Ted Lieu, California</td>
</tr>
<tr>
<td>John Duncan, Tennessee</td>
<td>Robin Kelly, Illinois</td>
</tr>
<tr>
<td>Jody Hice, Georgia</td>
<td>Brenda Lawrence, Michigan</td>
</tr>
<tr>
<td>Steve Russell, Oklahoma</td>
<td>Elijah Cummings, MD, Ex Officio</td>
</tr>
<tr>
<td>William Hurd, Texas</td>
<td></td>
</tr>
<tr>
<td>Jason Chaffetz, Utah, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:
- Majority Staff Director …….. Art Arthur
- Professional Staff …………… Sang H. Yi
- Minority Staff Counsel …….. Valerie Shen

XIX. HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The U.S. House Permanent Select Committee on Intelligence (HPSCI) “is charged with the oversight of the United States Intelligence Community, which includes the intelligence and intelligence related activities of 17 elements of the U.S. Government, and the Military Intelligence Programs.” 187 The HPSCI has four subcommittees for the 114th Congress: the CIA Subcommittee; Department of Defense Intelligence and Overhead Architecture Subcommittee; Emerging Threats Subcommittee; and NSA and Cybersecurity Subcommittee. 188 During early 2015, favorably reported the Protecting

---

186 Id.
Cyber Networks Act (H.R. 1560) to the full House of Representatives. Membership of the House Permanent Select Committee on Intelligence for the 114th Congress is as follows:

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Devin Nunes, California, Chairman</td>
<td>Adam Schiff, California, Ranking Member</td>
</tr>
<tr>
<td>Jeff Miller, Florida</td>
<td>Luis Gutierrez, Illinois</td>
</tr>
<tr>
<td>Mike Conaway, Texas</td>
<td>Jim Himes, Connecticut</td>
</tr>
<tr>
<td>Peter King, New York</td>
<td>Terri Sewell, Alabama</td>
</tr>
<tr>
<td>Frank LoBiondo, New Jersey</td>
<td>Andre Carson, Indiana</td>
</tr>
<tr>
<td>Lynn Westmoreland, Georgia</td>
<td>Jackie Speier, California</td>
</tr>
<tr>
<td>Tom Rooney, Florida</td>
<td>Mike Quigley, Illinois</td>
</tr>
<tr>
<td>Joe Heck, Nevada</td>
<td>Eric Swalwell, California</td>
</tr>
<tr>
<td>Mike Pompeo, Kansas</td>
<td>Patrick Murphy, Florida</td>
</tr>
<tr>
<td>Ileana Ros-Lehtinen, Florida</td>
<td></td>
</tr>
<tr>
<td>Michael Turner, Ohio</td>
<td></td>
</tr>
<tr>
<td>Brad Wenstrup, Ohio</td>
<td></td>
</tr>
<tr>
<td>Chris Stewart, Utah</td>
<td></td>
</tr>
</tbody>
</table>

Key Staff:

| Majority Staff Director .......... | Jeff Shockey |
| Majority Deputy Staff Director | Jennifer Miller |
| Majority Sr. Counsel & Policy Dir. | Michael Ellis |
| Majority Senior Counsel .......... | Andrew Peterson |
| Majority Senior Advisor .......... | Damon Nelson |
| Professional Staff ............... | Chelsey Campbell, Geoffrey Kahn, Lisa Major, and Diane Rinaldo |
| Majority Communications Dir. | Jack Langer |
| Security Director ............... | Kristin Jepson |
| Executive Assistant ............. | Rachel Wilson |
| Sandia National Lab Fellow ... | Randy Smith |
| Minority Staff Director ........ | Michael Bahar |
| Deputy Minority Staff Director | Tim Berggreen |
| Minority Senior Advisor .......... | Robert Minehart |
| Professional Staff ............... | Linda Cohen, Allison Getty, Carly Scott, Amanda Thorpe, Rheanne Wirkkala |
| Communications Director ...... | Patrick Boland |

CIA Subcommittee

Membership of the HPSCI CIA Subcommittee are:\(^{190}\)

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank LoBiondo, New Jersey, Chairman</td>
<td>Eric Swalwell, California, Ranking Membr</td>
</tr>
<tr>
<td>Mike Conaway, Texas</td>
<td>Luis Gutierrez, Illinois</td>
</tr>
<tr>
<td>Peter King, New York</td>
<td>Jim Himes, Connecticut</td>
</tr>
<tr>
<td>Lynn Westmoreland, Georgia</td>
<td>Andre Carson, Indiana</td>
</tr>
<tr>
<td>Tom Rooney, Florida</td>
<td>Adam Schiff, California, Ex Officio</td>
</tr>
<tr>
<td>Mike Pompeo, Kansas</td>
<td>Devin Nunes, California, Ex Officio</td>
</tr>
<tr>
<td>Devin Nunes, California, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

*Key Staff:*

**Majority Staff**.......................  Jack Langer (Nunes)

**Minority Staff**.......................  Patrick Boland (Schiff)

Department of Defense Intelligence and Overhead Architecture Subcommittee

Membership of the HPSCI Department of Defense Intelligence and Overhead Architecture Subcommittee consists of:\(^{191}\)

