

# Union Calendar No. 231

113TH CONGRESS }  
*1st Session*

HOUSE OF REPRESENTATIVES

{ REPORT  
113-313

REPORT ON THE ACTIVITIES  
OF THE  
COMMITTEE ON EDUCATION AND  
THE WORKFORCE  
FOR THE  
FIRST SESSION OF THE 113TH CONGRESS  
together with  
MINORITY VIEWS



JANUARY 2, 2014.—Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed

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WASHINGTON : 2014

## COMMITTEE ON EDUCATION AND THE WORKFORCE

JOHN KLINE, Minnesota, *Chairman*

### **Republicans**

JOHN KLINE, Minnesota  
*Chairman*  
THOMAS E. PETRI, Wisconsin  
HOWARD P. "BUCK" MCKEON, California  
JOE WILSON, South Carolina  
VIRGINIA FOXX, North Carolina  
TOM PRICE, Georgia  
KENNY MARCHANT, Texas  
DUNCAN HUNTER, California  
DAVID P. ROE, Tennessee  
GLENN THOMPSON, Pennsylvania  
TIM WALBERG, Michigan  
MATT SALMON, Arizona  
BRETT GUTHRIE, Kentucky  
SCOTT DESJARLAIS, Tennessee  
TODD ROKITA, Indiana  
LARRY BUCSHON, Indiana  
TREY GOWDY, South Carolina  
LOU BARLETTA, Pennsylvania  
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*Senior Democratic Member*  
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ROBERT C. "BOBBY" SCOTT, Virginia  
RUBEN HINOJOSA, Texas  
CAROLYN MCCARTHY, New York  
JOHN F. TIERNEY, Massachusetts  
RUSH HOLT, New Jersey  
SUSAN A. DAVIS, California  
RAÚL M. GRIJALVA, Arizona  
TIMOTHY H. BISHOP, New York  
DAVID LOEBSACK, Iowa  
JOE COURTNEY, Connecticut  
MARCIA L. FUDGE, Ohio  
JARED POLIS, Colorado  
GREGORIO SABLAN, Northern Mariana Islands  
FREDERICA S. WILSON, Florida  
SUZANNE BONAMICI, Oregon  
MARK POCAN, Wisconsin

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On October 15, 2013, Representative John A. Yarmuth of Kentucky resigned from the Committee on Education and the Workforce. On October 29, 2013, Representative Mark Pocan of Wisconsin was assigned to the Committee on Education and the Workforce. On December 11, 2013, Representative Martha Roby of Alabama resigned from the Committee on Education and the Workforce.

Under Rule X, clause (e) of the Rules of House, the jurisdiction of the Committee on Education and the Workforce is as follows: education and labor generally, food programs for children in schools, labor standards and statistics, mediation and arbitration of labor disputes, child labor, regulation or prevention of importation of foreign laborers under contract, workers' compensation, wages and hours of labor, welfare of miners, work incentive programs, convict labor and the entry of goods made by convicts into interstate commerce, vocational rehabilitation, and Gallaudet University and Howard University and Hospital.

SUBCOMMITTEE ON EARLY CHILDHOOD, ELEMENTARY, AND  
SECONDARY EDUCATION

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THOMAS E. PETRI, Wisconsin  
VIRGINIA FOXX, North Carolina  
KENNY MARCHANT, Texas  
DUNCAN HUNTER, California  
DAVID P. ROE, Tennessee  
GLENN THOMPSON, Pennsylvania  
SUSAN W. BROOKS, Indiana

CAROLYN MCCARTHY, New York  
*Ranking Member*  
ROBERT C. "BOBBY" SCOTT, Virginia  
SUSAN A. DAVIS, California  
RAÚL M. GRIJALVA, Arizona  
MARCIA L. FUDGE, Ohio  
JARED POLIS, Colorado  
GREGORIO SABLÁN, Northern Mariana Islands  
MARK POCAN, Wisconsin

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The Subcommittee on Early Childhood, Elementary, and Secondary Education has jurisdiction over all matters from early learning through the high school level including, but not limited to, elementary and secondary education, special education, homeless education, and migrant education; overseas dependent schools; career and technical education; school safety and alcohol and drug abuse prevention; school lunch and child nutrition programs; educational research and improvement including the Institute of Education Sciences; environmental education; pre-service and in-service teacher professional development including Title II of the Elementary and Secondary Education Act and Title II of the Higher Education Act; early care and education programs including the Head Start Act and the Child Care and Development Block Grant Act; adolescent development and training programs including, but not limited to, those providing for the care and treatment of certain at-risk youth including the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act; and all matters dealing with child abuse and domestic violence including the Child Abuse Prevention and Treatment Act and child adoption.

SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND PENSIONS

DAVID P. ROE, Tennessee, *Chairman*

JOE WILSON, South Carolina  
TOM PRICE, Georgia  
KENNY MARCHANT, Texas  
MATT SALMON, Arizona  
BRETT GUTHRIE, Kentucky  
SCOTT DESJARLAIS, Tennessee  
LARRY BUCSHON, Indiana  
TREY GOWDY, South Carolina  
LOU BARLETTA, Pennsylvania  
JOSEPH J. HECK, Nevada  
SUSAN W. BROOKS, Indiana  
LUKE MESSER, Indiana

ROBERT E. ANDREWS, New Jersey  
*Ranking Member*  
RUSH HOLT, New Jersey  
DAVID LOEBSACK, Iowa  
ROBERT C. "BOBBY" SCOTT, Virginia  
RUBÉN HINOJOSA, Texas  
JOHN F. TIERNEY, Massachusetts  
RAÚL M. GRIJALVA, Arizona  
JOE COURTNEY, Connecticut  
JARED POLIS, Colorado  
FREDERICA S. WILSON, Florida  
SUZANNE BONAMICI, Oregon

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The Subcommittee on Health, Employment, Labor, and Pensions has jurisdiction over all matters dealing with relationships between employers and employees including, but not limited to, the National Labor Relations Act, the Labor-Management Relations Act, and the Labor-Management Reporting and Disclosure Act; the Bureau of Labor Statistics; and employment-related health and retirement security including pension, health, and other employee benefits and the Employee Retirement Income Security Act (ERISA).

## SUBCOMMITTEE ON HIGHER EDUCATION AND WORKFORCE TRAINING

VIRGINIA FOXX, North Carolina, *Chairwoman*

THOMAS E. PETRI, Wisconsin	RUBÉN HINOJOSA, Texas
HOWARD P. "BUCK" MCKEON, California	<i>Ranking Member</i>
GLENN THOMPSON, Pennsylvania	JOHN F. TIERNEY, Massachusetts
TIM WALBERG, Michigan	TIMOTHY H. BISHOP, New York
MATT SALMON, Arizona	SUZANNE BONAMICI, Oregon
BRETT GUTHRIE, Kentucky	CAROLYN MCCARTHY, New York
LOU BARLETTA, Pennsylvania	RUSH HOLT, New Jersey
JOSEPH J. HECK, Nevada	SUSAN A. DAVIS, California
SUSAN W. BROOKS, Indiana	DAVID LOEBSACK, Iowa
RICHARD HUDSON, North Carolina	FREDERICA S. WILSON, Florida
LUKE MESSER, Indiana	

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The Subcommittee on Higher Education and Workforce Training has jurisdiction over education and training beyond the high school level including, but not limited to, higher education generally, postsecondary student assistance and employment services, and the Higher Education Act; Title IX of the Education Amendments of 1972; all domestic volunteer programs; all programs related to the arts and humanities, museum and library services, and arts and artifacts indemnity; postsecondary career and technical education, apprenticeship programs, and job training including the Workforce Investment Act, vocational rehabilitation, and training programs from immigration funding; science and technology programs; adult basic education (family literacy); all welfare reform programs including work incentive programs and welfare-to-work requirements; poverty programs including the Community Services Block Grant Act and the Low Income Home Energy Assistance Program (LIHEAP); the Native American Programs Act; the Institute of Peace; and all matters dealing with programs and services for the elderly including nutrition programs and the Older Americans Act.

## SUBCOMMITTEE ON WORKFORCE PROTECTIONS

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TOM PRICE, Georgia	<i>Ranking Member</i>
DUNCAN HUNTER, California	ROBERT E. ANDREWS, New Jersey
SCOTT DESJARLAIS, Tennessee	TIMOTHY H. BISHOP, New York
TODD ROKITA, Indiana	MARCIA L. FUDGE, Ohio
LARRY BUCSHON, Indiana	GREGORIO SABLAN, Northern Mariana Islands
RICHARD HUDSON, North Carolina	MARK POCAN, Wisconsin

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The Subcommittee on Workforce Protections has jurisdiction over wages and hours of workers including, but not limited to, the Davis-Bacon Act, the Walsh-Healey Act, the Service Contract Act, and the Fair Labor Standards Act; workers' compensation including the Federal Employees' Compensation Act, the Longshore and Harbor Workers' Compensation Act, and the Black Lung Benefits Act; the Migrant and Seasonal Agricultural Worker Protection Act; the Family and Medical Leave Act; the Worker Adjustment and Retraining Notification Act; the Employee Polygraph Protection Act of 1988; trade and immigration issues as they impact employers and workers; workers' safety and health including, but not limited to, occupational safety and health, mine safety and health, and migrant and agricultural worker safety and health; and all matters related to equal employment opportunity and civil rights in employment.

## LETTER OF TRANSMITTAL

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COMMITTEE ON EDUCATION AND THE WORKFORCE,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 2, 2014.*

Hon. KAREN L. HAAS,  
*Clerk of the House,*  
*The Capitol, Washington, DC.*

DEAR MS. HAAS: Pursuant to Rule XI, clause 1, paragraph (d) of the Rules of the U.S. House of Representatives, I am hereby transmitting the Report on the Activities of the Committee on Education and the Workforce for the First Session of the 113th Congress. I circulated this report to all members on December 18, 2013, and received minority views, which are included in this report. This report summarizes the activities of the committee during the First Session of the 113th Session with respect to its legislative and oversight responsibilities.

Sincerely,

JOHN KLINE,  
*Chairman.*



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### REPORT ON THE ACTIVITIES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE FOR THE FIRST SESSION OF THE 113TH CONGRESS

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JANUARY 2, 2014.—Committed to the Committee of the Whole House on the State  
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Mr. KLINE, from the Committee on Education and the Workforce,  
submitted the following

#### R E P O R T

together with

#### MINORITY VIEWS

#### INTRODUCTION

Under the leadership of Rep. John Kline (R-MN), the House Committee on Education and the Workforce worked diligently to advance legislative initiatives that support workers and employers, remove barriers to job growth, and help more students access a quality education.

Throughout the first session of the 113th Congress, the committee explored the challenges facing our nation's education system and discussed commonsense solutions that will help prepare children and young adults for success. In 2013, the committee successfully advanced legislation through the House of Representatives that would revamp the Elementary and Secondary Education Act. The Student Success Act (H.R. 5) would raise the bar on student achievement by reducing the federal footprint in K-12 classrooms, restoring local control, encouraging more effective teachers, and empowering parents.

Additionally, the committee led the charge to strengthen federal programs to prevent the abduction and exploitation of children through the E. Clay Shaw Jr. Missing Children's Assistance Reauthorization Act (H.R. 3092) and the Protecting Students from Sexual and Violent Predators Act (H.R. 2083). Both pieces of legisla-

tion were approved by the House with bipartisan support, and H.R. 3092 was signed into law in September.

