

[COMMITTEE PRINT]
119th CONGRESS
SUBMISSION OF OVERSIGHT PLAN
OF THE

COMMITTEE ON EDUCATION AND WORKFORCE

Mr. Walberg, from the committee on Education and Workforce, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following.

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Preparation and Submission of Oversight Plan

Each standing committee of the U.S. House of Representatives (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) is required to prepare and submit 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:

(d)(1) Not later than March 1 of the first session of a Congress, each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall, in a meeting that is open to the public, adopt its authorization and oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform and the Committee on House Administration—

Jurisdiction of the Committee on Education and Workforce

Rule X of the Rules of the House of Representatives vests in the Committee on Education and Workforce (Committee) jurisdiction over issues dealing with students, education, workers, and labor 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.
- (13) Work incentive programs.
- (14) Organization, administration, and general management of the Department of Education.
- (15) Organization, administration, and general management of the Department of Labor.

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.
- (2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.

Exercise of Oversight Responsibilities

The Constitution of the United States vests in Congress the authority and responsibility to make laws and ensure that those laws are properly enforced and enacted. Oversight is a constitutional prerogative, an important responsibility of the Congress, and a core objective of the Committee. Accordingly, the Committee will thoroughly oversee and investigate the various departments, agencies, and programs within its jurisdiction. In so doing, the Committee will actively consult with House committees that have 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 included as part of the official record. Among other investigative techniques, the Committee will visit relevant sites, correspond with affected parties, request briefings by federal agencies and departments, review assessments and analyses by the Congressional Research Service (CRS), and review audits and investigations by the Government Accountability Office (GAO) and the Offices of the Inspectors General of the U.S. Departments of Education (ED), Labor (DOL), Health and Human Services (HHS), Agriculture (USDA), and Justice (DOJ); and independent agencies under the Committee's jurisdiction including the National Labor Relations Board (NLRB), the Equal Employment Opportunity Commission (EEOC), the Pension Benefit Guaranty Corporation (PBGC), the National Council on Disability, and the Corporation for National and Community Service (CNCS).

The Committee will lead aggressive oversight in its areas of jurisdiction, which include programs and statutes administered and enforced by ED, DOL, HHS, USDA, DOJ, and various independent agencies as well as the organization, administration, and general management of ED and DOL. The Committee will work to ensure that these programs and statutes are administered consistent with constitutional requirements of faithful execution of laws passed by Congress and long-established principles of federalism. Additionally, the Committee will conduct oversight to ensure that programs are operated and executed in an effective, efficient, and transparent manner, as well as follow congressional intent in their scope, activities, and operations.

The Committee has identified priority areas for oversight and investigation in the 119th Congress. These areas include, but are not limited to, the following:

- **Combating Antisemitism and Anti-Americanism in the Education System:** The Committee will continue to conduct oversight on the explosion of virulent antisemitism and anti-Americanism at our educational institutions across the United States and widespread failures by these institutions to meaningfully address and correct these problems. The Committee will examine institutions' failures to uphold their obligations under Title VI of the *Civil Rights Act* and other federal laws, institutions' failures to enforce their own rules and to maintain safe and uninterrupted learning environments, and how colleges, universities, and K-12 schools receiving substantial federal support have become incubators of antisemitism and anti-Americanism.

- **Parental Rights:** The Committee will monitor and conduct oversight of state and school district recipients of federal funding, including policies and procedures that fail to provide for, or otherwise limit, parental notification when minor students share certain personal information with a guidance counselor, teacher, or administrator.
- **Student Aid Administration.** The Committee will monitor the Department's efforts to return all borrowers back into repayment as well as continue to monitor the process of applying for and distributing federal student aid. As part of this, the Committee will monitor the administration of the Office of Federal Student Aid to ensure it's running efficiently and effectively.
- **National Labor Relations Board (NLRB):** The Committee will conduct oversight to ensure that the NLRB is properly implementing and enforcing the *National Labor Relations Act* (NLRA). Following four years of the Biden-Harris administration, the NLRB and its Office of General Counsel are in need of scrutiny to ensure the NLRB is interpreting and implementing the NLRA in a manner that supports workers and employers.
- **Union Accountability and Transparency:** Approximately 7.4 million private sector workers are represented by unions, and these workers are entitled to accountability and transparency from their unions. The Department of Labor's (DOL) Office of Labor-Management Standards (OLMS) is the primary federal agency responsible for protecting union members against anti-democratic procedures within labor organizations and safeguarding labor union funds and assets. The Committee will monitor OLMS's implementation of the *Labor-Management Reporting and Disclosure Act* and conduct oversight on unions, as needed, to ensure they are respecting the democratic rights of their members and properly managing their members' dues, education funds, and pension programs. The Committee will also examine unions' efforts to honor religious exemption requests and how they notify members about their right to opt out of paying for nonrepresentational union activity.
- **Wage and Hour:** The Committee will engage with workers, employers, and other stakeholders to consider how best to modernize federal wage and hour laws. The Committee will also monitor the DOL Wage and Hour Division's enforcement activity, compliance assistance, and proposals to revise rules under the *Fair Labor Standards Act* and other relevant statutes.
- **Retirement Security and Pensions:** The Committee will engage with workers, employers, retirees, and other stakeholders to consider how best to strengthen laws governing retirement security. The Committee will review the Employee Benefits Security Administration's enforcement activity and rulemakings implementing the *Employee Retirement Income Security Act* (ERISA) and other relevant statutes. The Committee will also closely examine the Pension Benefit Guaranty Corporation's (PBGC) stewardship of single-employer premium excesses and whether a reduction in those premiums would appropriately reflect the single-employer program's reduced risk and how such a reduction might impact the federal budget. The Committee will monitor PBGC's recovery efforts of amounts improperly paid under the Biden-Harris administration's Special Financial