<table>
<thead>
<tr>
<th>MAJORITY (Republican)</th>
<th>MINORITY (Democratic)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Heck, Nevada, Chairman</td>
<td>Terri Sewell, Alabama, Ranking Member</td>
</tr>
<tr>
<td>Jeff Miller, Florida,</td>
<td>Luis Gutierrez, Illinois</td>
</tr>
<tr>
<td>Ileana Ros-Lehtinen, Florida</td>
<td>Eric Swalwell, California</td>
</tr>
<tr>
<td>Michael Turner, Ohio</td>
<td>Patrick Murphy, Florida</td>
</tr>
<tr>
<td>Brad Wenstrup, Ohio</td>
<td>Adam Schiff, California, Ex Officio</td>
</tr>
<tr>
<td>Chris Stewart, Utah</td>
<td>Devin Nunes, California, Ex Officio</td>
</tr>
<tr>
<td>Devin Nunes, California, Ex Officio</td>
<td></td>
</tr>
</tbody>
</table>

*Key Staff:*

**Majority Staff**.......................  Jack Langer (Nunes)

**Minority Staff**.......................  Patrick Boland (Schiff)

---


Emerging Threats Subcommittee

Membership of the HPSCI Emerging Threats Subcommittee is as follows: 192

MAJORITY (Republican) | MINORITY (Democratic)
---|---
Tom Rooney, Florida, Chairman | Mike Quigley, Illinois, Ranking Member
Frank LoBiondo, New Jersey | Terri Sewell, Alabama
Joe Heck, Nevada | Andre Carson, Indiana
Michael Turner, Ohio | Jackie Speier, California
Brad Wenstrup, Ohio | Adam Schiff, California, Ex Officio
Chris Stewart, Utah | 
Devin Nunes, California, Ex Officio | 

Key Staff:
Majority Staff……………… Jack Langer (Nunes)
Minority Staff……………… Patrick Boland (Schiff)

NSA and Cybersecurity Subcommittee

Membership of the HPSCI NSA and Cybersecurity Subcommittee consists of: 193

MAJORITY (Republican) | MINORITY (Democratic)
---|---
Lynn Westmoreland, Georgia, Chairman | Jim Himes, Connecticut, Ranking Member
Jeff Miller, Florida, | Jackie Speier, California
Mike Conaway, Texas | Mike Quigley, Illinois
Peter King, New York | Patrick Murphy, Florida
Mike Pompeo, Kansas | Adam Schiff, California, Ex Officio
Ileana Ros-Lehtinen, Florida | 
Devin Nunes, California, Ex Officio | 

Key Staff:
Majority Staff……………… Jack Langer (Nunes)
Minority Staff……………… Patrick Boland (Schiff)

XX. HOUSE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

With respect to cybersecurity, jurisdiction of the House Committee on Science, Space, and Technology covers “all energy research… all federally owned or operated non-military energy laboratories; National Institute of Standards and Technology; National Science Foundation… science scholarships; scientific research, development, and demonstration, and projects therefor; shall review and study on a continuing basis laws, programs, and Government activities relating to non-military research and development.” While the Committee has five subcommittees, primary focus here will be on: the Subcommittee on Oversight; and Subcommittee on Research and Technology.

Membership of the House Committee on Science, Space, and Technology for the 114th Congress consists of:

MAJORITY (Republican) | MINORITY (Democratic)
---|---
Lamar Smith, Texas, Chairman | Eddie Bernice Johnson, TX, Ranking Mbr.
F. James Sensenbrenner, WI, Ch. Emeritus | Zoe Lofgren, California
Dana Rohrabacher, California | Daniel Lipinski, Illinois
Frank D. Lucas, Oklahoma, Vice Chair | Donna Edwards, Maryland
Randy Neugebauer, Texas | Suzanne Bonamici, Oregon
Michael T. McCaul, Texas | Eric Swalwell, California
Mo Brooks, Alabama | Alan Grayson, Florida
Randy Hultgren, Illinois | Ami Bera, California
Bill Posey, Florida | Elizabeth Esty, Connecticut
Thomas Massie, Kentucky | Marc Veasey, Texas
Jim Bridenstine, Oklahoma | Katherine Clark, Massachusetts
Randy Weber, Texas | Don Beyer, Virginia
Bill Johnson, Ohio | Ed Perlmutter, Colorado
John Moolenaar, Michigan | Paul Tonko, New York
Steve Knight, California | Mark Takano, California
Brian Babin, Texas | Bill Foster, Illinois
Bruce Westerman, Arkansas |

---

Barbara Comstock, Virginia  
Dan Newhouse, Washington  
Gary Palmer, Alabama  
Barry Loudermilk, Georgia  
Ralph Lee Abrahams, Louisiana