The committee has also dedicated significant attention to examining solutions to issues affecting the nation's higher education system. Throughout the year the committee convened a series of hearings in preparation for the upcoming reauthorization of the Higher Education Act. These hearings have covered a broad range of topics from strengthening Pell Grants and streamlining the federal financial aid system to improving postsecondary education innovation and enhancing transparency for students. The committee will continue these hearings in the second session of the 113th Congress.

The committee advanced three key legislative initiatives in 2013 to strengthen higher education in America. The Improving Postsecondary Education Data for Students Act (H.R. 1949), which passed the House of Representatives in May, would help ensure students and their families have the information they need to choose the best higher education institution to fit their needs. The Supporting Academic Freedom through Regulatory Relief Act (H.R. 2637), approved by the committee in July, would reduce federal regulations that can stifle the development of more creative methods of learning and lead to higher costs. And the Smarter Solutions for Students Act (H.R. 1911; also known as the Bipartisan Student Loan Certainty Act, as amended by the Senate), signed into law by President Obama in August, helps address the issue of rising college costs by getting politicians out of the business of setting student loan interest rates.

With more than 11 million Americans out of work, improving the nation's job training system remains another top committee priority. After holding hearings in both Washington, D.C. and member districts throughout the 112th Congress, the committee developed legislation to build a robust and responsive job training system that would more efficiently serve workers and taxpayers. The Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act (H.R. 803) would empower employers, rein in bureaucracy, and provide America's workers with a more dynamic, flexible, and effective network of job training services. The House approved the SKILLS Act in March.

In the coming year, the committee will continue its efforts to provide students and workers with the skills necessary to succeed in the 21st century workforce through a reauthorization of the Carl D. Perkins Career and Technical Education Act. The committee has held two hearings in 2013 to discuss opportunities to improve the Perkins Act by streamlining federal regulations, encouraging more hands-on training for students, and supporting enhanced coordination between schools and business leaders.

Improving workplace flexibility has been an important goal for the committee during the first session of the 113th Congress. For many Americans, balancing the demands of family and the workplace can be difficult, and the committee discovered an obstacle in federal law that impedes employers who wish to help employees better manage work and family responsibilities. To address this problem, the committee introduced the Working Families Flexibility Act (H.R. 1406), legislation that would amend the Fair Labor Standards Act of 1938 to allow employers to offer private-sector employees the choice of paid time off in lieu of cash wages for over-

time hours worked. It is pro-family, pro-worker legislation that would give workers the flexibility to spend time with family, attend teacher conferences, care for aging parents, stay home with a newborn, or attend to other family needs that may arise. H.R. 1406 was approved by the House of Representatives in May.

Ensuring employers have the certainty they need to create jobs and invest in their businesses is another key component in the fight to reduce unemployment and rebuild our economy. Unfortunately, actions by the National Labor Relations Board continue to wreak havoc on workplaces and threaten employer free speech and worker free choice. To prevent further labor-management instability, the House passed H.R. 1120, the Preventing Greater Uncertainty in Labor-Management Relations Act. The committee remains determined to advance initiatives that protect the rights of workers and employers and hold the labor board accountable for its radical policies that are having a chilling effect on the economy.

Congressional leaders have a responsibility to conduct oversight of the federal government, and the House Committee on Education and the Workforce takes that responsibility seriously. Oversight of policies governing workplace safety, union transparency, and retirement security has been a leading priority in the 113th Congress, along with oversight of the administration's actions affecting students and low-income families. The committee's efforts have helped shine light on a number of concerns, including damaging consequences of the president's health care law and poorly conceived federal regulatory actions that harm schools and workplaces. Such aggressive oversight will continue in 2014.

As we continue working to rebuild our economy, it is unacceptable to ignore rules or regulations that stand in the way of job creation. With the national debt passing historic levels, we must demand wise use of taxpayer resources. In the second session of the 113th Congress, the House Education and the Workforce Committee will not deviate from the pursuit of policies that promote economic growth, support a stronger workforce, and improve education in America.

## FULL COMMITTEE

### HEARINGS

(LINKS ARE TO THE COMMITTEE WEBSITE)

In the first session of the 113th Congress, 11 full committee hearings were held.

*February 5, 2013—“Challenges and Opportunities Facing America's Schools and Workplaces”* (Printed Hearing 113-1)

The purpose of the hearing was to provide a broad examination of issues affecting workers, employers, educators and students. Witnesses provided various perspectives on the stagnant economy's effect on employers' efforts to create jobs, regulatory barriers to job creation, policies and strategies necessary to boost private sector job creation, and how to create an educated and trained workforce that is prepared for a 21st century economy.

Witnesses: The Honorable Gary Herbert, Governor of Utah, Salt Lake City, Utah; The Honorable Laura W. Fornash, Secretary of

Education for the Commonwealth of Virginia, Richmond, Virginia; Dr. Jared Bernstein, Senior Fellow, Center on Budget and Policy Priorities, Washington, D.C.; and Mr. Jay Timmons, President and CEO, National Association of Manufacturers, Washington, D.C.

*February 27, 2013—“Protecting Students and Teachers: A Discussion on School Safety”* (Printed Hearing 113–6)

The purpose of the hearing was to examine how elementary and secondary schools prepare for, react to, and recover from threats of violence in the wake of the tragedy at Sandy Hook Elementary School in Newtown, Connecticut.

Witnesses: Mr. Bill Bond, School Safety Specialist, National Association of Secondary School Principals, Paducah, Kentucky; Mr. Mo Canady, Executive Director, National Association of School Resource Officers, Hoover, Alabama; Mr. Vincent Pompei, School Counselor, Val Verde Unified School District, San Diego, California; Mr. Brett Bontrager, Senior Vice President and Group Executive, Stanley Black & Decker, Indianapolis, Indiana; Mr. David Osher, Vice President, American Institutes for Research, Washington, D.C.; and Mr. Frederick Ellis, Director, Office of Safety and Security, Fairfax County Public Schools, Falls Church, Virginia.

*March 13, 2013—“Keeping College Within Reach: Examining Opportunities to Strengthen Federal Student Loan Programs”* (Printed Hearing 113–9)

The purpose of this hearing was to examine ways to strengthen federal student loan programs, as well as how moving to a market-based or variable interest rate on all loans could benefit both students and taxpayers.

Witnesses: Dr. Deborah J. Lucas, Sloan Distinguished Professor of Finance, Massachusetts Institute of Technology, Cambridge, Massachusetts; Mr. Jason Delisle, Director of the Federal Education Budget Project, The New America Foundation, Washington, D.C.; Mr. Justin Draeger, President and CEO, National Association of Student Financial Aid Administrators, Washington, D.C.; and Dr. Charmaine Mercer, Vice President of Policy, Alliance for Excellent Education, Washington, D.C.

*May 7, 2013—“Raising the Bar: Exploring State and Local Efforts to Improve Accountability”* (Printed Hearing 113–17)

The purpose of this hearing was to examine the role of the federal government in holding public schools accountable for student achievement, in preparation for the consideration of legislation to reauthorize the Elementary and Secondary Education Act (ESEA).

Witnesses: Mr. John White, State Superintendent of Education, Louisiana Department of Education, Baton Rouge, Louisiana; Dr. Chris Richardson, Superintendent of Schools, Northfield Public Schools, Northfield, Minnesota; Mr. Eric S. Gordon, Chief Executive Officer, Cleveland Metropolitan School District, Cleveland, Ohio and Mr. Matthew Given, Chief Development Officer, EdisonLearning, Atlanta, Georgia.

*May 21, 2013—“Reviewing the President’s Fiscal Year 2014 Budget Proposal for the U.S. Department of Education”* (Printed Hearing 113–18)

The purpose of this hearing was to examine the policies and priorities of the Department of Education.

Witness: The Honorable Arne Duncan, Secretary, U.S. Department of Education, Washington, D.C.

*June 4, 2013—“Reviewing the President’s Fiscal Year 2014 Budget Proposal for the U.S. Department of Health and Human Services”* (Printed Hearing 113–20)

The purpose of this hearing was to examine the policies and priorities of the Department of Health and Human Services.

Witness: The Honorable Kathleen Sebelius, Secretary, U.S. Department of Health and Human Services, Washington, D.C.

*July 9, 2013—“Keeping College Within Reach: Improving Higher Education through Innovation”* (Printed Hearing 113–26)

The purpose of this hearing was to highlight innovation in higher education at the state and institutional level as well as in the private sector.

Witnesses: Mr. Scott Jenkins, Director of External Relations, Western Governors University, Salt Lake City, Utah; Dr. Pamela Tate, President and CEO, Council for Adult and Experiential Learning, Chicago, Illinois; Dr. Joann A. Broughman, Senior Vice Chancellor for Academic Affairs, University System of Maryland, Adelphi, Maryland; and Mr. Burck Smith, CEO and Founder, StraighterLine, Baltimore, Maryland.

*September 10, 2013—“Education Research: Exploring Opportunities to Strengthen the Institute of Education Sciences”* (Printed Hearing 113–30)

The purpose of this hearing was to examine the unique role of the Institute of Education Sciences (IES) in supporting education research and evaluation; the research needs of states and school districts and how IES can be improved to help them meet these needs; and what issues need to be addressed through reauthorization of the Education Sciences Reform Act of 2002 (ESRA), which authorizes IES.

Witnesses: Mr. George A. Scott, Director of Education, Workforce, and Income Security Issues, U.S. Government Accountability Office, Washington, D.C.; Dr. Bridget Terry Long, Xander Professor of Education and Economics, Academic Dean, Harvard Graduate School of Education, Chair, National Board for Education Sciences, Institute of Education Sciences, Cambridge, Massachusetts; Dr. James Kemple, Executive Director, Research Alliance for New York City Schools, New York University, New York, New York; and Ms. Kathy Christie, Vice President, Knowledge/Information Management & Dissemination, Education Commission of the States, Denver, Colorado.

*November 13, 2013—“Keeping College Within Reach: Simplifying Federal Student Aid”* (Printed Hearing 113–42)

The purpose of this hearing was to examine ways to simplify federal student aid programs for students and families.

Witnesses: Ms. Kristin D. Conklin, Founding Partner, HCM Strategists, LLC, Washington, D.C.; Dr. Sandy Baum, Research Professor of Education Policy, George Washington University, Senior Fellow, Urban Institute, Washington D.C.; Ms. Jennifer Mishory, J.D., Deputy Director, Young Invincibles, Washington, D.C.; and Mr. Jason Delisle, Director, Federal Education Budget Project, New America Foundation, Washington, D.C.

*November 14, 2013—“The Effects of the Patient Protection and Affordable Care Act on Schools, Colleges, and Universities”* (Printed Hearing 113–38)

The purpose of this hearing was to examine the effects of the Patient Protection and Affordable Care Act on elementary, secondary, and postsecondary schools, staff, educators, and students.

Witnesses: Mr. Gregory L. Needles, Partner, Morgan, Lewis & Bockius, Washington, D.C.; Dr. Mark D. Benigni, Superintendent, Meriden Public Schools, Meriden, Connecticut; Ms. Maria Maisto, President, New Faculty Majority, Akron, Ohio; and Dr. Thomas Jandris, Dean, College of Graduate and Innovative Programs and Vice President for Educational Innovation, Concordia University of Chicago, River Forest, Illinois.

*November 19, 2013—“Preparing Today’s Students for Tomorrow’s Jobs: Improving the Carl D. Perkins Career and Technical Education Act”* (Printed Hearing 113–39)

The purpose of this hearing was to explore key priorities for re-authorizing the Carl D. Perkins Career and Technical Education Act, including strengthening career and technical education programs to ensure these programs meet the needs of in-demand industries and coursework is better aligned with secondary and post-secondary education.

