

KEVIN S. BARSTOW

(b)(6)

EXPERIENCE

U.S. House of Representatives, Committee on Energy and Commerce

Washington, DC

Chief Oversight Counsel

January 2019 – Present

- Develop and manage the Committee's investigative agenda and oversight of Executive Branch agencies and private sector entities across a wide-range of issues within the Committee's jurisdiction.
 - Executive Branch oversight engagements include the Trump Administration's lack of preparation for and failed response to the COVID-19 pandemic, creation and implementation of its family separation policy, efforts to undermine the Affordable Care Act, roll back of environmental laws and disregard for science, management of the Department of Energy's nuclear waste cleanup program, response to the opioid crisis, and the misuse of federal funds by the Administrator of the Centers for Medicare & Medicaid Services (CMS).
 - High-profile investigations of private sector entities include e-cigarette companies' role in the youth vaping epidemic, the health care industry's practices surrounding surprise medical bills and short-term, limited-duration insurance, unfair and deceptive actions in the ticketing industry, and the rising cost of prescription drugs.
- Advise Committee Chairman and leadership on strategies to handle complex and sensitive matters, including identifying emerging issues, providing assessments of political and policy implications, and making recommendations for action, while safeguarding institutional interests.
- Manage a team of twelve attorneys, investigators, and professional staff, providing professional mentorship and facilitating communication and coordination within Committee staff and across member offices and other committees.
- Design and supervise oversight hearings, including developing question lines and member statements; negotiate with senior officials and counsels from federal agencies and private sector entities regarding oversight inquiries; draft information requests, statements, and Committee reports; and interview government and private sector witnesses.

United States Senate, U.S. Senator Bob Casey and the Special Committee on Aging

Washington, DC

Chief Counsel

February 2017 – January 2019

- Counseled the Senator during committee hearings, markups, and floor proceedings, including on the Administration's implementation of the Affordable Care Act, barriers to voting for older Americans and people with disabilities, issues associated with guardianship arrangements, and nominations.
- Directed the Senator's oversight and investigations work; drafted letters, reports, fact sheets, hearing questions, opening statements, floor statements, speeches, and talking points in areas of expertise.
- Managed judicial nominations for the Senator, including interviewing and vetting potential candidates for the federal judiciary in Pennsylvania and providing voting recommendations on all federal judicial nominees.
- Represented the Senator in meetings with other congressional offices, Administration nominees, government officials, non-governmental organizations, and constituents.
- Advised the Senator through verbal briefings and a wide range of written products, including memoranda and reports.

U.S. Department of Health and Human Services (HHS)

Washington, DC

Deputy Director for Oversight and Investigations

June 2015 – February 2017

- Led HHS's Office of Oversight and Investigations, a team of seven professional staff, which managed over 300 congressional oversight inquiries in the 114th Congress as well as more than 100 annual GAO audits.
- Developed, managed, and implemented strategic responses to high-priority, sensitive congressional requests for information across the Department, including identifying significant and emerging issues in connection with requests, on HHS programs including the Affordable Care Act, the Unaccompanied Children's Program, women's health programs, HHS's response to the Zika virus outbreak, HHS's use of fetal tissue in research, biosafety and biosecurity at HHS laboratories, and the response to the Flint water crisis.
- Counseled and advised senior Department officials, including the Secretary, Deputy Secretary, Chief of Staff, General Counsel, and Assistant Secretary for Legislation, and made recommendations for action to respond to congressional oversight inquiries while protecting important Department interests.
- Prepared senior HHS officials for appearances at congressional oversight hearings, briefings, and interviews.
- Fostered relationships and led negotiations with congressional oversight staff to better position the Department in responding to requests while protecting important Executive Branch institutional interests.
- Advised senior officials on legal issues related to the Freedom of Information Act, commercial confidential information, deliberative process, executive privilege, the accommodations process, and issues related to privacy.

U.S. Department of Commerce

Associate Director for Oversight

Washington, DC

January 2015 – June 2015

- Advised senior leadership on congressional oversight matters such as preparation for the 2020 Census, development of the First Responder Network Authority (FirstNet), negotiation of the Trans-Pacific Partnership, backlog at the United States Patent and Trademark Office, and programs at the National Oceanic and Atmospheric Administration.
- As lead staff for congressional oversight engagements, coordinated Department responses to congressional requests and maintained a cooperative relationship with congressional committees with jurisdiction over the Department.
- Leveraged established congressional relationships as a specialized liaison for issues of heightened concern involving congressional oversight, major office programs, and policy issues.
- Prepared senior Department officials for appearances at congressional oversight hearings, briefings, and interviews.

U.S. Department of Health and Human Services

Counselor on Oversight

Washington, DC

February 2012 – January 2015

- Managed congressional oversight requests on issues pertaining to the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention, the National Institutes of Health, and CMS, among others.
- Coordinated Department responses to high-profile and controversial congressional requests for information on HHS programs, including the Affordable Care Act, HealthCare.gov, Department preparation and response to the 2014 Ebola outbreak, FDA's response to the fungal meningitis outbreak, and HHS's handling of select agents.
- Managed HHS's large-scale production of documents to Congress in response to numerous oversight requests regarding the launch of HealthCare.gov involving over 2 million documents and a team of more than 80 employees.
- Briefed senior Department officials on congressional requests and reports and developed and recommended options for responding to Congress.
- Prepared briefing materials, talking points, and testimony and questions for the record for senior officials' appearances at congressional oversight hearings.

Freshfields Bruckhaus Deringer, LLP

Contract Staff Attorney

Washington, DC

April 2011 – February 2012

- Facilitated submission of documents pertaining to the mergers of companies to U.S. antitrust agencies.
- Conducted a privilege document review for a civil suit against a major airline company.

U.S. House of Representatives

Committee on Oversight and Government Reform

Committee on Energy and Commerce

Investigative Counsel

Washington, DC

February 2009 – January 2011

March 2007 – February 2009

- Conducted comprehensive investigations pertaining to public health, national security, and other matters, including the H1N1 outbreak and pandemic preparedness, public safety recalls, Mexican drug trade and border security, the Christmas Day bombing attempt aboard an airliner, cybersecurity at the Departments of Defense and Energy, FDA's response to major food contamination outbreaks, and the response to the Heparin contamination crisis.
- Drafted Chairman's letters and subpoenas initiating and furthering oversight inquiries and reviewed documents obtained by the Committees pursuant to high-priority investigations.
- Planned hearings by interviewing and preparing witnesses, drafting briefing memoranda, writing questions and opening statements, and producing any material to brief the Chairmen and Committee members.
- Served as legal counsel to the Chairmen and members during oversight hearings.

EDUCATION

The University of Iowa College of Law

Juris Doctor

Iowa City, IA

2006

Michigan State University

Bachelor of Arts, General Business Administration, with Honors

East Lansing, MI

2003

BAR MEMBERSHIPS

- Wisconsin, Michigan

SECURITY CLEARANCE

- TS/SCI