**Key Staff:**

**Majority and Non-Designated:**

*Majority Chief of Staff* .......... Jennifer Brown  
*Policy Director, Coalitions Dir* .. Chris Shank  
*Policy Assistant* ...................... Brian Corcoran  
*Legislative Director* .............. Christopher Wydler  
*General Counsel* & *Parliamentarian* .......... Molly Boyl  
*Communications Director* .... Zachary Kurz  
*Press Secretary* ...................... Laura Crist  
*Speechwriter & Legal Assistant* ................ James Danford  
*Executive Assistant* .................. Thea McDonald

**Minority Staff:**

*Minority Staff Director* .......... Richard Obermann  
*Chief Counsel* ...................... John Piazza  
*Deputy Chief Counsel* .......... Russell Norman  
*Admin. & Communications* .......... Kristin Kopshever  
*Press Secretary & Policy* ...... Joe Flarida

**Subcommittee on Oversight**

The House Committee on Science, Space, and Technology’s Subcommittee on Oversight is granted “general and special investigative authority on all matters within the jurisdiction of the Committee on Science, Space and Technology.”

Membership of the House Committee on Science, Space, and Technology Committee’s Subcommittee on Oversight is as follows:

**MAJORITY (Republican) **

MINORITY (Democratic)

---


Barry Loudermilk, Georgia, Chairman  
Bill Johnson, Ohio, Vice Chairman  
F. James Sensenbrenner, Wisconsin  
Bill Posey, Florida  
Thomas Massie, Kentucky  
Jim Bridenstine, Oklahoma  
Lamar Smith, Texas, Ex Officio

Don Beyer, Virginia, Ranking Mbr.  
Alan Grayson, Florida  
Zoe Lofgren, California  
Eddie Bernice Johnson, TX, Ex Officio

Key Staff:

Majority Staff Director ............... Tim Doyle  
Policy Assistant ....................... Brian Corcoran  
Counsel ................................. Lamar Echols  
Professional Staff ........................ Drew Colliatie

Minority Staff Director ............... Dan Pearson  
Chief Investigator ........................ Doug Pasternak

Subcommittee on Research and Technology

Jurisdiction, investigative authority and general oversight of the Subcommittee on Research and Technology includes

[L]egislative jurisdiction and general oversight and investigative authority on all matters relating to science policy and science education; the Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources); all matters relating to science, technology, engineering and mathematics education; intergovernmental mechanisms for research, development, and demonstration and cross-cutting programs; international scientific cooperation; National Science Foundation, university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; computing, communications, networking, and information technology; research and development relating to health, biomedical, and nutritional programs; research, development, and demonstration relating to nanoscience, nanoengineering, and nanotechnology; agricultural, geological, biological and life sciences research; materials research, development, demonstration, and policy; all matters relating to competitiveness, technology, standards, and innovation; standardization of weights and measures, including technical standards, standardization, and conformity assessment; measurement, including the metric system of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and
governmental policies related to technological development and commercialization; technology transfer, including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; earthquake programs and fire research programs, including those related to wildfire proliferation research and prevention; biotechnology policy; research, development, demonstration, and standards-related activities of the Department of Homeland Security; Small Business Innovation Research and Technology Transfer; voting technologies and standards; other appropriate matters as referred by the Chairman; and relevant oversight.”

Membership of the House Committee on Science, Space, and Technology

Committee’s Subcommittee on Research and Technology is as follows:

MAJORITY (Republican)

<table>
<thead>
<tr>
<th>Barbara Comstock, Virginia, Chair</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Moolenaar, Michigan</td>
</tr>
<tr>
<td>Frank D. Lucas, Oklahoma</td>
</tr>
<tr>
<td>Michael T. McCaul, Texas</td>
</tr>
<tr>
<td>Randy Hultgren, Illinois</td>
</tr>
<tr>
<td>Bruce Westerman, Arkansas</td>
</tr>
<tr>
<td>Dan Newhouse, Washington</td>
</tr>
<tr>
<td>Gary Palmer, Alabama</td>
</tr>
<tr>
<td>Ralph Lee Abraham, Louisiana</td>
</tr>
<tr>
<td>Lamar Smith, Texas, Ex Officio</td>
</tr>
</tbody>
</table>

MINORITY (Democratic)

<table>
<thead>
<tr>
<th>Daniel Lipinski, Illinois, Ranking Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Esty, Connecticut</td>
</tr>
<tr>
<td>Katherine Clark, Massachusetts</td>
</tr>
<tr>
<td>Paul Tonko, New York</td>
</tr>
<tr>
<td>Suzanne Bonamici, Oregon</td>
</tr>
<tr>
<td>Eric Swalwell, California</td>
</tr>
<tr>
<td>Eddie Bernice Johnson, TX, Ex Officio</td>
</tr>
</tbody>
</table>

Key Staff:

Majority Staff Director.................. Cliff Shannon
Deputy Majority Staff Director........... Raj Bharwani
Policy Assistant......................... Christian Rice
Professional Staff....................... Sarah Grady, Jennifer Wickre

Minority Staff Director................. Dahlia Sokolov
Professional Staff....................... Brystol English, Kim Montgomery