Witnesses: The Honorable Brenda Dann-Messier, Assistant Secretary for Adult and Vocational Education, U.S. Department of Education, Washington, D.C.; Mr. Stanley S. Litow, Vice President, Corporate Citizenship and Corporate Affairs, IBM Corporation, President, IBM International Foundation, Armonk, New York; Dr. Blake Flanders, Vice President of Workforce Development, Kansas Board of Regents, Topeka, Kansas; and Dr. Bryan Albrecht, President, Gateway Technical College, Kenosha, Wisconsin.

#### MARKUPS

(LINKS ARE TO THE COMMITTEE WEBSITE)

In the first session of the 113th Congress, the full committee held eight markups and filed eight legislative reports. No sub-committee markups were held.

*January 22, 2013—Committee Organizational Meeting to adopt the Committee Rules, Oversight Plan and announce subcommittee assignments.*

The Committee Rules and Oversight Plan were adopted by voice vote.

*March 6, 2013—H.R. 803, “Supporting Knowledge and Investing in Lifelong Skills Act”* (Sponsor: Rep. Virginia Foxx)

H.R. 803 was ordered favorably reported, as amended, to the House by a vote of 23–0 on March 6, 2013. The committee report was filed on March 12, 2013 (House Report 113–14, Part I).

*March 20, 2013—H.R. 1120, “The Preventing Greater Uncertainty in Labor-Management Relations Act”* (Sponsor: Rep. Phil Roe)

H.R. 1120 was ordered favorably reported, as amended, to the House by a vote of 23–15 on March 20, 2013. The committee report was filed on April 9, 2013 (House Report 113–30).

*April 17, 2013—H.R. 1406, “Working Families Flexibility Act of 2013”* (Sponsor: Rep. Martha Roby)

H.R. 1406 was ordered favorably reported, as amended, to the House by a vote of 23–14 on April 17, 2013. The committee report was filed on April 30, 2013 (House Report 113–49).

*May 16, 2013—H.R. 1911, “Smarter Solutions for Students Act”* (Sponsor: Rep. John Kline)

H.R. 1911 was ordered favorably reported, as amended, to the House by a vote of 23–13 on May 16, 2013. The committee report was filed on May 20, 2013 (House Report 113–82, Part I).

*May 16, 2013—H.R. 1949, “Improving Postsecondary Education Data for Students Act”* (Sponsor: Rep. Luke Messer)

H.R. 1949 was ordered favorably reported to the House by voice vote on May 16, 2013. The committee report was filed on May 20, 2013 (House Report 113–83).

*June 19, 2013—H.R. 5, “Student Success Act”* (Sponsor: Rep. John Kline)

H.R. 5 was ordered favorably reported to the House, as amended, by a vote of 23–16 on June 19, 2013. The committee report was filed on July 11, 2013 (House Report 113–150, Part I).

*July 24, 2013—H.R. 2637, “Supporting Academic Freedom through Regulatory Relief Act”* (Sponsor: Rep. Virginia Foxx)

H.R. 2637 was ordered favorably reported to the House, as amended, by a vote of 22–13 on July 24, 2013. The committee report was filed on September 10, 2013 (House Report 113–205).

## LEGISLATION REFERRED TO COMMITTEE WITH HOUSE PASSAGE

- H.R. 5, "Student Success Act"* (Sponsor: Rep. John Kline), July 19, 2013.
- H.R. 45, "To repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010"* (Sponsor: Rep. Michelle Bachmann), May 16, 2013.
- H.R. 803, "Supporting Knowledge and Investing in Lifelong Skills Act"* (Sponsor: Rep. Virginia Foxx), March 15, 2013.
- H.R. 890, "Preserving the Welfare Work Requirement and TANF Extension Act of 2013"* (Sponsor: Rep. Dave Camp), March 13, 2013.
- H.R. 1120, "The Preventing Greater Uncertainty in Labor-Management Relations Act"* (Sponsor: Rep. Phil Roe), April 12, 2013.
- H.R. 1406, "Working Families Flexibility Act of 2013"* (Sponsor: Rep. Martha Roby), May 8, 2013.
- H.R. 1911, "Smarter Solutions for Students Act"* (Sponsor: Rep. John Kline), May 23, 2013.
- H.R. 1949, "Improving Postsecondary Education Data for Students Act"* (Sponsor: Rep. Luke Messer), May 22, 2013.
- H.R. 2083, "Protecting Students from Sexual and Violent Predators Act"* (Sponsor: Rep. George Miller), October 22, 2013.
- H.R. 2374, "Retail Investor Protection Act"* (Sponsor: Rep. Ann Wagner), Oct 29, 2013.
- H.R. 2747, "Streamlining Claims Processing for Federal Contractor Employees Act"* (Sponsor: Rep. Tim Walberg), September 10, 2013.
- H.R. 3092, "E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act of 2013"* (Sponsor: Rep. Brett Guthrie), September 17, 2013.
- H.R. 3102, "Nutrition Reform and Work Opportunity Act of 2013"* (Sponsor: Rep. Frank Lucas), September 19, 2013.
- S. 256, "A bill to amend Public Law 93-435 with respect to Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa"* (Sponsor: Sen. Ron Wyden), September 10, 2013.
- S. 1348, "Congressional Award Program Reauthorization Act of 2013"* (Sponsor: Sen. Thomas Carper), September 30, 2013.

## LEGISLATION REFERRED TO COMMITTEE ENACTED INTO LAW

- P.L. 113-28, H.R. 1911, "Smarter Solutions for Students Act"* (Sponsor: Rep. John Kline), August 9, 2013.
- P.L. 113-34, S. 256, A bill to amend Public Law 93-435 with respect to the Northern Mariana Islands, providing parity with*



*Guam, Virgin Islands and American Samoa (Sponsor: Sen. Ron Wyden), September 18, 2013.*

*P.L. 113–38, H.R. 3092, “E. Clay Shaw, Jr. Missing Children’s Assistance Reauthorization Act of 2013” (Sponsor: Rep. Brett Guthrie), September 30, 2013.*

*P.L. 113–43, S. 1348, “Congressional Award Program Reauthorization Act of 2013” (Sponsor: Sen. Thomas R. Carper), October 4, 2013.*

*P.L. 113–50, H.R. 2747, “Streamlining Claims Processing for Federal Contractor Employees Act” (Sponsor: Rep. Tim Walberg), November 21, 2013.*

SUBCOMMITTEE ON EARLY CHILDHOOD, ELEMENTARY, AND  
SECONDARY EDUCATION

HEARINGS

(LINKS ARE TO THE COMMITTEE WEBSITE)

*February 14, 2013—“Raising the Bar: How Education Innovation Can Improve Student Achievement” (Printed Hearing 113–4)*

The purpose of this hearing was to highlight the growth of digital technology and related innovations in elementary and secondary education that are boosting student learning, driving education reform, and supporting parent choice.

Witnesses: Mr. John Bailey, Executive Director, Digital Learning Now, Washington, D.C.; Mr. Preston Smith, CEO and President, Rocketship Education, Redwood City, California; Ms. Holly Sagues, Chief Policy Officer, Florida Virtual School, Orlando, Florida; and Mr. Jim Shelton, Assistant Deputy Secretary for Innovation and Improvement, U.S. Department of Education, Washington, D.C.

*February 28, 2013—“Raising the Bar: How Are Schools Measuring Teacher Performance?” (Printed Hearing 113–7)*

The purpose of this hearing was to examine teacher quality policies and discuss the best way to promote teacher effectiveness in the classroom.

Witnesses: Dr. Steve Cantrell, Chief Research Officer, Bill & Melinda Gates Foundation, Seattle, Washington; Dr. James P. McIntyre, Jr., Superintendent, Knox County Schools, Knoxville, Tennessee; Dr. Rodney Watson, Chief of Human Resources, Houston Independent School District, Houston, Texas; and Mr. Emanuel Harper, French Teacher, Herron High School, Indianapolis, Indiana.

*April 10, 2013—“Raising the Bar: Reviewing STEM Education in America” (Printed Hearing 113–12)*

The purpose of this hearing was to examine the state of science, technology, engineering, and mathematics education in America.

Witnesses: Mr. George A. Scott, Director for Education, Workforce and Income Security Issues, U.S. Government Accountability Office, Washington, D.C.; Dr. Ioannis Miaoulis, President and Director, Museum of Science, Boston, Massachusetts; Dr. Steve Schneider, Senior Program Director, WestEd, San Francisco, Cali-

fornia; and Mr. Bill Kurtz, Chief Executive Officer, Denver School of Science and Technology, Denver, Colorado.

*June 27, 2013—“School Meal Regulations: Discussing the Costs and Consequences for Schools and Students”* (Printed Hearing 113–25)

The purpose of this hearing was to examine regulations issued by the U.S. Department of Agriculture to carry out the requirements of the Healthy, Hunger Free Kids Act, the last reauthorization of the Child Nutrition Act, which passed the House of Representatives in December 2010.

Witnesses: Ms. Kay E. Brown, Director for Education, Workforce, and Income Security Issues, U.S. Government Accountability Office, Washington, D.C.; Ms. Megan Schaper, Director of Food and Nutrition Services, State College Area School District, State College, Pennsylvania; Dr. Margo Wootan, Director of Nutrition Policy, Center for Science in the Public Interest, Washington, D.C. and Ms. Sandra Ford, Director of Food and Nutrition Services, Manatee County School District, Bradenton, Florida.

*September 20, 2013—“Preparing Today’s Students for Tomorrow’s Jobs: A Discussion on Career and Technical Education and Training Programs”* (Printed Hearing 113–34)

The purpose of this hearing was to explore how the federal government can support innovative state and local career and technical education programs that are preparing students for the 21st century workforce.

Witnesses: Mr. Alvin Bargas, President, Pelican Chapter Associated Builders & Contractors, Inc., Baton Rouge, Louisiana; Dr. Sheila Harranty, Principal, Worcester Technical High School, Worcester, Massachusetts; Mr. John Fischer, Deputy Commissioner, Transformation and Innovation, Vermont Agency of Education, Montpelier, Vermont; and Mr. Frank Britt, Chief Executive Officer, Penn Foster Inc., Scranton, Pennsylvania.

SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR, AND PENSIONS

HEARINGS

(LINKS ARE TO THE COMMITTEE WEBSITE)

*February 13, 2013—“The Future of the NLRB: What Noel Canning vs. NLRB Means for Workers, Employers and Unions”* (Printed Hearing 113–2)

The purpose of this hearing was to examine decisions issued by the National Labor Relations Board and discuss the implications of the U.S. Court of Appeals for the District of Columbia’s *Noel Canning v. NLRB* decision.

Witnesses: Mr. Lawrence Z. Lorber, Member of the Firm, Proskauer, Washington, D.C.; Mr. Raymond J. LaJeunesse, Jr., Vice President & Legal Director, National Right to Work Legal Defense Foundation, Inc., Springfield, Virginia; Ms. N. Elizabeth Reynolds, Member of the Firm, Allison, Slutsky & Kennedy, P.C., Chicago, Illinois; and Mr. G. Roger King, Of Counsel, Jones Day, Columbus, Ohio (Testifying on behalf of the Chamber of Commerce of

the United States of America and the Coalition for a Democratic Workplace).

*March 5, 2013—“Challenges Facing Multiemployer Pension Plans: Reviewing the Latest Findings by PBGC and GAO”* (Printed Hearing 113–8)

The purpose of this hearing was to examine reports by the Government Accountability Office and Pension Benefit Guaranty Corporation regarding the challenges facing multiemployer pension plans.

