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EXAMINATION OF THE GAO AUDIT SERIES OF HHS CYBERSECURITY

WEDNESDAY, JUNE 20, 2018

House of Representatives,

Subcommittee on Oversight and Investigations,

Committee on Energy and Commerce,

Washington, D.C.

The subcommittee met, pursuant to call, at 1:00 p.m., in Room 2123, Rayburn House Office Building, Hon. Gregg Harper [chairman of the subcommittee] presiding.

Present: Representatives Harper, Griffith, Brooks, Collins, Barton, Walberg, Walters, Costello, Carter, Walden (ex officio), DeGette, Castor, Tonko, Clarke, and Ruiz.

Staff Present: Jennifer Barblan, Chief Counsel, Oversight and Investigations; Karen Christian, General Counsel; Ali Fulling, Legislative Clerk, Oversight and Investigations/Digital Commerce and Consumer Protection; Jennifer Sherman, Press Secretary; Alan Slobodin, Chief Investigative Counsel, Oversight and Investigations; Peter Spencer, Professional Staff Member, Energy; Jessica Wilkerson, Professional Staff Member, Oversight and Investigations; Julie Babayan, Minority Counsel; Chris Knauer, Minority Staff Director, Oversight and Investigations; Miles Lichtman, Minority Policy

Analyst; Kevin McAloon, Minority Professional Staff Member; and Samantha Satchell, Minority Policy Analyst.

Mr. Harper. Good afternoon. We are here today to hold a hearing examining the ongoing GAO audit series of HHS cybersecurity programs.

Since the committee submitted its request to GAO in 2013, GAO has performed three audits of major operating divisions within HHS. Today's hearing will provide an opportunity for the subcommittee to learn more about GAO's findings over this series of audits as well as the steps taken by HHS and its operating divisions to respond to these findings.

Given that GAO has completed three of these audits, today's hearing will also provide an opportunity to examine HHS cybersecurity roles and responsibilities. These GAO audits provide a valuable opportunity for HHS and its operating divisions to reflect on its cybersecurity capabilities and improve from one to the next. Today's hearing will allow us to explore whether or not HHS has indeed taken advantage of these opportunities in the way that we would hope and expect that the Department has.

Given the sensitivity of some of the findings identified by GAO, we have determined that it is appropriate for the bulk of this hearing to take place in a closed session. After opening remarks by Ranking Member DeGette, the subcommittee will vote to enter a closed session and then proceed from there.

I want to thank our witnesses for appearing today.

And I now recognize Ms. DeGette for any public comments before we vote to go into closed session.

Ms. DeGette. Thank you, Mr. Chairman.

As you know, this committee has conducted a series of oversight work focused on cybersecurity, such as at the Department of Energy and HHS. GAO is doing critical work in testing the cyber defenses at various HHS agencies, and this report is the latest in that series.

To that end, I look forward to examining these issues in more detail in executive session and to hearing what commitments these agencies can make to address the vulnerabilities.

And, with that, I yield back.

Mr. Harper. Ms. DeGette yields back.

The chair recognizes himself for a unanimous consent request and to offer a motion.

Because of the sensitive nature of this hearing, particularly its implications for national security, and after consultations with the minority, I will offer a motion that the subcommittee go into executive session.

I yield to the ranking member for any comments on this procedure.

Ms. DeGette. Thank you, Mr. Chairman.

As I stated before, given the sensitive nature of this information, I support your motion.

Mr. Harper. The chair moves that, pursuant to clause 2(g) of rule XI of the rules of the House, the remainder of this hearing will be conducted in executive session to protect information that might endanger national security.

Is there discussion on the motion?

Seeing none, if there is no discussion, pursuant to the rule, a recorded vote is ordered. Pursuant to rule XI of the U.S. House of Representatives, this will be a roll call vote.

The clerk call the roll.

The Clerk. Mr. Griffith?

Mr. Griffith. Aye.

The Clerk. Mr. Griffith votes aye.

Mr. Barton?

[No response.]

The Clerk. Mr. Burgess?

[No response.]

The Clerk. Mrs. Brooks?

Mrs. Brooks. Aye.

The Clerk. Mrs. Brooks votes aye.

Mr. Collins?

Mr. Collins. Aye.

The Clerk. Mr. Collins votes aye.

Mr. Walberg?

Mr. Walberg. Aye.

The Clerk. Mr. Walberg votes aye.

Mrs. Walters?

Mrs. Walters. Aye.

The Clerk. Mrs. Walters votes aye.

Mr. Costello?

[No response.]

The Clerk. Mr. Carter?

Mr. Carter. Aye.

The Clerk. Mr. Carter votes aye.

Chairman Walden?

[No response.]

The Clerk. Ms. DeGette?

Ms. DeGette. Aye.

The Clerk. Ms. DeGette votes aye.

Ms. Schakowsky?

[No response.]

The Clerk. Ms. Castor?

Ms. Castor. Aye.

The Clerk. Ms. Castor votes aye.

Mr. Tonko?

Mr. Tonko. Aye.

The Clerk. Mr. Tonko votes aye.

Ms. Clarke?

Ms. Clarke. Aye.

The Clerk. Ms. Clarke votes aye.

Mr. Ruiz?

Mr. Ruiz. Aye.

The Clerk. Mr. Ruiz votes aye.

Mr. Peters?

[No response.]

The Clerk. Mr. Pallone?

[No response.]

The Clerk. Chairman Harper?

Mr. Harper. Aye.

The Clerk. Chairman Harper votes aye.

Mr. Harper. Have all members been recorded?

The clerk will report the vote.

The Clerk. Mr. Chairman, on the vote, there were 12 ayes and zero nays.

Mr. Harper. The motion passes. The remainder of the hearing will be closed to the public and open only to our witnesses, to the members, and to essential staff.

We will briefly recess to clear the room.

[Whereupon, at 1:05 p.m., the subcommittee proceeded in closed session.]