

**COMMITTEE PRINT**

**113<sup>th</sup> CONGRESS**

**OVERSIGHT AND INVESTIGATION PLAN**

**OF THE**

**COMMITTEE ON EDUCATION AND THE WORKFORCE**

**1. Adoption of an Oversight Plan**

Each standing committee of the House is required to formally adopt an oversight plan at the beginning of each Congress. Specifically, clause 2(d)(1) of Rule X of the Rules of the House of Representatives states in part:

*Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform and to the Committee on House Administration.*

**2. Jurisdiction of the Committee on Education and the Workforce**

Rule X of the Rules of the House of Representatives vests in the Committee on Education and the Workforce (the “committee”) jurisdiction over issues dealing with students, education, workers, and workplace policy. Specifically, clause 1(e) of Rule X vests the committee with jurisdiction over the following subject-matter:

- (1) Child labor;*
- (2) Gallaudet University and Howard University and Hospital;*
- (3) Convict labor and the entry of goods made by convicts into interstate commerce;*
- (4) Food programs for children in schools;*
- (5) Labor standards and statistics;*
- (6) Education or labor generally;*

- (7) Mediation and arbitration of labor disputes;*
- (8) Regulation or prevention of importation of foreign laborers under contract;*
- (9) Workers' compensation;*
- (10) Vocational rehabilitation;*
- (11) Wages and hours of labor;*
- (12) Welfare of miners; and*
- (13) Work incentive programs.*

### **3. General Oversight Responsibilities**

Clause 2 of Rule X of the Rules of the House of Representatives provides in part:

*(a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in –*

*(1) its analysis, appraisal, and evaluation of –*

*(A) the application, administration, execution, and effectiveness of Federal laws; and*

*(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and*

*(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.*

*(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis –*

*(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;*

*(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;*

*(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and*

*(D) Future research and forecasting on subjects within its jurisdiction.*

Clause 2 of Rule XI of the Rules of the House of Representatives provides:

*(n)(1) Each standing committee, or a subcommittee thereof, shall hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize.*

*(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.*

*(o) Each committee, or a subcommittee thereof, shall hold at least one hearing in any session in which the committee has received disclaimers of agency financial statements from auditors of any Federal agency that the committee may authorize to hear testimony on such disclaimers from representatives of any such agency.*

*(p) Each standing committee, or a subcommittee thereof, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the committee may authorize are at high risk for waste, fraud, and mismanagement, known as the “high-risk list” or the “high-risk series.”*

#### **4. Exercise of Oversight Responsibilities**

Oversight is a constitutional prerogative and responsibility of the Congress. Oversight is a core objective of the committee. Accordingly, the committee will thoroughly oversee and investigate the various agencies, departments, and programs within its jurisdiction. In so doing, the committee will actively consult with other House committees having concurrent or germane jurisdiction. In its oversight proceedings, the committee will make full use of hearings in Washington, D.C. and of regional field hearings to ensure all relevant voices are heard and made part of the official record. Among other investigative techniques, the committee will visit relevant sites, correspond with affected parties, and review audits and investigations by, among others, the Congressional Research Service, the Government Accountability Office, the United States Attorney General, and the Offices of the Inspectors General of the Departments of Labor, Education, and Health and Human Services.

The committee has identified several particular areas for oversight and investigation in the 113th Congress. These areas are discussed below:

**General Departmental Activities.** The committee will continue its oversight of all programs and statutes administered and enforced by the U.S. Department of Education, the U.S. Department of Labor, the U.S. Department of Health and Human Services, the U.S. Department of Agriculture, the U.S. Department of Justice, and independent agencies within its jurisdiction. The committee will review Department of Education programs to ensure they are consistent with the appropriate federal role in education, operating in an effective and efficient manner, and following Congressional intent in their scope, activities, and operations. Regarding the Department of Labor, the committee will closely monitor and review the Office of Federal Contract Compliance Programs' newly proposed administrative, paperwork, and recordkeeping requirements associated with the hiring and advancement of individuals with disabilities and veterans; regulations implementing recent legislative changes to the Family and Medical Leave Act; revisions to the temporary worker programs; and regulations relating to the Fair Labor Standards Act. The committee will continue to monitor the implementation of the Child Nutrition Act, including upcoming and recently released regulations by the Department of Agriculture.