Witnesses: The Honorable Joshua Gotbaum, Director, Pension Benefit Guaranty Corporation, Washington, D.C.; Mr. Charles Jeszeck, Director, Education, Workforce, and Income Security, U.S. Government Accountability Office, Washington, D.C.; Mr. Harold Force, President, Force Construction Co., Inc., Columbus, Indiana; and Mr. Anthony M. Perrone, International Secretary-Treasurer, United Food and Commercial Workers International Union, Washington, D.C.

*April 30, 2013—“Healthcare Challenges Facing North Carolina’s Workers and Job Creators”* (Printed Hearing 113–16) (Field Hearing)

The purpose of this hearing was to examine the consequences of the Patient Protection and Affordable Care Act on North Carolina employees and employers.

Witnesses: Mr. Chuck Horne, President, Hornwood Inc., Lilesville, North Carolina; Ms. Tina Haynes, Chief Human Resource Officer, Rowan-Cabarrus Community College, Salisbury, North Carolina; Mr. Adam Searing, Director, Health Access Coalition, Raleigh, North Carolina; Mr. Marshall “Ken” Conrad, Chairman, Libby Hill Seafood Restaurants, Greensboro, North Carolina; Mr. Dave Bass, Vice President, Compensation and Associate Wellness, Delhaize America, Concord, North Carolina; Mr. Ed Tubel, Founder and CEO, Tricor Inc., Charlotte, North Carolina; Dr. Olson Huff, Pediatrician, Asheville, North Carolina; and Mr. Bruce Silver, President and CEO, Racing Electronics, Concord, North Carolina.

*June 12, 2013—“Strengthening the Multiemployer Pension System: What Reforms Should Policymakers Consider?”* (Printed Hearing 113–21)

The purpose of this hearing was to examine potential solutions to the challenges facing the multiemployer pension system, including the potential insolvency of the Pension Benefit Guaranty Corporation’s multiemployer insurance program.

Witnesses: Mr. Randy DeFrehn, Executive Director, National Coordinating Committee for Multiemployer Plans, Washington, D.C.; Mr. Eric Dean, General Secretary, International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Washington, D.C.; Dr. Teresa Ghilarducci, Professor, The New School for Social Research, New York, New York; and Ms. Michele Murphy, Executive VP of HR and Corporate Communications, SUPERVALU Inc.; Eden Prairie, Minnesota.

*June 26, 2013—H.R. 2346, “Secret Ballot Protection Act,” and H.R. 2347, “Representation Fairness Restoration Act” (Printed Hearing 113–24)*

The purpose of this hearing was to discuss H.R. 2346, the Secret Ballot Protection Act, and H.R. 2347, the Representation Fairness Restoration Act. H.R. 2346, introduced by Rep. Roe (R-TN), requires a secret ballot election before a union can be certified or decertified under the National Labor Relations Act, eliminating union recognition through card check. H.R. 2347, introduced by Rep. Price (R-GA), would reverse the National Labor Relations Board’s Specialty Healthcare decision and allow for the creation of micro unions. Thus, the bill would reinstate the traditional standard for determining the appropriate unit of employees who will vote in a union election.

Witnesses: Mr. Jerry M. Hunter, Partner, Bryan Cave, LLP, St. Louis, Missouri; Mr. Eric Oppenheim, Chief Operating Officer, Republic Foods Inc., Rockville, Maryland; Mr. Fred Feinstein, Senior Fellow, University of Maryland, Takoma Park, Maryland; Ms. Marlene Felter, Medical Records Coder, Costa Mesa, California; and Mr. Glenn M. Taubman, Staff Attorney, National Right to Work Legal Defense and Education Foundation, Inc., Springfield, Virginia.

*July 23, 2013—“The Employer Mandate: Examining the Delay and Its Effect on Workplaces” (Printed Hearing 113–28) (Joint Hearing with the Subcommittee on Workforce Protections)*

The purpose of this hearing was to examine the Patient Protection and Affordable Care Act’s employer mandate, specifically with regard to the administration’s decision to delay enforcement of the employer mandate until 2015, and its impact on job growth.

Witnesses: Ms. Grace-Marie Turner, President, Galen Institute, Alexandria, Virginia; Mr. Jamie T. Richardson, Vice President, White Castle System, Inc., Columbus, Ohio; Mr. Ron Pollack, Executive Director, Families USA, Washington, D.C.; and Dr. Douglas Holtz-Eakin, President, American Action Forum, Washington, D.C.

*August 27, 2013—“Health Care Challenges Facing Kentucky’s Workers and Job Creators” (Printed Hearing 113–29) (Field Hearing)*

The purpose of this hearing was to examine the effects of the Patient Protection and Affordable Care Act on Kentucky’s employers and workers. Specifically, witnesses discussed the employer mandate, including the administration’s decision to delay enforcement until 2015, and the law’s impact on job growth and employment in Kentucky.

Witnesses: Mr. Tim Kanaly, Owner and President, Gary Force Honda, Bowling Green, Kentucky; Mr. Joe Bologna, Owner, Joe Bologna’s Italian Pizzeria & Restaurant, Lexington, Kentucky; Ms. Carrie Banahan, Executive Director, Office of the Kentucky Health Benefits Exchange, Frankfort, Kentucky; Mr. John Humkey, President and Founder, Employee Benefit Associates, Inc., Lexington, Kentucky; Ms. Janey Moores, President and CEO, BJM & Associates, Inc., Lexington, Kentucky; Mr. Donnie Meadows, Vice President of Human Resources, K-VA-T Food Stores, Inc., Abingdon, Virginia; Ms. Debbie Basham, Southwest Breast Cancer Awareness

Group, Louisville, Kentucky; and Mr. John McPhearson, CEO, Lectrodryer, Richmond, Kentucky.

*September 19, 2013—“The Future of Union Organizing”* (Printed Hearing 113–33)

The purpose of this hearing was to review current trends in union organizing, including a recent decline in union participation and the increased role of worker centers in organizing efforts. The hearing also provided members the opportunity to examine how federal agencies are pursuing policies to make it easier for unions to organize.

Witnesses: Mr. David R. Burton, General Counsel, National Small Business Association, Washington, D.C.; Mr. Ronald Meisburg, Member of the Firm, Proskauer, Washington, D.C.; Mr. Clarence Adams, Field Technician, Cablevision, Brooklyn, New York; and Mr. Stefan J. Marculewicz, Shareholder, Littler Mendelson, Washington, D.C.

*October 29, 2013—“Strengthening the Multiemployer Pension System: How Will Proposed Reforms Affect Employers, Workers, and Retirees”* (Printed Hearing 113–35)

The purpose of this hearing was to examine the consequences of proposed reforms for contributing employers and multiemployer pension plan participants.

Witnesses: Ms. Carol Duncan, President, General Sheet Metal Works, Clackamas, Oregon; Mr. David Certner, Legislative Counsel and Legislative Policy Director, AARP Government Affairs, Washington, D.C.; Mr. Sean Garvey, President, Building and Construction Trades Department, AFL–CIO, Washington, D.C.; and Mr. Thomas C. Nyhan, Executive Director, Central States Southeast and Southwest Areas Pension Fund, Rosemont, Illinois.

SUBCOMMITTEE ON HIGHER EDUCATION AND WORKFORCE TRAINING  
HEARINGS

(LINKS ARE TO THE COMMITTEE WEBSITE)

*February 26, 2013—“Putting America Back to Work: Reforming the Nation’s Workforce Investment System”* (Printed Hearing 113–5)

The purpose of this hearing was to examine the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act, introduced by Chairwoman Virginia Foxx (R-NC), which would reauthorize the Workforce Investment Act of 1998.

Witnesses: Mr. Chris Hart, President and CEO, Workforce Florida, Inc., Tallahassee, Florida; Dr. Scott Ralls, President, North Carolina Community College System, Raleigh, North Carolina; Dr. Harry Holzer, Professor of Public Policy, Georgetown Public Policy Institute, Washington, D.C.; and Mr. Todd Gustafson, Executive Director, Michigan Works! Berrien-Cass-Van Buren, Benton Harbor, Michigan.

*April 9, 2013—“Reviving Our Economy: The Role of Higher Education in Job Growth and Development”* (Printed Hearing 113–11)

The purpose of this hearing was to explore the role of higher education institutions in fostering job creation and economic growth.

Witnesses: Mr. Henry Lievens, Commissioner, Monroe County, Monroe, Michigan; Ms. Lynette Dowler, Plant Director, Fossil Generation, DTE Energy, Detroit, Michigan; Ms. Susan Smith, Executive Director, Economic Development Partnership of Hillsdale County, Jonesville, Michigan; Mr. Dan Fairbanks, UAW International Representative UAW-GM Skill Development and Training Department, Detroit, Michigan; Mr. David E. Nixon, President, Monroe County Community College, Monroe, Michigan; Sister Peg Albert, OP, Ph.D., President, Siena Heights University, Adrian, Michigan; Dr. Michelle Shields, Career Coach/Workforce Development, Director, Jackson Community College, Jackson, Michigan; and Mr. Douglas A. Levy, Director of Financial Aid, Macomb Community College, Warren, Michigan.

*April 16, 2013—“Keeping College Within Reach: The Role of Federal Student Aid Programs”* (Printed Hearing 113–14)

The purpose of this hearing was discuss opportunities to simplify and strengthen federal aid programs to help more students earn a college degree.

Witnesses: Mr. Terry W. Hartle, Senior Vice President, Division of Government and Public Affairs, American Council on Education, Washington, D.C.; Ms. Moriah Miles, State Chair, Minnesota State University Student Association, Mankato, Minnesota; Ms. Patricia McGuire, President, Trinity Washington University, Washington, D.C.; and Mr. Dan Madzellan, Former Employee (Retired), U.S. Department of Education, University Park, Maryland.

*April 24, 2013—“Keeping College Within Reach: Enhancing Transparency for Students, Families and Taxpayers”* (Printed Hearing 113–15)

The purpose of this hearing was to examine ways to improve the information provided by the federal government to inform students and families about their postsecondary education options.

Witnesses: Dr. Donald E. Heller, Dean, College of Education, Michigan State University, East Lansing, Michigan; Mr. Alex Garrido, Student, Keiser University, Miami, Florida; Dr. Nicole Farmer Hurd, Founder and Executive Director, National College Advising Corps, Carrboro, North Carolina; and Mr. Travis Reindl, Program Director, Postsecondary Education, National Governors Association Center for Best Practices, Washington, D.C.

*June 13, 2013—“Keeping College Within Reach: Discussing Program Quality through Accreditation”* (Printed Hearing 113–22)

The purpose of this hearing was to examine the historical role of accreditation and discuss the role of regional and national accreditors in measuring institutional quality.

Witnesses: Dr. Elizabeth H. Sibolski, President, Middle States Commission on Higher Education, Philadelphia, Pennsylvania; Dr. Michale McComis, Executive Director, Accrediting Commission of Career Schools and Colleges, Arlington, Virginia; Ms. Anne D.

Neal, President, American Council of Trustees and Alumni, Washington, D.C.; and Mr. Kevin Carey, Director of the Education Policy Program, The New America Foundation, Washington, D.C.

*September 11, 2013—“Keeping College Within Reach: Supporting Higher Education Opportunities for America’s Servicemembers and Veterans”* (Printed Hearing 113–31)

The purpose of this hearing was to explore the steps colleges and universities are taking to support American servicemembers and veterans, while also discussing best practices that might be utilized by institutions more broadly.