---

199 Id.
XXI. ROLE OF LEADERSHIP

A comprehensive discussion of the leadership mechanisms and power structure of the House and Senate is beyond the scope of this paper. However, a brief overview is presented.\textsuperscript{200} Frank Cummings writes, “In theory, the only ‘laws’ governing the Congress are the Constitution, Statutes such as the Legislative Reorganization Act, and the rules of each chamber. But in practice, voting blocks have been developed, with varying degrees of formality and voting discipline.”\textsuperscript{201} Historically, the party caucuses have been perhaps the strongest of these blocks, and the party holding majority membership in each body exerts the most power. Cummings observes that “the caucus system tends to block cross-party coalitions which might constitute an absolute majority of the House but for the exercise of voting discipline by the caucus… this sort of discipline… seems to work almost absolutely on the election of committee chairmen.”\textsuperscript{202}

The House

Leadership positions in the House provide a schematic for how the House organizes itself and conducts its business. The top leadership positions of each party are described below. In terms of influence and potential ability to move legislation through Congress, the majority party will generally have the most influence. Below the top party leadership, committee chairmen, subcommittee chairmen and ranking minority members


\textsuperscript{201} FRANK CUMMINGS, \textit{CAPITOL HILL MANUAL} 79 (2\textsuperscript{nd} ed. 1984).

\textsuperscript{202} \textit{Id.} at 80.
of both full committees and subcommittees provide and constitute leadership. As of this writing, the Republican Party is the majority party in both the House and Senate.

**House Majority (Currently Republican) Leadership**

Majority elected leadership positions in the House of Representatives consists of: the Speaker of the House; House Majority Leader; House Majority Whip; Chair of the House Republican Conference; Chair of the National Republican Congressional Committee; Chair of the House Republican Policy Committee; Vice-Chair, and Secretary of the Republican Conference. Designated Republican Leaders include: the Chair of the House Committees on Rules; Ways and Means; Appropriations; Budget; Energy and Commerce; the Chief Deputy Whip; and, one member each from the sophomore and freshman class, elected by members of their respective classes. The House Republican Steering Committee is a subdivision of the House Republican Conference. Under post 1994 rules, the House party leader receives five votes on the committee.

**Speaker of the House**

John Boehner

**Key Staff:**

*Chief of Staff* Mike Sommers

---


Special Assistant ........................ Thomas Andrews
Director of Communications ...... Kevin Smith
Deputy Dir. of Communications.. Mike Ricci
Asst. Communications Director.. Katie Boyd
Press Secretary...................... Cory Fritz
Assistant Press Secretary.......... Heather Reed
Communications Advisor.......... Matt Wolking
Director of Public Liaison........ Maria Lohmeyer
Policy Director...................... Dave Stewart
General Counsel/ Legislation..... Jo-Marie St. Martin
Assistant General Counsel....... Greg Robinson
Assistant for Policy................ Maryam Brown, Natasha Hammond, Becky Tallent,
Policy Advisor...................... Cindy Herrie, Jennifer Stewart
Research Assistant................ Justin Lampert

House Majority Leader

Kevin McCarthy................... House Majority Leader

Key Staff:
Chief of Staff........................ Tim Berry
Deputy Chief of Staff............. James Min
Deputy Chief of Staff (Policy).... Elizabeth Karr
Director of Communications...... Mike Long
Press Secretary..................... Matt Sparks
Speechwriter....................... Alec Torres
Director of External Affairs...... Danielle Burr
Executive Assistant............... Kristin Stipicevic
Director of Legislative Operations Kelly Dixon
Director of Oversight............ Rob Borden
Senior policy Advisor............ Jeff Dressler, Roger Mahan, Wes McClelland,
Other................................ Chris Bien, Alexandra Gourdikian, Lawson Kluttz

House Majority Whip

Stephen Scalise................... House Majority Whip
Patrick McHenry................... Chief Deputy Majority Whip

Key Staff:
Chief of Staff........................ Lynnel Ruckert
Assistant to the Chief of Staff.... Christopher Bond
Deputy Communications Director Thomas Tatum
Policy Director...................... William Hughes
Policy Advisor...................... Daniel Sadlosky
Legislative Counsel................ Martin Reiser
Dir. of Member Services/Policy... Eric Zulkosky
Other........................................ Connor Brace, Brenden DeLuke
Chief of Staff (Deputy McHenry)  Parker Poling
Special Assistant....................... Tanner Black

House Republican Conference

Cathy McMorris Rodgers............. Chairwoman
Lynn Jenkins............................. Vice Chair
Virginia Foxx............................ Secretary

Key Staff:
Chief of Staff............................. Jeremy Deutsch
Deputy Chief of Staff................. Nathan Hodson
Policy Director......................... Evan McMullin
Policy Coordinator.................... David Smentek
Senior Advisors....................... Nicolas Magallanes, Rebecca Mark
Communications Director .......... Riva Litman
Deputy Communications Director.... Pam Stevens

House Republican Policy Committee

Allen Lucas Messer................... Chairman

House Leadership
John Boehner......................... Speaker
Kevin McCarthy....................... Majority Leader
Steve Scalise......................... Majority Whip
Cathy McMorris Rodgers.......... Conference Chair
Greg Walden......................... NRCC Chair
Lynn Jenkins......................... Conference Vice Chair
Virginia Foxx......................... Conference Secretary
Patrick McHenry...................... Chief Deputy Whip

