

OPENING STATEMENT  
**Ranking Member Eddie Bernice Johnson (D-TX)**

House Committee on Science, Space, and Technology  
*Markup of* : H.R. 6067, the “TREAT“ Astronauts Act; H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016; and, H.R. 5829, the “ADVISE” Now Act”  
September 21, 2016

Thank you Chairman Smith. Today we are marking up three bills: H.R. 6067, the “TREAT“ Astronauts Act; H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016; and, H.R. 5829, the “ADVISE” Now Act.

The first bill, the TREAT Astronauts Act, is a good bill and I support it.

Chairmen Smith and Babin worked with Ranking Member Edwards to arrive at legislative language we can all support. I also note that NASA is supportive of this legislation. If we want to send astronauts to far flung destinations like Mars, we need to understand the long-term implications of space travel on human health. This bill will help NASA to understand those issues, and hopefully one day get humans safely to Mars and home.

We are also marking up H.R. 5829. While there is nothing offensive about this bill, I can’t really find much positive to say about it either.

The bill appears to be duplicative with language already in law, and my understanding from staff is that the whole bill will be moot in two weeks when the EPA SAB announces the membership of the committee in question.

The third bill we are marking up today is H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016. I want to be clear here. This bill is nothing more than legislative window dressing for the Majority’s myriad cybersecurity investigations into agencies outside of the Committee’s jurisdiction.

This has culminated in the unprecedented investigation into the practices of a current major party nominee for President.

Why do I call it simply “window dressing”?

First, we have done none of the normal Committee activities to perfect this bill. We have held no legislative hearings and no subcommittee markup. We have not solicited or received any feedback or advice from any cybersecurity experts or any of the agencies mentioned in the bill. And, quite frankly, it shows in the sloppy work before us today. Portions of this bill read nonsensically.

Some provisions might be unconstitutional. Other provisions seem to inadvertently place DOD cybersecurity standards under the control of NIST—a civilian agency.

One would think that if the Majority really takes cybersecurity so seriously, they would have done the basic work to ensure that their bill made sense. But I suspect this bill is less about improving cybersecurity and more about bolstering the case for the Chairman’s investigation into former Secretary Clinton’s email practices. That can be seen in the bill text itself. Page 9 of the bill references that agency heads should not use private messaging software or private email servers for official communications.

That is a transparent reference to the case of former Secretary Clinton.

To date, the Chairman has issued six subpoenas in his Clinton email investigation, including one just yesterday to the Director of the FBI. And, I might add, to what end? There have already been investigations by the State Department, the FBI, the 7 million dollar Benghazi Committee, the Senate Committee on Homeland Security and Governmental Affairs, and most recently, the House Oversight and Government Reform Committee.

What is the Science Committee going to uncover that all of these other investigators before us have not?

I think it needs to be said that the Majority's investigation of Secretary Clinton's email arrangements is an embarrassment and a stain on this Committee. We should not be using the oversight powers of this Committee, much less significant taxpayer dollars, to engage in transparently partisan activities. I look forward to the day when the Science Committee gets back to the subject of science, and stops acting as an opposition research arm of the Donald Trump Campaign.

I yield back.