Witnesses: Mrs. Kimrey W. Rhinehardt, Vice President for Federal and Military Affairs, The University of North Carolina, Chapel Hill, North Carolina; Dr. Arthur F. Kirk, Jr., President, Saint Leo University, Saint Leo, Florida; Dr. Russell S. Kitchner, Vice President for Regulatory and Governmental Relations, American Public University System, Charles Town, West Virginia; and Dr. Ken Sauer, Senior Associate Commissioner for Research and Academic Affairs, Indiana Commission for Higher Education, Indianapolis, Indiana.

*September 18, 2013—“Keeping College Within Reach: Improving Access and Affordability through Innovative Partnerships”* (Printed Hearing 113–32)

The purpose of this hearing was to examine steps higher education institutions are taking to expand access and reduce costs by partnering with local employers, other colleges, or online course providers.

Witnesses: Dr. Jeffrey Docking, President, Adrian College, Adrian, Michigan; Ms. Paula R. Singer, President and CEO, Laureate Global Products and Services, Baltimore, Maryland; Dr. Rich Baraniuk, Professor, Rice University, Founder, Connexions, Houston, Texas; and Dr. Charles Lee Isbell, Jr., Professor and Senior Associate Dean, College of Computing, Georgia Institute of Technology, Atlanta, Georgia.

*December 3, 2013—“Keeping College Within Reach: Strengthening Pell Grants for Future Generations”* (Printed Hearing 113–41)

The purpose of this hearing was to examine proposals for reforming the Pell Grant program in an effort to better target funds to the neediest students and put the program on a fiscally responsible and sustainable path.

Witnesses: Mr. Justin Draeger, President and CEO, National Association of Student Financial Aid Administrators, Washington, D.C.; Dr. Jenna Ashley Robinson, Director of Outreach, John W. Pope Center for Higher Education Policy, Raleigh, North Carolina; Mr. Michael Dannenberg, Director of Higher Education and Education Finance Policy, The Education Trust, Washington, D.C.; and Mr. Richard C. Heath, Director, Student Financial Services, Anne Arundel Community College, Arnold Maryland.

## SUBCOMMITTEE ON WORKFORCE PROTECTIONS

## HEARINGS

(LINKS ARE TO THE COMMITTEE WEBSITE)

*February 14, 2013—“Sequestration: Examining Employers’ WARN Act Responsibilities”* (Printed Hearing 113–3)

The purpose of this hearing was to discuss the application of the Worker Adjustment and Retraining Notification (WARN) Act to potential sequestration-caused layoffs in light of the Office of Management and Budget’s guidance stating it would indemnify contractors that incurred WARN Act-related costs.

Witnesses: The Honorable Jane Oates, Assistant Secretary, Employment and Training Administration, U.S. Department of Labor, Washington, D.C.; Mr. Kerry Notestine, Shareholder, Littler Mendelson, Houston, Texas; Mr. Thomas Gies, Partner, Crowell & Moring LLP, Washington, D.C.; Mr. Ross Eisenbrey, Vice President, Economic Policy Institute, Washington, D.C.; and Ms. Diana Furchtgott-Roth, Senior Fellow, Manhattan Institute for Policy Research, Washington, D.C.

*March 14, 2013—“Examining the Role of Lower-Skilled Guest Worker Programs in Today’s Economy”* (Printed Hearing 113–10)

The purpose of this hearing was to examine whether lower-skilled, non-agricultural guest worker programs are meeting the needs of today’s workers and employers.

Witnesses: Ms. Laura Foote Reiff, Co-Managing Shareholder, Greenberg Traurig LLP, Tysons Corner, Virginia, (testifying on behalf of the Essential Worker Immigration Coalition); Mr. Fred Benjamin, Chief Operating Officer, Medicalodges, Inc., Coffeyville, Kansas, (testifying on behalf of the American Health Care Association); Ms. Mary Bauer, Legal Director, Southern Poverty Law Center, Montgomery, Alabama; and Mr. Dan Musser, President, Grand Hotel, Mackinac Island, Michigan.

*April 11, 2013—H.R. 1406, “Working Families Flexibility Act of 2013”* (Printed Hearing 113–13)

The purpose of this hearing was to examine H.R. 1406, the Working Families Flexibility Act of 2013, introduced by Rep. Martha Roby (R–AL), which amends the Fair Labor Standards Act of 1938 to allow private-sector employers to offer their employees the choice of paid compensatory time in lieu of cash wages for working overtime.

Witnesses: Ms. Juanita Phillips, Director of Human Resources, Intuitive Research and Technology Corp., Huntsville, Alabama; Ms. Karen DeLoach, Montgomery, Alabama; Ms. Judith Lichtman, Senior Advisor, National Partnership for Women and Families, Washington, D.C.; and Mr. Andy Brantley, President and CEO, CUPA-HR, Knoxville, Tennessee.



*May 22, 2013—“Examining the Regulatory and Enforcement Actions of the Equal Employment Opportunity Commission”* (Printed Hearing 113–19)

The purpose of this hearing was to examine the regulatory and enforcement actions of the Equal Employment Opportunity Commission, the independent federal agency tasked with enforcing laws that protect individuals from employment discrimination.

Witness: The Honorable Jacqueline A. Berrien, Chair, Equal Employment Opportunity Commission, Washington, D.C.

*June 18, 2013—“Promoting the Accuracy and Accountability of the Davis-Bacon Act”* (Printed Hearing 113–23)

This purpose of this hearing was to examine the impact of the Davis-Bacon Act on construction contractors and to review a regulatory proposal expanding Davis-Bacon Act coverage to survey crews.

Witnesses: The Honorable Erica Groshen, Commissioner, Bureau of Labor Statistics, Washington, D.C.; Mr. Curtis Sumner, Executive Director, National Society of Professional Surveyors, Frederick, Maryland; Mr. Ross Eisenbrey, Vice President, Economic Policy Institute, Washington, D.C.; and Mr. Maurice Baskin, Shareholder, Littler Mendelson P.C., Washington, D.C.

*July 10, 2013—“Examining the Labor Department’s Proposed Reforms to the FECA Program”* (Printed Hearing 113–27)

The purpose of this hearing was to examine the Department of Labor’s proposed reforms to the Federal Employees’ Compensation Act, the workers’ compensation program for federal employees.

Witnesses: Dr. Scott Szymendera, Congressional Research Service, U.S. Library of Congress, Washington, D.C.; Mr. Gary Steinberg, Acting Director, Office of Workers’ Compensation Programs, U.S. Department of Labor, Washington, D.C.; Mr. Andrew Sherrill, Director of Education, Workforce and Income Security, U.S. Government Accountability Office, Washington, D.C.; and Dr. Seth Seabury, Associate Professor, Department of Emergency Medicine, Keck School of Medicine, University of Southern California, Los Angeles, California.

*July 23, 2013—“The Employer Mandate: Examining the Delay and Its Effect on Workplaces”* (Printed Hearing 113–28) (Joint Hearing with the Subcommittee on Health, Employment, Labor, and Pensions)

The purpose of this hearing was to examine the Patient Protection and Affordable Care Act’s employer mandate, specifically with regard to the administration’s decision to delay enforcement of the employer mandate until 2015, and its impact on job growth.

Witnesses: Ms. Grace-Marie Turner, President, Galen Institute, Alexandria, Virginia; Mr. Jamie T. Richardson, Vice President, White Castle System, Inc., Columbus, Ohio; Mr. Ron Pollack, Executive Director, Families USA, Washington, D.C.; and Dr. Douglas Holtz-Eakin, President, American Action Forum, Washington, D.C.

*November 20, 2013—“Redefining Companion Care: Jeopardizing Access to Affordable Care for Seniors and Individuals with Disabilities”* (Printed Hearing 113–40)

This hearing focused on the consequences of the Department of Labor’s (DOL) final rule pertaining to the minimum wage and overtime requirements for companion care services under the Fair Labor Standards Act of 1938.

Witnesses: Ms. Lucy Andrews, Vice Chair, National Association for Home Care & Hospice, Washington, D.C.; Mr. Joseph Bensmihen, President and Chief Executive Officer, United Elder Care Services, Inc., Boca Raton, Florida; Ms. Karen Kulp, President, Home Care Associates, Philadelphia, Pennsylvania; and Mr. Alexander J. Passantino, Senior Counsel, Seyfarth Shaw LLP, Washington, D.C.

*December 4, 2013—“Examining Recent Actions by the Office of Federal Contract Compliance Programs”* (Printed Hearing 113–43)

The purpose of this hearing was to examine the regulatory activities of the Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP), the federal agency that enforces non-discrimination and affirmative action requirements applicable to federal contractors and subcontractors. Specifically, this hearing focused on two finalized rules from OFCCP regarding contractors’ nondiscrimination and affirmative action requirements with respect to hiring veterans and individuals with disabilities.

Witnesses: Ms. Patricia Shiu, Director, Office of Federal Contract Compliance Programs, U.S. Department of Labor, Washington, D.C.; Mr. David Fortney, Co-Founder, Fortney & Scott, LLC, Washington, D.C., testifying on behalf of H.R. Policy Association; Mr. Thomas Shanahan, Vice President and General Counsel, The University of North Carolina, Chapel Hill, North Carolina; Mr. Brian Fitzgerald, Chief Executive Officer, Easter Seals New Jersey, East Brunswick, New Jersey; and Mr. Curt Kirschner, Partner, Jones Day, San Francisco, California, testifying on behalf of the American Hospital Association.

## **OVERSIGHT PLAN SUMMARY AND CORRESPONDENCE**

(LINKS ARE TO THE COMMITTEE WEBSITE)

On January 22, 2013, the committee adopted an oversight plan for the 113th Congress. Oversight is a core function of committee operations. As such, the committee works to thoroughly monitor and investigate the various agencies, departments, and programs within its jurisdiction. The committee’s oversight plan ensures this work is well-informed and Congress meets its responsibility for evaluating the effectiveness and administration of federal laws. Diligent oversight of federal programs will help promote policies that promote economic growth, support a stronger workforce, and improve education in America.

Conducting oversight is an established responsibility of the Congress. The power to gather information and investigate is essential and inherent to the legislative process. It is Congress’s obligation to monitor proposed federal rules to ensure laws are implemented as Congress intends. Likewise, Congress has the power to obtain information and conduct investigations to improve agency imple-

mentation of existing laws and inform the development of any needed legislation. Congress also exercises this power when examining situations involving waste, fraud, and abuse. In the end, taxpayers benefit from a robust examination of current practices.

The committee's oversight plan for the 113th Congress identified several particular issues of interest:

- Implementation of Elementary and Secondary Education Programs and Projects
- Access for Students to Postsecondary Education Programs
- Implementation of Early Childhood Care and Education Programs
- Access to Safe and Secure Learning Environments for Children
- Access to Effective Workforce Training Programs and Activities
- Administration of Retirement Security Programs
- Administration of Union Democracy
- Implementation of Health Care and Employer-sponsored Health Benefits Plans
- Administration of Workplace Safety Requirements

To evaluate the effectiveness and administration of federal laws, the committee initiated the following correspondence:

January 22, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, regarding the request for three overdue reports from the department required by the Child Abuse Prevention and Treatment Act.

January 25, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, regarding the Administration for Children and Families' plans to propose a rule to update regulations related to the Child Care and Development Fund.

January 31, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, regarding the administration's plans to address gun violence, including school safety and mental health proposals.

January 31, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, regarding the administration's plans to address gun violence, including school safety and mental health proposals.

January 31, 2013—Letter to Attorney General Eric Holder, U.S. Department of Justice, regarding the administration's plans to address gun violence, including school safety and mental health proposals.