Committee Chairs
Pete Sessions (Chair, Rules); Paul Ryan (Chair, Ways and Means); Hal Rogers (Chair, Appropriations); Tom Price (Chair, Budget); Fred Upton (Chair, Energy and Commerce)

Class Leadership
Ann Wagner (Sophomore Class leadership representative); Mimi Walters (Freshman Class leadership representative)

Regional Representatives
Cresent Hardy (Region 1); TBD (Region 2); Mike Bost (Region 3); Reid Ribble (Region 4 (Michigan)); Keith Rothfus (Region 5); John Katko (Region 6); Rick Crawford (Region 7); Gary Palmer (Region 8); Mark Walker (Region 9); Steve Knight (Region 10); Gus Bilirakis (Region 11); Bruce Poliquin (Small State Region); and Blake Farenthold (Texas Region).

Class Leadership Representatives
Elise Stefanik (Freshman class); Markwayne Mullin (Sophomore class); Brad Wenstrup (Sophomore class).

Committee Appointments
Jeff Denham (Agriculture); Chris Stewart ( Appropriations); Austin Scott (Armed Services); Rob Woodall (Budget); Rick Allen (Education and the Workforce); Richard Hudson (Energy and Commerce); Susan Brooks (Ethics); Andy Barr (Financial Services); Joe Wilson (Foreign Affairs); Steven Palazzo (Homeland Security); Rodney Davis (House Administration); Jim Jordan (Judiciary); Paul Gosar (Natural Resources); Mark Meadows (Oversight and Government Reform); Doug Collins (Rules); Randy Hultgren (Science, Space, and Technology); Steve King (Small Business); Don Young (Transportation and Infrastructure); Jackie Walorski (Veterans’ Affairs); and Tom Reed (Ways and Means).

At-Large Members:
Barbara Comstock (Virginia); Renee Ellmers (North Carolina); Mike Fitzpatrick (Pennsylvania); Morgan Griffith (Virginia); Bradley Byrne (Alabama); Robert Hurt (Virginia); Adam Kinzinger (Illinois); Dan Newhouse (Washington); Randy Weber (Texas); Bruce Westerman (Arkansas); and Ted Yoho (Florida).

House Republican Steering Committee

Judy Schneider describes the composition of the House Republican Steering Committee as consisting of “party leaders, selected committee leaders, class leaders, and regional representatives.” The primary role of the House Republican Steering Committee is to nominate chairmen or ranking minority members of all standing committees. These nominations are then sent to the full Republican Conference for ratification. Schneider observes that “In recent Congresses, the Steering Committee ‘interviewed’ prospective candidates for ranking slots. Some of the new ranking members were the most senior members of the committee, others were not.”

House Republican Steering Committee for the 114th Congress is as follows:

John Boehner (5 votes) ………… Speaker
Kevin McCarthy (2 votes) ……….. Majority Leader
Steve Scalise …………………….. Majority Whip

208 Id.
209 Id.
House Minority (Currently Democratic) Leadership

Minority leadership positions in the House of Representatives consist of: the House Minority Leader; House Assistant Minority Leader; and House Minority Whip.

House Minority Leader

Nancy Pelosi

Key Staff:
Chief of Staff....................... Nadeem Elshami
Assistant to the Chief of Staff..... Ethan McClelland
Deputy Chief of Staff............ Diane Dewhirst
Deputy Chief of Staff............ George Kundanis
Policy Director................... Dick Meltzer
National Security Policy Advisor Wyndee Parker
Policy Advisors................... Margaret Capron, Kenneth DeGraff, April Greener,
Pamela Ross
Counsel......................... Bernard Raimo, Michael Tecklenburg
Senior Advisor................... Michael Bloom, Michael Long
Communications Director........ Drew Hammill
Deputy Communications Director Evangeline George
Press Secretary................... Jorge Antonio Aguilar
Press Advisor................... Stephanie Cherry
Senior Press Assistant.............  Ned Adriance
Press Assistant.....................  Taylor Griffin
Sr. Advisor & Digital Director ....  Kat Skiles
Director of Speechwriting...........  Henry Connelly
Deputy Director of Speechwriting  Malaika Robinson
Special Assistant...................  Bina Surgeon
Executive Assistants...............  Emily Berret, Emma Kaplan
Staff Assistants....................  Nicole MacDougall, Nikolas Youngsmith

House Assistant Minority Leader

James Clyburn.......................  House Assistant Minority Leader

Key Staff:
Chief of Staff..........................  Yelberton Watkins
Special Assistant....................  Tamika Day
Policy Director.......................  Ashli Palmer
Legislative Assistant...............  Matthew Ellison
Communications Director..........  Patrick Devlin

House Minority Whip

Steny Hoyer.........................  House Minority Whip

Key Staff:
Chief of Staff..........................  Alexis Covey-Brandt
Policy Director.......................  Thomas Mahr
National Security Advisor.........  Daniel Silverberg
Senior Policy Advisors.............  Keith Abouchar, James Leuschen,
                                   Charlene MacDonald, Mary Frances Repko
Legislative Assistant..............  Rachel Snyder
Executive Assistant...............  Lindsey Cobia
Communications Director..........  Katie Grant
Press Secretary......................  Mariel Saez
Press Secretary & Research.......  Tara Vales
Speechwriter.........................  Adam Weissmann
Whip Director & Sr. Advisor......  Brian Romick
Online Communications & Tech. ....  Stephen Dwyer
Other..................................  Joseph Cortina, Deborah Rowe, Ray Salazar
The Senate

Top Leadership in the Senate Consists of: the Vice President of the United States who also serves as President of the Senate; and President Pro Tempore.

