

Statement of Congressman Gerald E. Connolly (VA-11)
Committee on Oversight and Accountability
Full Committee Business Meeting
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H.R. 8333, the BIOSECURE Act

The BIOSECURE Act (H.R. 8333), sponsored by Reps. Brad Wenstrup and Raja Krishnamoorthi aims to prevent Americans' sensitive health data, including personal genomic data, from falling into the hands of the People's Republic of China. The bill aims to achieve this through several approaches. First, the legislation would prohibit federal agencies from purchasing biotechnology equipment and services from five named companies with close ties to the Chinese Communist Party (CCP): BGI, MGI, Complete Genomics, WuXi AppTec, and WuXi Biologics. This prohibition would also flow down to subcontractors (a federal agency could not contract with a prime contractor who subcontracts with one of the named companies) and would apply to federal loans and grants. The bill would also establish an interagency process for identifying similar companies of concern in the future. Second, the bill contains a several year phase-in period for existing contracts; existing contracts with named biotechnology companies of concern are exempt from these prohibitions until January 1, 2032. Furthermore, executive agencies may waive the prohibitions on a case-by-case basis with the approval of the Director of the Office of Management and Budget (OMB) and notification to Congress for one year, with the option to extend the waiver for another six months. Third, the bill would include limited exceptions for intelligence activities and for the provision of overseas health care services and the prohibitions in the bill would only apply to contracts that are subject to the Federal Acquisition Regulation (FAR). Fourth, the bill ensures that Chinese biotechnology equipment and services are not imbedded within the U.S. Government's labs and information systems. This bill takes an important first step toward initiating prohibitions against five specific bad actors while establishing a process for OMB, Department of Defense (DOD), and other appropriate agencies to place these restrictions on additional entities. While there is still more work to be done, I commend the sponsors of this bill for creating legislation that both addresses immediate threats while also providing flexibility to address the threats of the future. Congress must continue to secure the country against foreign attacks without damaging U.S. competitiveness and economic and national security interests.

H.R. 5255, Federal Cybersecurity Vulnerability Reduction Act of 2023

Chairwoman Mace introduced the Federal Cybersecurity Vulnerability Reduction Act of 2023 (H.R. 5255) to implement the following requirements. First, it would mandate that the Office of Management and Budget (OMB) review FAR contract requirements for contractor vulnerability disclosure programs (VDP) and recommend updates to the FAR Council to ensure covered contractors implement vulnerability disclosure policies consistent with the National Institute of Standards and Technology's (NIST) guidelines, industry best practices, and international standards. OMB's review and recommendations would be due within 180 days of enactment and would be undertaken in consultation with the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, NIST, and any other appropriate executive department. The FAR Council would then be required to review the recommendations and update the FAR accordingly, within 60 days of receipt. Second, the Secretary of Defense would be required to undertake a similar process to update the DOD Supplement to the FAR (DFARS); however, neither the update to the FAR nor the update to the DFARS would apply to contractors whose contracts are below the simplified acquisition threshold. Third, the bill establishes a process for waiving the new vulnerability disclosure policy requirements for national security or research purposes. As Ranking Member of the Cyber Subcommittee, I remain dedicated to ensuring our federal networks are free from security vulnerabilities within computer software and systems. Therefore, as most federal agencies are required to have a VDP, we must follow NIST's recommendation and bring our federal contractors and subcontractors into parity while also providing them certainty by laying out a clear and transparent vulnerability disclosure regime.

H.R. 8334, Grant Integrity and Border Security Act

I strongly oppose the Grant Integrity and Border Security Act (H.R. 8334) introduced by Rep. Virginia Foxx. This bill is clearly another attempt by Republicans to demonize migrants and criminalize compassion towards women, and children seeking refuge in the U.S. If passed, this bill would impose criminal penalties for knowingly taking a number of actions related to an immigrant who "has come to, entered, or remains in the United States in violation of law," including bringing such immigrant into the U.S., encouraging such immigrant to come to the U.S., providing transportation within

the U.S., shielding the immigrant from detection, or aiding or abetting any such action. In practice, that means Republicans want to criminalize something as benign as giving a ride to a Dreamer. This bill would also require applicants for federal grants to certify that they have not violated in the past ten years, are not currently in violation of, and will not violate during the term of the grant, section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)). Furthermore, federal agencies would be authorized to withhold funds from a grantee determined to be in violation of the requirement based on any “credible information” it receives—notably, this term is not defined in the bill. So much for due process, so much for humanity.