February 1, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, asking the department to ensure the implementation of the D.C. Opportunity Scholarship Program (OSP) is made available to eligible students.

February 1, 2013—Letter to Acting Secretary Seth Harris, U.S. Department of Labor, regarding the review of the Job Corps program and review of its financial accounting program funds.

February 1, 2013—Letter to Dr. LaVera L. Leonard, Ed. D., President, National Job Corps Association, regarding the review of the Job Corps program and review of its financial accounting program funds.

February 1, 2013—Letter to Deputy Inspector General, Mr. Daniel R. Petrole, Office of Inspector General, U.S. Department of

- Labor, regarding the review of the Job Corps program and review of its financial accounting of program funds.
- February 1, 2013—Letter to Roy Adams, President, Adams and Associates, Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Robert Sabochik, Chief Operating Officer, Alutiiq Professional Services, LLC, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Richard Hobbs, II, CEO/President, Alutiiq, LLC, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Thony Martino, Project Manager, Applied Technology Systems, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Pam Hess, President, Career Opportunities Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Gregory Burden, President & CEO, Career Systems Development Corporation, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Diane Kelley, Executive Director, Career Services, Cherokee Nation of Oklahoma, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Mary Cohorst, President, Chugach Education Services Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Robert Viramontes, President, Chugach Government Services, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Scott Davis, President, Chugach World Services, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Dave Stout, President, Del-Jen, Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Mark Douglass, President, Dynamic Educational Systems, Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Brian Fox, President, Education and Training Resources, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to William Hall, President, Horizons Youth Services, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Scott Marquardt, President, Management and Training Corporation, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Booker Jones, President & CEO, MINACT, Inc, discussing the review of the Job Corps program and review of its financial accounting program funds.

- February 1, 2013—Letter to Lisa Odle, President, Odle Management, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Rick Myers, Senior Vice President, Job Corps Operations, ResCare, Inc., discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Steve Davis, Executive Director, Texas Educational Foundation, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Joe Dupuis, Executive Secretary, Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Indian Nation, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Antoine Dixon, Director of US Forest Service Job Corps, US Forest Service, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 1, 2013—Letter to Faye Washington, CEO, YWCA of Greater Los Angeles, discussing the review of the Job Corps program and review of its financial accounting program funds.
- February 13, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, regarding spending decisions by the Administration for Children and Families detailed in the response to a question for the record submitted following the April 16, 2012 hearing entitled, “Reviewing the President’s Fiscal Year 2013 Budget Proposal for the U.S. Department of Health and Human Services.”
- March 15, 2013—Letter to Acting Secretary Seth Harris, U.S. Department of Labor, requesting a copy of the study required under Section 1513(c) of the Patient Protection and Affordable Care Act, which directed the Department of Labor to undertake a study concerning whether employees’ wages are reduced due to tax penalties imposed under the Act.
- March 15, 2013—Letter to Chairman Mark G. Pearce, National Labor Relations Board and to Lafe E. Solomon, Acting General Counsel, National Labor Relations Board regarding the effect of sequestration under the Budget Control Act of 2011 on the National Labor Relations Board.
- March 19, 2013—Letter to Acting Secretary Seth Harris, U.S. Department of Labor, regarding employer comments summarized by the Federal Reserve regarding the potential impact of the Patient Protection and Affordable Care Act on hiring practices.
- March 21, 2013—Letter to Chairman Jim Leach, National Endowment for the Humanities, regarding the effects of the sequestration under Budget Control Act of 2011 on the National Endowment for the Humanities.
- March 21, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, regarding the effect of sequestration under the Budget Control Act of 2011 on the Department of Health and Human Services.
- March 21, 2013—Letter to Acting Chairwoman Joan Shigekawa, National Endowment for the Arts, regarding the effect of sequestration under the Budget Control Act of 2011 on the National Endowment for the Arts.

- March 21, 2013—Letter to Acting Administrator, Bob Perciasepe, Environmental Protection Agency, regarding the Budget Control Act of 2011.
- March 21, 2013—Letter to Director Susan Hildreth, Institute of Museum and Library Services, regarding the effect of sequestration under the Budget Control Act of 2011 on the Institute of Museum and Library Services.
- March 21, 2013—Letter to The Honorable Wendy Spencer, Office of the Chief Executive Officer, Corporation for National and Community Service, regarding the effect of sequestration under the Budget Control Act of 2011 on the Corporation for National and Community Service.
- March 21, 2013—Letter to Secretary Ken Salazar, U.S. Department of the Interior, regarding the effect of sequestration under the Budget Control Act of 2011 on the Department of the Interior.
- March 21, 2013—Letter to Attorney General Eric Holder, U.S. Department of Justice, regarding the effect of sequestration under the Budget Control Act of 2011 on the Department of Justice.
- March 21, 2013—Letter to Secretary Tom Vilsack, U.S. Department of Agriculture, regarding the effect of sequestration under the Budget Control Act of 2011 on the U.S. Department of Agriculture.
- March 21, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, regarding the effect of sequestration under the Budget Control Act of 2011 on the Department of Education.
- April 19, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. John Huppenthal, Superintendent of Public Instruction, Arizona Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Tom Kimbrell, Commissioner of Education, Arkansas Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Robert Hammond, Commissioner of Education, Colorado Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Stefan Pryor, Commissioner of Education, Connecticut Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Mark Murphy, Secretary of Education, Delaware Department of Education, issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Ms. Hosanna Mahaley Jones, State Superintendent of Education, Office of the State Superintendent of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.

- April 19, 2013—Letter to Mr. Tony Bennett, Commissioner of Education, Florida Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. John Barge, State Superintendent of Schools, Georgia Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Thomas Luna, Superintendent of Public Instruction, Idaho Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Ms. Glenda Ritz, Superintendent of Public Instruction, Indiana Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Diane DeBacker, Commissioner of Education, Kansas State Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Terry Holliday, Commissioner of Education, Kentucky Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. John White, State Superintendent, Louisiana Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Lillian Lowery, Superintendent of Schools, Maryland Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Mitchell Chester, Commissioner of Education, Massachusetts Department of Elementary and Secondary Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Mike Flanagan, Superintendent of Public Instruction, Michigan Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Brenda Cassellius, Commissioner, Minnesota Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Lynn House, Interim State Superintendent, Mississippi Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Chris L. Nicastro, Commissioner of Education, Missouri Department of Elementary and Secondary Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.

- April 19, 2013—Letter to Ms. Rorie Fitzpatrick, Interim State Superintendent of Public Instruction, Nevada Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Christopher Serf, Commissioner of Education, New Jersey Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Ms. Hanna Skandera, Secretary of Education, New Mexico Public Education Department, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. John B. King, Jr., Commissioner of Education, New York Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. June Atkinson, Superintendent of Public Instruction, North Carolina Department of Public Instruction, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Richard Ross, Superintendent of Public Instruction, Ohio Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Janet Barresi, State Superintendent of Public Instruction, Oklahoma State Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Rudy Crew, Chief Education Officer, Oregon Education Investment Board, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Deborah Gist, Commissioner of Education, Rhode Island Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Mitchell M. “Mick” Zais, State Superintendent of Education, South Carolina Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Melody Schopp, Secretary of Education, South Dakota Department of Education & Cultural Affairs, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Kevin Huffman, Commissioner of Education, Tennessee Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Patricia Wright, Superintendent of Public Instruction, Virginia Department of Education, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Mr. Randy Dorn, Superintendent of Public Instruction, Washington State Department Office of Superintendent Public Instruction, regarding issuing of temporary,



- conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Dr. Tony Evers, Superintendent of Public Instruction, Wisconsin Department of Public Instruction, regarding issuing of temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Acting Secretary Seth Harris, U.S. Department of Labor, regarding concerns with temporary, conditional waivers of requirements under the Elementary and Secondary Education Act.
- April 19, 2013—Letter to Acting Secretary Seth Harris, U.S. Department of Labor, requesting a copy of the study required under Section 1513(c) of the Patient Protection and Affordable Care Act, which directed the Department of Labor to undertake a study concerning whether employees' wages are reduced due to tax penalties imposed under the Act
- May 14, 2013—Letter to Acting Secretary Seth D. Harris, U.S. Department of Labor, requesting documents and communications related to agency actions involving allegations of embezzlement from the International Union of Operating Engineers Local 501.
- May 14, 2013—Letter to Deputy Inspector General Daniel R. Petrole, U.S. Department of Labor, documentation and communications related to agency action involving allegations of embezzlement from the International Union of Operating Engineers Local 501.
- May 14, 2013—Letter to Ms. Kathryn Ruemmler, Counsel to the President, The White House, requesting information related to the nomination of Richard Griffin to the National Labor Relations Board.
- May 24, 2013—Letter to Director Sylvia Mathews Burwell, Office of Management and Budget, requesting information related to the Spring 2013 Unified Regulatory Agenda.
- May 29, 2013- Letter to Acting Secretary Seth Harris, U.S. Department of Labor, regarding the Department of Labor's Office of Labor-Management Standards' proposed changes to the Labor-Management Reporting and Disclosure Act "advice" exception.
- May 30, 2013—Letter to Secretary Tom Vilsack, U.S. Department of Agriculture, expressing concern regarding the Department of Agriculture's proposed new regulations regarding competitive foods.
- June 5, 2013- Letter to Assistant Secretary David Michaels, Occupational Safety and Health Administration, U.S. Department of Labor, requesting information regarding the Occupational Safety and Health Administration's work to create a new federal regulatory program, entitled the "Injury and Illness Prevention Program."
- June 6, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services; Secretary Jacob J. Lew, U.S. Department of the Treasury; and Acting Secretary Seth D. Harris, U.S. Department of Labor, requesting clarification of the administration's regulatory and enforcement efforts related to stop loss insurance.
- June 13, 2013—Letter to Assistant Secretary David Michaels, PhD, MPH, Occupational Safety and Health Administration, U.S. Department of Labor, requesting information regarding the Occupa-

- tional Safety and Health Administration's letter of interpretation allowing Compliance Safety and Health Officers to be accompanied by third parties.
- June 18, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, requesting information on the department's submission to the Office of Management and Budget for publication in the Spring 2013 Unified Regulatory Agenda.
- June 18, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, requesting information on the department's submission to the Office of Management and Budget for publication in the Spring 2013 Unified Regulatory Agenda.
- June 18, 2013—Letter to Secretary Tom Vilsack, U.S. Department of Agriculture, requesting information on the department's submission to the Office of Management and Budget for publication in the Spring 2013 Unified Regulatory Agenda.
- June 18, 2013—Letter to Acting Secretary Seth D. Harris, U.S. Department of Labor, requesting information on the department's submission to the Office of Management and Budget for publication in the Spring 2013 Unified Regulatory Agenda.
- July 11, 2013—Letter to Acting Deputy Administrator Mary Beth Maxwell, Wage and Hour Division, U.S. Department of Labor, concerning the Wage and Hour Division's March 22, 2013 guidance letter related to the applicability of the Davis-Bacon Act to survey technicians.
- July 23, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, regarding an official determination as to the Labor-Management Reporting and Disclosure Act filing requirements of worker centers and all related documents and communications.
- August 1, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, regarding a proposal to expand the scope of the National Student Loan Data System.
- August 9, 2013—Letter to Dr. Thomas Bice, Superintendent of Education, Alabama Department of Education, requesting information on the state's statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Mike Hanley, Commissioner of Education, Alaska Department of Education and Early Development, requesting information on the state's statewide longitudinal data system.
- August 9, 2013—Letter to Mr. John Huppenthal, Superintendent of Public Instruction, Arizona Department of Education, requesting information on the state's statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Tom W. Kimbrell, Commissioner of Education, Arkansas Department of Education, requesting information on the state's statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Tom Torlakson, State Superintendent of Public Instruction, California Department of Education, requesting information on the state's statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Robert Hammond, Commissioner of Education, Colorado Department of Education, requesting information on the state's statewide longitudinal data system.