President of the Senate

Joseph Biden, Jr.  
Vice President of the United States and President of the Senate

Key Staff:
Chief of Staff  
Steven Ricchetti
Assistant to the Vice President  
Kathy Chung
Advisor to the Vice President  
Michael Schrum
Staff Assistant  
Anne Marie Person
Senior Advisor  
Greg Schultz
Counselor  
Don Graves
Policy Director  
Jamie Lyons
National Security Advisor  
Colin Kahl
Sr. Advisor to Nat’l Security Advisor  
Alice Cosgrove
Executive Secretary & Special Advisor for National Security  
Maj Kristen Bakotic
Special Advisor, Europe & Russia  
Michael Carpenter
Special Advisor, Homeland Security & Counterterrorism  
CDR Laura Dickey
Director of Programs  
Ward Dirksen
Special Assistant, National Security Counsel  
Frances Castro
Deputy Counsel  
Alexander Mackler
Director of Research  
Nicole Lamberson
Deputy Director of Research  
Kevin Higham
Director of Legislative Affairs  
Tonya Williams
Special Assistant, Legislative Affairs  
Lorea Stallard

President Pro Tempore

Orrin Hatch  
President Pro Tempore

Key Staff:
Chief Counsel  
William Castle
Counsel  
Ryan Leavitt
Administrative Director  
Celeste Gold
Senate Majority (Currently Republican) Leadership

Majority leadership in the U.S. Senate consists of: the Senate Majority Leader;

Senate Majority Whip; Secretary for the Majority; Senate Republican Conference; Senate Republican Policy Committee; and National Republican Senatorial Committee.\textsuperscript{210}

Senate Majority Leader

Addison “Mitch” McConnell..... \textit{Senate Majority Leader}

\textbf{Key Staff:}
\begin{itemize}
  \item \textit{Chief of Staff}.......................... Sharon Soderstrom
  \item \textit{Deputy Chief of Staff}............... Donald Stewart
  \item \textit{Chief Counsel}......................... John Abegg
  \item \textit{Legal Counsel}....................... Brian Lewis
  \item \textit{National Security Advisor}....... Tom Hawkins
  \item \textit{Policy Director}..................... Hazen Marshall
  \item \textit{Policy Advisor & Counsel}......... Brendan Dunn
  \item \textit{Policy Advisor}..................... Jonathan Burks, Neil Chatterjee, Scott Raab, Erica Suares, Terry Van Doren
  \item \textit{Communications Director}........ Michael Brumas, Brian Forest (Deputy)
  \item \textit{Staff Assistants}.................... Suzanne Burton, Emily Costanzo, Mallory Shoffner
\end{itemize}

Senate Majority Whip

John Cornyn..... \textit{Senate Majority Whip}

\textbf{Key Staff:}
\begin{itemize}
  \item \textit{Chief of Staff}...................... Russ Thomasson
  \item \textit{Deputy Chief of Staff}............ Monica Popp
  \item \textit{Policy Advisor}.................... John Chapuis, Jonathan Slemrod
\end{itemize}

Secretary for the Majority

\textit{Secretary for the Majority}........ Laura Dove

Senate Republican Conference

John Thune.............. \textit{Chairman}
Roy Blunt.............. \textit{Vice Chairman}

Key Staff:
Staff Director …………………… Brendon Plack
Communications Director ….. Chandler Smith
Senior Writer …………………… Mary Katherine Ascik

Senate Republican Policy Committee
John Barrasso …………………… Chairman

Key Staff:
Staff Director …………………… Dan Kunsman
Policy Director ………………….. Arjun Mody
Policy Analysts ……………….. Dana Barbieri, Brian Blasé, Mitch Kominsky, Spencer Wayne
Policy Counsel ……………….. Matt Leggett, Michael Stransky, Michael Thorpe

National Republican Senatorial Committee
Roger Wicker …………………… Chairman
Tom Cotton …………………….. Vice Chairman
Joni Ernst …………………….. Vice Chairman
Dean Heller …………………… Vice Chairman

Key Staff:
Executive Director …………… Ward Baker
Assistant to Executive Director … Kevin Golden
Assistant to Deputy Executive Dir. … Alex Clark
General Counsel ………………. Matthew Raymer
Research Director …………….. Mark McLaughlin

Senate Minority (Currently Democratic) Leadership

Minority leadership in the U.S. Senate consists of: the Senate Minority Leader;

