

REPORT OF OVERSIGHT AND INVESTIGATION PLAN  
OF THE  
COMMITTEE ON EDUCATION AND LABOR

MR. MILLER, from the Committee on Education and Labor, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following.

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**1. House Rule X, Clause 2(d)(1)**

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

*[E]ach standing committee shall, in a meeting that is open to the public and 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 Labor**

Rule X of the Rules of the House vest in the Committee on Education and Labor (Committee) jurisdiction over issues dealing with students, education, workers, and workplace policy.

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 program.*

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

According to House Rule X, Clause 2(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.*

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

Oversight is a constitutional responsibility of the Congress and a core objective of the Committee. Accordingly, the Committee will thoroughly oversee and investigate the various agencies, departments, and programs within its jurisdiction. In doing so, the Education and Labor Committee will actively consult with other House committees having concurrent or germane jurisdiction.

In its oversight proceedings, the Committee will make full use of formal hearings—held in Washington, D.C. and regionally—and “e-hearings” to ensure all relevant voices are heard and made part of the official record. The Committee will conduct Member and staff site examinations, correspond with impacted parties and review audits and investigations by, among others, the Congressional Research Service, 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 the following areas for oversight and investigation in the 110<sup>th</sup> Congress.

**Strengthening the Middle Class:** The Committee will investigate trends in economic conditions and employment practices generally that affect the ability of the Nation's workers to acquire and maintain decent standards of living for themselves and their families, including trade issues and compensation, benefits, and other workplace policies and practices.

**Higher Education:** The Committee seeks solutions that will make higher education more affordable and accessible to the middle class. The ever-increasing cost of college admission prevents many qualified students from obtaining a higher education. At four-year public colleges and universities, tuition has increased by about 40 percent since 2001. Since July 1, 2006, interest rates on new Stafford loans are fixed at 6.8 percent. Accordingly, the Committee will examine strategies to improve the effectiveness and efficiency of our Nation's postsecondary education system and explore ways to contain higher education costs. The Committee will also examine very closely the various loan and grant programs available to qualified students to identify the best practices going forward.

**Retirement Security:** The Committee will explore options for greater transparency and understandable disclosure of the various fees that 401(k) sponsors charge plan participants to establish, maintain and invest their plans. The Employee Retirement Income Security Act (ERISA) requires 401(k) plan sponsors to disclose only limited information on such fees. More than 45 million Americans are invested in these tax-deferred, defined contribution plans with assets totaling more than \$2 trillion for their future retirement. Many of these investors are unaware of all the plan fees that could be cutting deeply into their savings. Therefore, the Committee will examine closely the disclosure practices among plan sponsors and the relationships among the various players in these defined contribution plans. The Committee will also review the Department of Labor's practices and authority under ERISA to oversee plan fees.

**Public Education:** The Committee will investigate the implementation and funding priorities of the 5-year-old No Child Left Behind (NCLB) Act seeking to close the academic achievement gap among the Nation's public school students. Although the Committee supports the overall integrity and core objectives of NCLB, it seeks more diligent oversight of the Department of Education's implementation of the law to improve NCLB's effectiveness. Accordingly, the Committee will thoroughly investigate specific aspects of the Department's implementation of the law to ensure that the core objectives of NCLB are met. The Committee also seeks to distinguish between remedies that address problems with implementation of the law and the lack of federal, state, and local resources.

**Welfare of Miners:** In addition to examining the Occupational Safety and Health Administration's efforts to protect our Nation's workers, the Committee will conduct thorough oversight on worker safety conditions in America's coal and non-coal mines. Last year was one of the deadliest years in recent history for America's miners. During this Congress, the Committee will ensure that all voices affected by

mining safety issues are heard and that existing miner laws and regulations are implemented and strengthened. The Committee will review the implementation of the MINER Act and investigate the process for investigating miner safety complaints. The Committee will examine and bring to light all available information about last year's tragedies at Aracoma Alma, Darby and Sago, and examine the thoroughness and fairness of MSHA's investigative approach.

**Labor Rights:** The Committee will examine closely the laws, regulations and practices affecting all our Nation's workers. The Committee will conduct thorough oversight of the Department of Labor, Equal Employment Opportunity Commission, and the National Labor Relations Board to ensure they are making and effectively enforcing the rules needed to protect workers, including the Nation's wage and hour, child labor, health and safety, organizing and collective bargaining, and workplace discrimination laws. Such oversight will include an examination of the effectiveness of voluntary compliance programs in relation to the enforcement of workers' and retirees' rights. In addition, the Committee will investigate where appropriate international labor issues, including those involving the importation and trafficking of men, women and children bound for involuntary servitude and other human rights abuses.

**Fraud, Waste and Abuse:** Where appropriate, the Committee will investigate specific concerns raised by Members and staff regarding allegations of fraud, waste and abuse. The Committee will remain vigilant over the taxpayer's investment in government, and the health and safety of the Nation's workers, students and children.

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