Assistance program to multiemployer plans on the basis of deceased participants. In addition, the Committee will conduct oversight on public pension funds' use of retirement trust funds for diversity, climate, labor, and political impact while sacrificing investment returns.

- **Health Care:** The Committee will conduct oversight to ensure that employers have the flexibility and tools to offer workers and their families affordable, employer-sponsored health care coverage that fits their individual needs. The Committee will closely oversee the implementation of laws governing mental health and substance abuse treatment coverage and banning surprise medical billing. The Committee will also closely monitor attempts to coerce employers to provide abortion or transgender benefits. Finally, the Committee will conduct oversight to maintain the protection of ERISA preemption of state insurance law.
- **Equal Employment Opportunity:** The Committee will monitor the Equal Employment Opportunity Commission (EEOC) and DOL's Office of Federal Contract Compliance Programs (OFCCP) to ensure proper implementation and enforcement of employment non-discrimination laws. Specifically, the Committee will monitor EEOC's implementation of the 2024 final rule on the *Pregnant Workers Fairness Act* and of the 2024 enforcement guidance on harassment in the workplace. The Committee will also oversee OFCCP's policies concerning religious organizations seeking to participate in federal contracting.
- **Workplace Safety and Health:** The Committee will monitor the Occupational Safety and Health Administration's (OSHA) efforts to ensure safe and healthy workplaces by properly setting standards and providing education, outreach, and assistance to workers and employers. In particular, the Committee will monitor OSHA's efforts to end or modify Biden-Harris administration regulatory efforts that burden job creators while doing little to improve workplace safety.
- **Mine Safety and Health:** The Committee will review the Mine Safety and Health Administration's implementation of federal mine safety laws to ensure it is properly promoting safe and healthy workplaces and working to eliminate mining fatalities.
- **Workers' Compensation:** The Committee will monitor DOL's Office of Workers' Compensation Programs (OWCP) and its administration of the Federal Employees' Compensation Program, the Energy Workers Program, the Black Lung Program, and the Longshore Program. Specifically, the Committee will look for opportunities to improve the Federal Employees' Compensation Program management, simplify administration, and strengthen the program's integrity so that it can better serve the needs of injured federal workers. In addition, the Committee will oversee OWCP's implementation of the *Federal Firefighters Fairness Act*, which creates a new presumption of eligibility under the *Federal Employees' Compensation Act* for federal firefighters with certain occupational illnesses. The Committee will also monitor OWCP's efforts to ensure the solvency of the Black Lung Disability Trust Fund for miners and their families.

- **Labor Statistics:** The Committee will consider needed reforms to ensure the integrity of labor statistics. Specifically, the Committee will review the Bureau of Labor Statistics' collection, analysis, and dissemination of labor data to determine possible updates to improve procedures and laws.
- **Labor Certifications for Temporary Guest Workers:** The Committee will monitor DOL's Office of Foreign Labor Certification to ensure DOL processes applications for foreign worker labor certifications in a timely and appropriate manner. The Committee will also conduct oversight on the Biden-Harris administration's final rules affecting the H-2A temporary agricultural guest worker program.

The Committee reserves the right to review and investigate general legislative, administrative, and regulatory issues affecting its jurisdiction.

Expired Authorizations

The following is a list of the major laws that have authorizations of appropriations that have expired but continue to receive funding under the jurisdiction of the Committee on Education and Workforce. Along with the oversight objectives previously outlined, the Committee will work to conduct oversight of these laws and determine the appropriate next steps.

- Carl D Perkins Career and Technical Education Act of 1998
- Child Abuse Prevention and Treatment Act
- Child Care and Development Block Grant Act of 1990
- Child Nutrition Act of 1966
- Community Services Block Grant Act
- Domestic Volunteer Service Act of 1973
- Education Sciences Reform Act of 2002
- Elementary and Secondary Education Act of 1965
- Family Violence Prevention Services Act
- Head Start Act
- Higher Education Act of 1965
- Individuals with Disabilities Act (Parts C and D)
- Juvenile Justice and Delinquency Prevention Act of 1974
- Low-Income Home Energy Assistance Act of 1981
- National and Community Service Act of 1990
- National Foundation for the Arts and Humanities Act of 1965
- Older Americans Act
- Richard B Russell National School Lunch Act
- Runaway and Homeless Youth Act
- Special Olympics Sport and Empowerment Act of 2004
- Workforce Innovation and Opportunity Act.