Senate Minority Whip and Assistant Minority Leader; Senate Democratic Conference;

Senate Democratic Policy and Communications Center;\(^{211}\) Democratic Senatorial
Campaign Committee;\(^{212}\) and Democratic Steering and Outreach Committee.\(^{213}\)

Senate Minority Leader

Harry Reid

Key Staff:
- Chief of Staff: Drew Willison
- Executive Asst. to Chief of Staff: Devon Brown
- Deputy Chief of Staff: David McCallum
- Deputy Chief of Staff (Policy): William Dauster
- Executive Asst. to Minority Leader: Adelle Cruz
- Sr. National Security Advisor: Jessica Lewis
- Deputy National Security Advisor: Julie Klein
- Chief Counsel: Ayesha Khanna
- Counsel: Wendy Helgemo
- Policy Advisor: Ryan Mulvenon
- Legislative Director: Jason Unger
- Sr. Advisor, Intergovernmental & External Affairs: Portia White

Senate Minority Whip and Assistant Minority Leader

Dick Durbin

Key Staff:
- Chief of Staff: Patrick Souders
- Communications Director: Ben Marter, Christina Mulka (Deputy)

Secretary for the Minority

Gary Myrick
Tim Mitchell

Senate Democratic Conference

Harry Reid
Charles Schumer
Patty Murray

Senate Democratic Policy and Communications Center

Established in 1947 as the Democratic Polity Committee (DPC), the Democratic Policy and Communications Center (DPCC), serves “as an advisory board to the

---

Democratic Leadership and as a research, policy-formulating, and communications arm of Senate Democrats.\(^{214}\)

Chuck Schumer………………........... Chairman
Debbie Stabenow………………........... Vice Chairman

**Key Staff:**

- **Staff Director**………………........... Mike Lynch
- **Policy Directors**………………........... Ryan McConaghy, Gerry Petrella
- **Policy Advisor**………………........... Charlie Ellsworth, Julie Klein
- **Policy Assistant**………………........... Karlee Tebbutt
- **Research Director**………………........... Dan Yoken
- **Communications Director**…….. Matt House

**Democratic Senatorial Campaign Committee**

The purpose of the Democratic Senatorial Campaign Committee is to foster election of a Democratic Senate.\(^{215}\)

Jon Tester………………........... Chairman

**Democratic Steering and Outreach Committee**

The purpose of the Democratic Steering and Outreach Committee is to foster “dialogue between Senate Democrats and leaders from across the nation. Each year, the Steering Committee hosts numerous meetings with advocates, policy experts, and elected officials to discuss key priorities and enlist their help in the development of the Senate Democratic agenda.”\(^{216}\)

Leadership of the Democratic Steering and Outreach Committee is as follows:

Amy Klobuchar………………........... Chair
Jeanne Shaheen………………........... Vice Chair

**Key Staff:**

---


Staff Director ........................... Patrick Hayes

XXII. IMPORTANCE OF CONGRESSIONAL STAFF

Little understood or fully appreciated outside the halls of the U.S. Congress is the importance of the professional congressional staffs.217 For example, the Senate Select Committee on Intelligence reports that “The Committee’s staff reviews intelligence reports, budgets, and activities; investigates matters on behalf of the Committee; prepares legislation; and receives briefings.”218 It is the diligent behind-the-scenes hard work of congressional staff on both sides of the aisle that serves as the foundation for educating members of congress about issues before them, facilitating congressional oversight, and formulating legislation. Congressional Quarterly observes that, “The influence of the staff-bureaucracy has grown over the years as many members, swamped with a workload of increasing bulk and complexity, rely on their aides for policy recommendations and professional expertise.”219 Congressional committee staff is credited by Congressional Quarterly with performing the following essential functions

1. Organizing hearings…
2. Oversight and Investigations. Much original research is conducted by staff members on issues that come before a committee. This usually involves a critique of existing legislation, court decisions and current practices;
3. Bill markup and Amendment…

218 U.S. Senate Select Committee on Intelligence, About the Committee, Overview of the Senate Select Committee on Intelligence Responsibilities and Activities, Staff, available at http://www.intelligence.senate.gov/about.html (last viewed Sept. 2, 2015).
219 CONGRESSIONAL QUARTERLY, supra note 28 at 105.
4. Preparing Reports…
5. Preparation for Floor Action…
6. Conference Committee Work…
7. Liaison With Executive Branch, Special Interests… [and]
8. Press Relations…

One former U.S. Senator observes that

A politically minded young person can rise to apposition of responsibility as a Hill staffer faster than almost anywhere else. But just as for their bosses, the pace and the work are brutal and the pay is generally low. Some Senate staffers burn out or move on after a few years, having gained vital experience and insight on how government works. For those who stay on the Hill, some move from ‘personal staff,’ based in a senator’s office, to a ‘professional’ committee staff, joining a team of issue experts, typically through appointment from a senator to a committee on which he serves. The committee staffer will cover meetings for senators, advise them on issues and votes and negotiate legislation.\(^{221}\)

XXIII. GOVERNMENT ACCOUNTABILITY OFFICE

Established in 1921 as The General Accounting Office, on July 7, 2004 it was renamed The Government Accountability Office (GAO), and “is the largest of the three agencies that provide staff support, research, review and analysis for Congress.”\(^{222}\)

Professor Anne Joseph O’Connell reports that “Congress subsequently gave the GAO substantial additional authority after Watergate… the GAO now investigates, culls, and synthesizes stances on a multitude of policy programs and expenditures on its own initiative, by legislative mandate, and at the request of congressional committees and individual members of congress.”\(^{223}\)

---

\(^{220}\) Id. at 107.