**Elementary and Secondary Education.** The committee will continue to monitor the implementation of new and existing projects and programs created independently by the Department of Education such as Promise Neighborhoods and Race to the Top-District competition, and scrutinize the implementation of American Reinvestment and Recovery Act (ARRA) programs such as Race to the Top, Investing in Innovation, and School Improvement Grants. The committee will examine the actions of the department in issuing waivers of the Elementary and Secondary Education Act (ESEA), including scrutinizing the department's role in approving state applications. The committee will examine federal policies that inhibit or prevent students' access to a high-quality elementary and secondary education that best meets their individual needs, including public, public charter, private, or home school options.

**Higher Education.** The committee will continue to monitor the regulatory actions of the Department of Education to ensure all students have access to postsecondary education programs that allow them to enter the workforce ready to work, including examining any federal regulations that unfairly target one sector of higher education over another. The committee will increase its oversight over the William D. Ford Federal Direct Loan Program, including examining the ability of the department to properly serve all borrowers in a timely and equitable fashion.

**Early Childhood.** The committee will continue to monitor and review the Department of Health and Human Services' implementation of early childhood care and education programs. Specifically, the committee will examine the department's administration of the Head Start program, including its implementation of the new Designation Renewal System and other efforts to improve program quality in a fair, consistent, and transparent manner.

**Child Safety.** The committee believes children should have a safe and secure learning environment to attend school, from early education through higher education, and accordingly will conduct appropriate oversight. The committee will scrutinize the implementation and effectiveness of the Child Abuse Prevention and Treatment Act (CAPTA), the foremost federal law to prevent child abuse (last reauthorized in 2010), including pressing the Department of

Health and Human Services to conduct and report on the results for several critical studies about program effectiveness. The committee will also examine school safety measures to understand what efforts are effective at protecting children from harm.

**Job Training.** The committee will continue to examine the effectiveness of the more than 40 federal workforce training programs or activities administered by the Department of Labor's Employment and Training Administration and other federal agencies to ensure they meet the training needs of both employers and job seekers. The committee will actively conduct oversight of the Job Corps program, including examining recent budget shortfalls in the program, ensuring health and safety problems identified at center locations by the Inspector General have been resolved in a timely manner, and increasing accountability measures to turn around persistently low-performing centers.

**Retirement Security.** The committee will monitor the Department of Labor's administrative activity relating to employee benefit plans under the Employee Retirement Income Security Act (ERISA). The committee will continue to oversee regulatory and enforcement actions affecting single-employer and multiemployer defined benefit plans and defined contribution plans. Furthermore, the committee will continue its oversight of the Pension Benefit Guaranty Corporation, including its financial outlook and future solvency, its provision of financial assistance to insolvent multiemployer plans, and its administration of terminated plans. Finally, the committee will examine the administration's reports, required by statute, relating to the multiemployer pension system.

**Union Democracy.** The committee will conduct oversight and investigations, as appropriate, to ensure employee and employer rights under the National Labor Relations Act are protected and applied consistently and without bias. The committee will work to ensure employee freedom when electing and participating in a union, and to ensure the National Labor Relations Board properly fulfills its responsibilities. Additionally, the committee will continue to monitor the Department of Labor's enforcement and administration of the Labor-Management Reporting and Disclosure Act. The committee will scrutinize regulatory proposals and will investigate actions that reduce union transparency and accountability to their members.

**Health Care.** The committee will continue to perform aggressive oversight of the health care matters affecting employers and their workers, including the administration's implementation of the Patient Protection and Affordable Care Act (PPACA). PPACA greatly expanded the role of government in the health care system. It made significant changes to the health insurance marketplace and the manner in which employers provide health insurance to workers and their families. Given the central role employers play in the delivery of health care, providing coverage to an estimated 160 million people, the committee has a responsibility to conduct oversight of the law's effects on employers' ability to offer their workers affordable health insurance plans. Specifically, the committee will continue to examine the extent to which PPACA affects the financial and administrative costs of employer-sponsored health insurance. Additionally, the committee will carry on its ongoing efforts to assess the impact of the law's new taxes on employers, workers' wages, hours worked, and job creation.

**Workplace Safety.** The committee recognizes that safe workplaces are vital to the well-being of our nation's workers and the strength of our economy. Accordingly, the committee will continue its efforts to ensure that federal workplace safety laws, including the Occupational Safety and Health Act and the Mine Safety and Health Act, adequately protect American workers. The committee will also take steps to ensure that the agencies responsible for administering and enforcing these statutes do so fairly, effectively, and efficiently.

In addition, the committee reserves the right to review and investigate general legislative, administrative, and regulatory issues within the jurisdiction of the committee.