

[COMMITTEE PRINT]

114th 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 (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

The American people deserve an open, accountable government that spends taxpayer money efficiently and wisely. Rather than turning a blind eye to mismanaged resources or a failure to govern effectively, Congress must use its constitutional authority to ensure our laws are properly enforced, taxpayer money is spent appropriately, and government policy does not harm the American people.

The oversight of federal programs and activities conducted by committees is a critical part of this effort. Oversight is a constitutional prerogative and responsibility of the Congress and 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 House committees having concurrent or related 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 the Congressional Research Service, the Government Accountability Office, the United States Attorney General, and the Offices of the Inspectors General

of the U.S. Departments of Labor, Education, and Health and Human Services, among others.

The Committee will continue to demand and lead aggressive oversight in its areas of jurisdiction. Under the House Rules, the Committee has jurisdiction over 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 continue to ensure these programs and statutes are administered consistent with the appropriate federal role and operated in an effective and efficient manner, as well as follow congressional intent in their scope, activities, and operations.

The Committee has identified several particular areas for oversight and investigation in the 114th Congress. These areas are discussed below:

- America's students, parents, administrators, and teachers deserve consistent policies and a federal government that gives them the flexibility to succeed, while ensuring the federal investment is used to improve educational opportunity and support increased academic achievement. The Committee will continue to examine how the administration has implemented the law and utilized the waiver authority under the law to properly execute the intent of the law and the impact of these policies and work to ensure all students have access to a quality education.
- The U.S. Department of Education currently operates more than 80 programs tied to K-12 classrooms, some of which may be duplicative, ineffective, and carry separate sets of burdensome rules and reporting requirements. The Committee will examine these programs to weed out waste and provide states and school districts greater flexibility in the use of federal funds to support the effective use of taxpayer dollars in increasing education achievement for students.
- Access to information can help students make smart decisions as they pursue a higher education. Despite repeated attempts to enhance transparency in higher education, it is still difficult to find information that can aid the search for the right college or university. Students and families should be able to access the best information in a format that is easy to understand, enabling them to make more informed decisions. The Committee will continue to monitor how the U.S. Department of Education provides information about colleges and universities to students and families.
- Institutions of higher education are subject to myriad federal reporting requirements that can contribute to increased costs. The Committee will continue its oversight of overly burdensome regulatory schemes.
- Last year, Congress passed and the President signed a bipartisan, bicameral bill to fix the nation's broken job training system. The *Workforce Innovation and Opportunity Act* helps workers attain skills for 21st century jobs, provides greater accountability to taxpayers, and helps put Americans back to work. The Committee will work with the Administration to ensure the law is properly implemented.

- Congress must continue its oversight of the implementation of the *Affordable Care Act* on behalf of workers and their families. The Committee will continue to investigate how the law is affecting employers' ability to provide quality, affordable health care to employees, including educators and school-staff.
- The committee will conduct oversight and investigations, as appropriate, to ensure employee and employer rights under the *National Labor Relations Act* (NLRA) are protected and applied consistently and without bias. The committee will work to ensure the National Labor Relations Board properly fulfills its responsibilities, giving particular scrutiny to the Board's changes to union election rules, decisions affecting long-standing joint-employer standards, and questions regarding whether college athletes are employees under the NLRA.
- The retirement system works best when workers have access to voluntary, robust, portable, and secure savings options. The Committee will monitor the U.S. Department of Labor's activities to ensure rules or regulations benefit the long-term financial security of working families and do not impede the ability of individuals to save for retirement.
- Improving the financial outlook of the Pension Benefit Guaranty Corporation (PBGC) is critically important. The recently-passed *Multiemployer Pension Reform Act* took a step in that direction; however, more work needs to be done. The Committee will continue to monitor the PBGC to identify needed pension reforms that will both protect taxpayers and encourage employer participation.
- Open and transparent regulations benefit employers and employees alike. The Committee will work to ensure the executive branch administers the laws as written by Congress in an open and transparent way.
- Finally, the administration has taken many executive actions on policies traditionally within the authority of Congress. The Committee will continue to monitor these actions and push back when the administration oversteps its authority.