Professor Samuel Workman observes that, “For systems of any type, information on current and past performance forms an important source of feedback for decision-making. In the case of policymaking systems, an important form of feedback is policy analysis… Feedback is also fundamental to depictions of policy change in the American political system.”

During recent years, many governments have shifted focus from how revenues are raised to “the efficiency with which money is spent.” However, the institution of Congress is not “well-structured to conduct policy analysis,’ because it is too political a body to bring systematic, unbiased evidence to bear on policy decisions. Congress is a representative assembly, not a research bureau. Its internal organization is inconsistent with analytical perceptions and definitions of policy issues.”

Many reasons are given for Congresses’ lack of policy analysis capability, including the parochial nature of Congressional members, where “geographical representation and single-member districts compel lawmakers to respond to local pressures, and undermine the incentive to legislate in the national interest. Congress also caters to the demands of interest groups, and regularly makes economic decisions that policy analysts find indefensible on efficiency grounds.”

---

227 Id.
XXIV. CONGRESSIONAL BUDGET OFFICE

The strictly nonpartisan Congressional Budget Office (CBO) since 1975 “has produced independent analyses of budgetary and economic issues to support the Congressional budget process. Each year, the agency’s economists and budget analysts produce dozens of reports and hundreds of cost estimates for proposed legislation.”²²⁸ In addition, the CBO “conducts objective, impartial analysis; and hires its employees solely on the basis of professional competence without regard to political affiliation. CBO does not make policy recommendations, and each report and cost estimate summarizes the methodology underlying the analysis.”²²⁹ Eric Ghysels and Nazire Ozkan observe that, “Under its routine procedures, the CBO prepares baseline projections incorporating the assumption that current laws generally remain in place; those projections are designed to serve as a benchmark that policymakers can use when considering possible changes to those laws.”²³⁰

XXV. LIBRARY OF CONGRESS

Created in 1914, and now known as the Congressional Research Service (CRS) of the Library of Congress, the CRS states its’ mission as to serve “the Congress throughout the legislative process by providing comprehensive and reliable legislative research and analysis that are timely, objective, authoritative and confidential, thereby contributing to

²²⁹ Id.
Operating as shared staff to Members of Congress and congressional committees, CRS “Staff members analyze current policies and present the impact of proposed policy alternatives… [such as:] reports on major policy issues; tailored confidential memoranda, briefings and consultations; seminars and workshops; expert congressional testimony; and responses to individual inquiries.”

During FY2012, the CRS responded to 698,179 requests from congressional members and committees for services such as: over “71,000 requests for analysis, information, and research; more than 9,000 congressional participants in seminars, institutes, and training sessions, and nearly 618,000 client visits to the CRS Web site home page that resulted in more than 1 million copies of CRS products viewed on the CRS Web site.” The Library of Congress reports that CRS analysts work in a collaborative, multidisciplinary environment to prepare detailed explanations of complex policy issues, identify and assess policy approaches, develop and analyze legislative options, conduct legal analysis of pending legislation and administrative actions, provide in-person consultations on public policy issues, and assist with legislative procedures as well as processes relating to the federal budget and appropriations. Analysts also deliver expert testimony before congressional committees, support hearings and investigations, identify prospective witnesses, prepare products on current legislative issues, and respond to specific requests with confidential memoranda.

Regarding legal issues pertaining to cybersecurity legislation, “Among the issues CRS attorneys analyzed were the use of smart meters, computer crime, the authority of the federal government to block access to certain Internet sites,

---

234 Id.
privacy effects of information-sharing regimes, protection of federal networks, and the Fourth Amendment implications of government network-monitoring programs.”

XXVI. CALL TO ACTION

A major question about effective congressional oversight is whether congress as an institution can react in a timely matter to the increasing rate of technological change. Scott Shackelford observes that on a global basis, “internet governance is fracturing, which makes addressing cybersecurity challenges all the more difficult.” Just as technology has brought disruptive change to many aspects of modern life, congressional leadership must ask and examine whether the institution is effectively adapting as currently structured.

XXVII. CONCLUSION

Congressional oversight is a process whereby Congressional committees exercise a crucial role in monitoring and holding administrative agencies accountable for matters relating to cybersecurity and national defense. So many aspects of cybersecurity have the potential for use by: terrorists; by foreign entities as a tool to conduct industrial espionage against U.S. business; and by nation state adversaries, or others intent upon creating serious disruption. These various threats mean that cybersecurity policy in many ways must be treated just like the strategic and operational plans of a country at war.

235 Id. at 22.