- August 9, 2013—Letter to Mr. Stefan Pryor, Commissioner of Education, Connecticut Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Emily Durso, Interim State Superintendent, District of Columbia Office of the State Superintendent of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Mark Murphy, Secretary of Education, Delaware Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Pam Stewart, Interim Commissioner of Education, Florida Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. John D. Barge, State Superintendent of Schools, Georgia Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Kathryn Matayoshi, Superintendent of Education, Hawaii State Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Thomas Luna, Superintendent of Public Instruction, Idaho Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Christopher A. Koch, Superintendent of Education, Illinois State Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Glenda Ritz, Superintendent of Public Instruction, Indiana Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Duane Magee, Interim Director, Iowa Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Diane M. DeBacker, Commissioner of Education, Kansas State Department of Education, requesting information on the State’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Terry Holiday, Commissioner of Education, Kentucky Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. John White, State Superintendent, Louisiana Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Stephen Bowen, Commissioner, Maine Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Lillian M. Lowery, State Superintendent of Schools, Maryland Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Mitchell D. Chester, Commissioner of Elementary and Secondary Education, Massachusetts Department of Elementary and Secondary Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Michael P. Flanagan, State Superintendent, Michigan Department of Education, requesting information on the state’s statewide longitudinal data system.

- August 9, 2013—Letter to Dr. Brenda Cassellius, Commissioner, Minnesota Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Lynn J. House, Interim State Superintendent, Mississippi Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Chris L. Nicaastro, Commissioner of Education, Missouri Department of Elementary and Secondary Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Denise Juneau, Superintendent, Montana Office of Public Instruction, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Scott Swisher, Deputy Commissioner, Nebraska Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Rorie Fitzpatrick, Interim State Superintendent of Public Instruction, Nevada Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Virginia M. Barry, Commissioner of Education, New Hampshire Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Christopher D. Cerf, Commissioner of Education, New Jersey Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Hanna Skandera, Superintendent of Public Instruction, New Mexico Public Education Department, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. John B. King Jr., Commissioner of Education, New York Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. June Atkinson, Superintendent of Public Instruction, North Carolina Department of Public Instruction, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Ms. Kirsten Baesler, Superintendent of Public Instruction, North Dakota Department of Public Instruction, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Richard A. Ross, Superintendent of Public Instruction, Ohio Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Janet C. Barresi, State Superintendent of Public Instruction, Oklahoma State Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Rob Saxton, Deputy Superintendent of Public Instruction, Oregon Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. William Harner, Acting Secretary of Education, Pennsylvania Department of Education, requesting information on the state’s statewide longitudinal data system.

- August 9, 2013—Letter to Dr. Deborah A. Gist, Commissioner of Education, Rhode Island Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Mick Zais, State Superintendent of Education, South Carolina Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Melody Schopp, Secretary of Education, South Dakota Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Kevin Huffman, Commissioner of Education, Tennessee Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Michael L. Williams, Commissioner of Education, Texas Education Agency, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Martell Menlove, Superintendent of Public Instruction, Utah State Office of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Armando Vilaseca, Secretary of Education, Vermont Agency of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Patricia Wright, Superintendent of Public Instruction, Virginia Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Randy Dorn, State School Superintendent, Washington Office of Superintendent of Public Instruction, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. James B. Phares, Superintendent of Schools, West Virginia Department of Education, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Dr. Tony Evers, State Superintendent of Public Instruction, Wisconsin Department of Public Instruction, requesting information on the state’s statewide longitudinal data system.
- August 9, 2013—Letter to Mr. Richard Crandall, Education Director, Wyoming Department of Education, requesting information on the state’s statewide longitudinal data system.
- September 12, 2013—Letter to Secretary Tom Vilsack, U.S. Department of Agriculture, seeking more information regarding the department’s processes for providing notice and communicating with stakeholders about its regulatory proposals.
- September 12, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, seeking more information regarding the department’s processes for providing notice and communicating with stakeholders about its regulatory proposals.
- September 12, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, seeking more information regarding the department’s processes for providing notice and communicating with stakeholders about its regulatory proposals.
- September 12, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, seeking more information regarding the department’s processes for providing notice and communicating with stakeholders about its regulatory proposals.

- September 17, 2013—Letter to Attorney General Eric Holder, U.S. Department of Justice, regarding the motion the U.S. Department of Justice filed in the U.S. District Court for the Eastern District of Louisiana to prevent the state from offering private school choice opportunities to children in school districts with existing desegregation orders.
- September 18, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, and Director Sylvia Mathews Burwell, Office of Management and Budget, requesting clarification regarding the Obama administration's regulatory efforts related to the Taft Hartley health insurance plans and the Patient Protection and Affordable care Act.
- September 19, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, requesting information on the department's rulemaking concerning hiring and employment policies of federal contractors affecting veterans and individuals with disabilities.
- September 19, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, requesting information concerning the department's consideration of filing requirements for worker centers under the Labor-Management Reporting and Disclosure Act.
- October 22, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, seeking more information regarding the administration's development implementation of the "8 Keys to Success: Supporting Veterans, Military, and Military Families on Campus."
- October 22, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, requesting documents regarding the department's program oversight and monitoring activities relating to the Higher Education Act of 1965.
- October 23, 2013—Letter to Secretary Arne Duncan, U.S. Department of Education, seeking recommendations on how Congress might streamline processing of interest rate benefits for active duty servicemembers relating to the Servicemembers Civil Relief Act.
- October 31, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, requesting information on the department's final rule making changes to the minimum wage and overtime exemption for companionship services under the Fair Labor Standards Act.
- November 1, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, requesting information regarding worker centers that were awarded grants under the Patient Protection and Affordable Care Act.
- November 21, 2013—Letter to Comptroller General Gene Dodaro, U.S. Government Accountability Office, requesting information regarding a study of agency regulatory processes.
- December 3, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, regarding allegations that the Census Bureau provided inaccurate data for use in employment situation reports and requesting the Bureau of Labor Statistics' protocols for receiving, reviewing, and processing survey data provided by the Census Bureau.
- December 3, 2013—Letter to Secretary Kathleen Sebelius, U.S. Department of Health and Human Services, requesting information

on the department's regulatory efforts related to Taft Hartley health insurance plans and the Patient Protection and Affordable Care Act.

December 3, 2013—Letter to Secretary Thomas E. Perez, U.S. Department of Labor, requesting information on the department's regulatory efforts related to Taft-Hartley health insurance plans and the Patient Protection and Affordable Care Act.

December 4, 2013—Letter to Comptroller General Gene Dodaro, U.S. Government Accountability Office, requesting an updated report regarding fraud and abuse within the Special Supplemental Nutrition Program for Women, Infants, and Children.

December 6, 2013—Letter to Director Patricia Shui, U.S. Department of Labor, Office of Federal Contract Compliance Programs, requesting information on the department's rulemaking concerning hiring and employment policies of federal contractors affecting veterans and individuals with disabilities.

December 17, 2013—Letter to Comptroller General Gene Dodaro, U.S. Government Accountability Office, regarding paperwork burdens under the Individuals with Disabilities Education Act and the utilization of paperwork reduction provisions in the 2004 reauthorization.

## MINORITY VIEWS

**Early Childhood.** Research is clear on both the short- and long-term positive outcomes of quality preschool programs, including reduction of achievement gaps in elementary and secondary education and significant returns on investment. Committee Democrats have shown their commitment to improving access to high-quality early learning opportunities and hope Committee Republicans take meaningful action on this issue during the second session of the 113th Congress. Business, school, law enforcement, military, and economic leaders have expressed broad consensus that additional strategic investments in early childhood education are essential to our country's economic growth and military readiness. Despite this widespread consensus, the Committee has taken no action on this important policy issue so far this Congress.

**Child Nutrition.** The Committee plays a critical role in the fight against hunger and the childhood obesity epidemic. In the 111th Congress, Committee Democrats led efforts to address these issues through the enactment of the Healthy, Hunger-Free Kids Act (HHFKA). Democrats continue to believe that food standards are based on nutrition science, not politics.

Additionally, Committee Democrats have raised grave concerns regarding provisions in the Federal Agriculture Reform and Risk Management (FARRM) Act that change Supplemental Nutrition Assistance Program (SNAP) eligibility requirements. As a result of these changes, benefits for millions of people, close to half low-income children, would be eliminated. The changes would also impact participants of the Free and Reduced Lunch Program, which provides needed food and nutrients to children so they can academically compete with their peers. These FARRM bill provisions could cause 280,000 low-income children to lose access to free school lunches. The Committee should act to examine the effects of these policies on children's health, development, and education but has not done so. The Committee should also exercise leadership and oppose efforts to infuse politics into what should be science-based nutrition decisions in the Special Supplemental Program for Women, Infants and Children (WIC) package.

**Child Safety.** The safety of our children should be of the highest priority for this Committee. Committee Republicans and Committee Democrats worked in a bipartisan manner to pass two child welfare bills in the House in 2013. One of these bills reauthorized the Missing Children's Assistance Act, which was signed into law by President Obama in September, and the other was the Protecting Students from Sexual and Violent Predators Act, which the House passed in October.

Despite the June 2013 completion of several HHS reports jointly requested by Committee Republicans and Committee Democrats on child abuse prevention and treatment, Committee Republicans



have held no hearings on abusive seclusion and restraint practices in schools, child abuse in residential programs for teens, further prevention of sexual predators in schools and youth athletic programs, and the health risks for student athletes posed by concussions. Additionally, Committee Democrats reintroduced legislation this session to protect student athletes from concussions. Sports-related youth concussions are a growing concern, with recent research estimating 1.6–3.8 million injuries occurring each year. The Protecting Student Athletes from Concussions Act would, for the first time, set minimum safety standards for concussion management in public schools across the country with plans that educate students, parents and school personnel about how to recognize and respond to concussions.

Committee Democrats remain committed to ensuring a safe learning environment for every student. Increased access to school-based mental health services and enactment of common-sense gun violence prevention measures continue to be Democratic priorities to increase student and community safety.

**K–12 Education.** This Congress Republicans passed a flawed, partisan bill to reauthorize the Elementary and Secondary Education Act (ESEA) that would do damage to students and schools. Despite our history of bipartisanship on K–12 education policy, Committee Republicans chose a highly partisan and ideologically-driven ESEA reauthorization approach that, if it became law, would lock in funding cuts and take the country back decades in education. When the Majority opted for partisanship over consensus-driven solutions, they ensured the bill would not be signed by the President who has called for a bipartisan approach. This leaves the country with an outdated law instead of an updated education system we know our schools, communities, families and nation desperately need. The Obama Administration’s waiver process has given states some needed flexibility and driven some reforms among the states. But that patchwork of policies is no substitute for a full ESEA reauthorization. Committee Democrats hope that in the second session of the 113th Congress, Committee Republicans change course and seek out a bipartisan reauthorization of ESEA to modernize the elementary and secondary education system in our nation.