H.R. 8276, Reuse Excess Property Act

Chairwoman Lisa McClain introduced the Reuse Excess Property Act (H.R. 8276), which would adjust the General Services Administration’s (GSA) and federal agencies’ reporting requirements related to the reuse of excess personal property. “Personal property refers to physical (non-real estate or land) items ranging from common products, such as office equipment and furniture, motor vehicles, aircraft, vessels, and animals. Personal property also includes specialized equipment, such as scientific devices and heavy machinery.” The bill also directs the Government Accountability Office (GAO) to initiate a review of federal acquisition of personal property from entities based in China. GSA reports that, as of 2022, the federal government owns roughly \$2 trillion in personal property, items including furniture, vehicles, medical equipment, and office supplies. Every year, federal agencies acquire billions of dollars in personal property and dispose of or repurpose items that are considered excess. As the Member whose district is home to the GSA’s largest warehouse, I am invested in maximizing the use of personal property to reduce new federal expenditures.

H.R. 8335, the Billion Dollar Boondoggle Act of 2023

Rep. Gallagher introduced the Billion Dollar Boondoggle Act (H.R. 8335), which directs OMB to issue guidance requiring federal agencies to provide annual reports to Congress on projects that are more than five years behind schedule or have expenditures that are at least \$1 billion more than the original cost estimate for the project. The reported information must include a brief description of each project; an explanation of any change to the original scope of the project; the original and current expected dates of completion; the original and current cost estimates; an explanation of the delay in completion or increase in cost estimate; and if applicable, the amount of and rationale for any award, incentive fee, or bonus paid for the project. As someone who has conducted 17 oversight initiatives of agencies implementation of the Federal Information Technology Acquisition Reform Act (FITARA) Scorecard, which includes a category on incremental development, I understand the importance of designing projects to deliver functionality iteratively, on time, and on budget. The Cyber Subcommittee must continue its role to ensure that broadly scoped projects that take years to deliver functionality are only initiated if necessary, and the ones that exist must be carefully managed.

H.R. 6462, READINESS Act

I am proud to cosponsor Rep. Crockett’s bill, the Resilient Employment and Authorization Determination to Increase the National Employment of Service Spouses (READINESS) Act (H.R. 6462). This bill would require federal agencies to offer employment flexibilities—like telework, remote work, or Leave Without Pay (LWOP) status—to federal employees who are the spouses of a military or Foreign Service member who undergoes a permanent change of station. As the former Chair of the Government Operations Subcommittee, I am deeply familiar with the fact that military-connected families face unique demands from military service. For example, active-duty military families face “permanent change-of-station moves every 2 to 3 years on average” often with little or no control over their assignments. Each move may require the spouse to leave their job, which limits professional growth and development and makes it difficult to maintain steady employment. Furthermore, the military spouse population—90% of which are women—has a 21% unemployment rate, which is nearly six times the national average. As a result, nearly one in five military families point to spousal employment as a reason for leaving military service.

Family members of the military and Foreign Service members serve as indispensable pillars of support, fortifying our federal employees in ways that often go unnoticed. That is why last year, I also cosponsored Rep. Crockett’s NDAA amendment which similarly expanded full time telework options to DOD-employed military spouses whose spouses are transferred to another duty station. In addition, during my time as Chairman of the Government Operations Subcommittee,

I fought to address the Civil Service (CS) Domestic Employee Telework Overseas (DETO) Pay Disparity and in the FY2023 NDAA, Democrats secured a provision that would establish a locality pay equivalent for some 265 active civilian federal employees, mostly State Department employees, working under the DETO program. This victory was a win for families, a win for federal employees who get to keep their jobs, and a win for the federal government who was able to retain some of its best and brightest public servants.