**Students with Disabilities.** Committee Democrats are committed to meeting the developmental and educational needs of all children with disabilities to empower each individual to pursue opportunities for post-secondary education, competitive employment, independent living and full integration into society. To meet these needs, Committee Democrats have continued to fight for repeal of sequestration and reinvestment in supports to ensure students with disabilities have access to general education curriculum and challenging academic standards and assessments through the Individuals with Disabilities Act (IDEA). Committee Democrats firmly believe that high expectations for all students, regardless of disability, are imperative to improved outcomes for students with disabilities. Democratic Members voiced unanimous opposition to the Majority’s efforts, through reauthorization of the Elementary and Secondary Education Act, to lower standards and assessment quality for students with disabilities. Committee Democrats continue to

monitor progress of the Federal Partners in Transition comprised of the U.S. Departments of Education, Health and Human Services, Labor, and the Social Security Administration, to minimize obstacles to accessing federal supports for successful transitions to competitive employment and independent living for persons with disabilities.

**Higher Education.** College continues to be an important pathway to the middle-class, but state budget cuts and stagnant family finances have made college even more expensive. Throughout this Congress, Committee Democrats fought to protect and expand hard working students' ability to access a high quality and affordable higher education. Meanwhile, the Republican-passed budget threatened low and middle-income students' access to college financial aid. Fortunately, those cuts to vital programs such as Pell grants have been successfully avoided.

Committee Democrats were pleased to join our Republican colleagues in advancing the Improving Postsecondary Education Data for Students Act (H.R. 1949) which will help students with better information when enrolling in college. However, against the Department of Education Inspector General's advice, Committee Republicans marked-up the Supporting Academic Freedom through Regulatory Relief Act (H.R. 2637) which would limit the Department's ability to regulate against waste, fraud and abuse in the student aid program. In fighting student loan debt, Committee Democrats were successful in stopping several misguided and predatory provisions of the Republican-passed student loan bill that would have increased interest rates and student loan debt for millions of students in the final compromise of the Bipartisan Student Loan Certainty Act.

With respect to oversight of higher education and student aid programs, Committee Democrats have sought to both protect students and safeguard taxpayer funds, continuing investigative work on the quality of servicing provided by federal student loan servicers, the problems of predatory marketing practices and hidden fees in on-campus debit cards contracted by some institutions to disburse federal student aid, and issues confronting private student borrowers attempting to repay their debt. We hope that, with the Higher Education Act expiring next year, reauthorization efforts will be aided by this oversight work and that the Committee will work together to address the issues of college affordability, costs and quality.

**Jobs.** Even as the country sees promising signs of a strong economic recovery, the unemployment rate remains at 7 percent with more than 11 million still unemployed and those who do have jobs facing stagnate wages. While Committee Democrats focused on job creation opportunities and strategies to strengthen the middle class with legislation such as the Community College to Career Fund, the Pathways Back to Work Act, the Workforce Investment Act of 2013, and the Fair Minimum Wage Act; Committee Republicans failed to take up any meaningful job creation initiative either through hearings or legislative markups.

**Workers' Rights.** During the first session of Congress, the Republican Majority launched another attack on the rights of hard working Americans with the introduction of H.R. 2346, the Secret

Ballot Protection Act, and H.R. 2347, the Representation Fairness Restoration Act. H.R. 2346 seeks to completely eliminate the ability of employers and unions to work out voluntary, majority sign-up agreements designed to allow workers to freely choose whether to organize without interference and mandate easily-manipulated NLRB elections. The bill has no public support, punishes business/labor partnerships and has zero chance of ever becoming law.

H.R. 2347 allows employers to gerrymander bargaining units in order to prevent or sway the outcome of union elections, frustrating workers' efforts to associate freely and exercise their rights under the NLRA. This unprecedented, undemocratic shift gives employers, instead of employees, the dominant voice in determining the composition of bargaining units. Republicans contend that this change is necessary because without it, the recent NLRB decision in Specialty Healthcare will lead to the proliferation of "micro-unions." However, Democrats released NLRB data during a hearing on the bill that reveals that since the Specialty decision, the median size of election units has actually increased, completely discrediting any rational argument or justification for the legislation.

**Wages and Hours.** Committee Republicans have refused to take action to provide hard-working low wage workers across the nation an increase in the minimum wage. Not only have they blocked action, but all Republicans voted in the House against a motion by Democrats earlier this year to increase the minimum wage. H.R. 1010 increases the minimum wage in three steps, from \$7.25 to \$10.10 per hour. The rate will then be indexed to inflation each year thereafter. In addition, the legislation will increase the required cash wage for tipped workers in annual 85 cent increases, from today's \$2.13 per hour until the tip credit reaches 70 percent of the regular minimum wage. A minimum wage of \$10.10 has broad public support. The demand for fair pay is evident in the cities and towns across America where we have seen courageous efforts by thousands of employees at Walmart and other low-wage retail and fast food establishments to speak out, putting their jobs on the line to advocate for a decent wage that can support their families. Just in the past couple of months, more than a half-dozen national polls have shown strong, sustained public support for increasing the minimum wage. This support cuts across all political affiliations and regions of the country. Increasing the minimum wage is about fairness, about boosting the economy, and about ending a practice that allows companies to exploit workers through low wages. A \$10.10 minimum wage would give a raise to some 28 million workers nationwide, two-thirds of whom are women. The vast majority of these workers are adults (88 percent), and the additional household income would benefit some 14 million children. An increase in the minimum wage would be good for the economy. A \$10.10 increase will generate a total of \$51 billion in increased compensation for working families, some \$32 billion in increased economic activity for business, and create 140,000 additional jobs—providing an important boost for our economy.

Instead of taking critical action on issues ranging from wage theft to worker misclassification to the need for a minimum wage increase, providing for paid sick days, or meaningful workplace flexibility, Committee Republicans revived a sixteen year old pro-

posal to eliminate overtime pay for millions of the nation's hard working families, and allow comp time in lieu of pay only when it is convenient for the employer. The bill was strongly opposed by a broad coalition of women and family and worker advocacy organizations.

**Mine Safety and Health.** Committee Democrats have repeatedly pressed for bipartisan efforts to reform mine safety laws, but those efforts have been consistently rebuffed by Committee Republicans. Despite repeated testimony before this Committee by the Assistant Secretary of Labor for Mine Safety asking for reform legislation that would give MSHA additional tools to protect miners in light of the 2010 Upper Big Branch (UBB) mine disaster, Committee Republicans maintained they would wait for all of the UBB accident investigation reports to be completed before considering legislative reforms. Key reports have been in hand for more than two years, and yet there has been no legislative action. Family members of deceased UBB miners met with Republican and Democratic leaders of the Committee, asking them to take legislative action. Still, no action has been taken. Democrats introduced the Robert C. Byrd Mine Safety Protection Act of 2013, which includes legislative recommendations made by the West Virginia Governor's Independent Panel, MSHA and the DOL Inspector General. It is available for markup.

**Occupational Safety and Health.** In 2012, 4,383 workers were killed on the job from traumatic injuries, according to preliminary data from the Bureau of Labor Statistics, and there were at least 3.7 million occupational injuries/illnesses. Disabling injuries cost the economy between \$159 and \$318 billion in both direct and indirect costs. The April 17, 2013 ammonium nitrate explosion at the West Chemical fertilizer plant in West, Texas, which took the lives of 14 first responders and residents, injured over 200 and leveled much of the community, has raised questions about the shortage of OSHA inspectors, questionable regulatory exemptions and inadequate standards. Committee Democrats are concerned that such an explosion may be possible at similar facilities across the nation, and requested that the Government Accountability Office (GAO) evaluate the regulatory gaps that need to be filled.

For many years, health care and social service workers have faced a significant risk of job-related violence. Workplace violence ranges from threats and verbal abuse to physical assaults, rape, and even homicide. Almost 60 percent of all reported workplace assaults happen in hospitals, clinics, and other health care settings, according to the Veterans Administration. Committee Democrats have asked the GAO to assess whether enforceable OSHA standards are needed so that health care facilities take necessary steps to better protect health care workers.

Rather than enacting pro-worker safety laws that would require employers to promptly abate safety violations, expand coverage for state and local government workers, provide for modern whistleblower protections or speed the adoption of standards to prevent combustible dust explosions, Committee Republicans have urged delays on long overdue OSHA standards to prevent silicosis, and have opposed efforts to require employers to find and fix hazards as part of an injury and illness prevention program. In the 113th

Congress, the Majority has taken no legislative action to improve workplace safety and health.

Democrats believe our nation's job safety laws must be strengthened. The Protecting America's Workers Act would bring the Occupational Safety and Health Act of 1970 into the 21st century. The Offshore Oil and Gas Worker Whistleblower Protection Act would implement a key recommendation from the National Commission on the Deepwater Horizon Oil Spill and Offshore Drilling. The Worker Protections Against Combustible Dust Explosions and Fires Act of 2013 would speed the adoption of regulations needed to prevent combustible dust explosions and fires. Unfortunately, the Committee has held not a single hearing on workplace safety and health so far in the 113th Congress.

**Workers' Compensation Programs.** The Committee has worked on a bipartisan basis to assess proposals that would cut workers' compensation benefits under the Federal Employees Compensation Act following the release of GAO reports which evaluated the impact of such proposals to federal and postal workers injured or killed in the line of duty. Committee Democrats have worked to ensure that federal and postal workers are not made economically worse off from injuries incurred in the line of duty than if they had not been injured in the first place, while ensuring taxpayers' interests are fairly protected through necessary program integrity measures.

**Health Care.** The Affordable Care Act (ACA) is resulting in real savings and greater health care security for millions of families and has helped strengthen the economy. Beginning next month, millions of Americans will have access to quality affordable health care for the first time. However, since the ACA was signed into law it has been under an unprecedented assault by the Majority, who have held dozens of hearings to criticize the law and brought nearly 50 votes to repeal it to the House floor. Instead of trying to work with Democrats to make improvements to the law where necessary, the Majority has been singularly focused on destroying it and taking away the opportunity of millions of Americans to have access to health care for the first time. The need for the ACA was highlighted at the Committee's field hearing in Kentucky where Debbie Basham testified that while she had beaten breast cancer 17 years ago, she still could not find a health insurance company to sell her a policy. She testified "[b]ut because of the Affordable Care Act, that will never again prevent me or the millions of women like me across our country from getting the coverage and care we need . . . [f]amilies will no longer lose out on all the opportunities our nation offers simply because they get sick." Committee Democrats remain committed to working with the Administration and consumers as the law is fully implemented and will continue to fight any attempt to repeal the law and the protections it affords millions of Americans.

**Retirement Security.** Retirement security remains a critical concern for millions of Americans. The Committee held several hearings during this period related to retirement issues, primarily related to multiemployer pension plan issues. Democrats urge the Committee to work collaboratively to put forth legislation to strengthen and expand employer based retirement plans, ensure

adequate funding for such plans, and improve the effectiveness of federal programs that guarantee delivery of promised retirement benefits. Committee Democrats support strong protections for workers' retirement funds and urge the Committee to take additional steps to expand workers' access to adequate retirement income.

**Civil Rights.** Despite the real opportunities this Committee has to bring this nation's civil rights laws into the 21st century, the Majority has failed to act. The Committee could immediately act on the Employment Non-Discrimination Act (ENDA) to ensure that no worker can be discriminated against based on his/her sexual orientation or gender identity. In November, the Senate overwhelmingly passed ENDA by a vote of 64–32. More than five months ago Representatives Miller and Polis sent a letter to Chairman Kline requesting the Committee simply hold a hearing on ENDA but have received no response. Committee Democrats will continue to fight for consideration of this bill until it receives a vote on the floor and becomes law. Committee Democrats also remain committed to strengthening other areas of the nation's civil rights laws and pressing for consideration of legislation to protect against age discrimination, pay discrimination and workplace harassment and retaliation. Committee Democrats will also continue to work with the Equal Employment Opportunity Commission (EEOC) and the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) in their efforts to protect the rights of workers and strengthen their opportunities in the workforce.

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