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Union Calendar No. 000

106th Congress, 1st Session – – – – – – – – – – – House Report 106–000

OVERSIGHT PLANS

FOR ALL

HOUSE COMMITTEES

WITH ACCOMPANYING RECOMMENDATIONS

BY THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

(Required by House Rule X, Clause 2(d)(2))

MARCH 31, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

55–429 CC WASHINGTON : 1999

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, March 31, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER:

In accordance with Rule X, clause 2(d)(2), of the Rules of the House of Representatives, I respectfully submit the oversight plans of each committee together with recommendations to ensure the most effective coordination of such plans and otherwise achieve the objectives of the House Rules.

DAN BURTON, *Chairman.*

Union Calendar No. 41

106TH CONGRESS, *1st Session* | HOUSE OF REPRESENTATIVES | REPORT 106–78

OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES WITH ACCOMPANYING RECOMMENDATIONS

MARCH 31, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BURTON, from the Committee on Government Reform submitted the following

REPORT

OVERSIGHT IN THE 106TH CONGRESS

RECOMMENDATIONS

OF THE

COMMITTEE ON GOVERNMENT REFORM

(Pursuant to Rule X, clause 2(d)(2), the Committee on Government Reform presents to the House the oversight plans submitted by each standing committee, along with the committee's recommendations for ensuring the most effective coordination of such plans.)

Congressional oversight, as envisioned by the Leadership of the House, is ultimately about the public interest, the liberty of citizens, and the effective use of taxpayers' dollars. The ability, and duty, of popularly-elected representatives to oversee the executive branch is a fundamental component of the system of checks and balances established by the founding fathers. The Rules of the House of Representatives ensure Congress' responsibility to the public in this regard. Pursuant to House Rule X, clause 2(b)(1),

each standing committee shall review and study on a continuing basis—

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

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

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

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

Congressional oversight in the 106th Congress should focus on three fundamental efforts: (1) *Review the implementation by the executive branch of recent policy changes enacted by Congress to assess their effectiveness.* Congress enacted significant reform legislation in the 105th Congress. These reforms include balancing the budget, restructuring the Internal Revenue Service, improving public education in our classrooms, and providing tax relief to small businesses, the self-employed, and families with children. Other reform efforts include healthcare reforms, anticrime legislation that is helping to significantly lower crime rates, protecting our children from pornography on the internet, strengthening our military, and cracking down on deadbeat parents.

Many of these reforms have already resulted in major cost savings, improvements in the efficiency of the Federal Government, and improvements to the health, safety, and welfare of American citizens. But they will need continued monitoring and oversight by the Congress to ensure their success as effective legislative changes. In their oversight plans for the 106th Congress, House committees recognize the importance of their responsibility to oversee the implementation of recent legislative reforms. **The Government Reform Committee recommends that House committees fully utilize the auditing and oversight services of the General Accounting Office, the Congressional Research Service, and agency Inspectors General to augment their efforts to oversee implementation of these critical legislative reforms.**

(2) *Review existing government programs in order to inform the public and build a compelling case for further change and reform.* While the legislative successes of the 105th Congress are laudable, many other opportunities for streamlining, improving efficiency, and reducing costs to the American taxpayer exist. The House committee oversight plans reveal priority areas for additional programmatic and agency reform efforts in the 106th Congress, including: public education system reform; Social Security trust fund solvency; fundamental tax code reform; and reforms to assure minimal year 2000 computer conversion problems. Most committees recognize the importance of the Government Performance and Results

Act as a tool for building the case for reform. The use of this important tool is affirmed in most committee oversight plans, but is most evident as it filters into the daily work of committees, particularly in hearings and legislative decisionmaking. **The Government Reform Committee recommends that each House committee continue using agency strategic plans and performance plans mandated by the Results Act as a basis for conducting oversight of agencies and programs in its jurisdiction, and for holding government more accountable for the activities and services it delivers.**

(3) *Review government programs to root out waste, fraud and abuse, thereby maximizing accountability in the Federal Government to the public.* The merits of Federal programs and activities are, of course, subject to intense debate—particularly in times of keen competition for limited Federal resources. However, the importance of efficient, effective, and honest management is not a debatable issue, and is perhaps even more important in an era of budget surpluses. Fraud, waste, abuse, and mismanagement serve no legitimate constituency or political interest. They cheat both the taxpayers and the intended beneficiaries of the programs and activities they affect. They also undermine the confidence of the American people in the capacity and will of the Federal Government to perform its functions effectively. **The Government Reform Committee recommends that House committees rigorously conduct oversight of the problems identified in (1) the General Accounting Office's "High Risk List" of Federal programs at risk for serious fraud, waste, and abuse; (2) the General Accounting Office's January 1999 report entitled, "Major Management Challenges and Program Risks" [GAO/OCG–99–8]; and, (3) agency Inspector General semi-annual and annual reports to Congress. These documents are an important source of serious problems currently festering in the Federal Government that need immediate attention by Congress.**

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TO: The Honorable Dan Burton, Chairman
House Committee on Government Reform
The Honorable William M. Thomas, Chairman
House Committee on Administration

FROM: The Honorable Larry Combest, Chairman
House Committee on Agriculture

DATE: February 15, 1999

RE: Oversight Plan for the House Committee on Agriculture in the 106th Congress

Pursuant to Rule X 2(d)(1) of the Rules of the U.S. House of Representatives for the 106th Congress, I submit the following plan to fulfill the General Oversight Responsibilities reporting requirements. This outline was prepared in consultation with the Ranking Member, was presented to the full Committee for its consideration, and is now offered for your consideration relative to your responsibilities under the Rules. If you have any questions regarding this outline, do not hesitate to contact me.

OVERSIGHT PLAN
HOUSE COMMITTEE ON AGRICULTURE
106TH CONGRESS

The Committee expects to exercise appropriate oversight activity of the following issues. While Committee and Subcommittee,leadership will be coordinating this oversight activity to make the best possible use of Committee resources, they are listed under the auspices of the Full Committee.

1996 FARM BILL AND CURRENT ECONOMIC CONDITIONS:

- The U.S. Department of Agriculture's (USDA) implementation of the Federal Agricultural Improvement and Reform (FAIR) Act of 1996, as well as current U.S. agricultural economic conditions, including:

- Hearing on the current U.S. farm economy;
- Hearing on current livestock prices;
- The implementation of crop and market loss payments made available under the Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999.
- USDA's implementation of the Nonrecourse Marketing Assistance Loans and Loan Deficiency Payments provisions;
- The impact of funding shortfalls under the Special Marketing Provisions for Upland Cotton;
- The impact of the termination of the Milk Price Support Program on U.S. dairy producers;
- Hearings relative to USDA's ongoing efforts to consolidate and reform Federal Milk Marketing Orders;
- The impact of the possible extension of the Northeast Interstate Dairy Compact as well as the possibility of other regional compacts, on the U.S. dairy industry;
- The operation of specialty crop programs;
- The progress of the Commission on 21st Century Production Agriculture; and
- Ways to improve the FAIR Act to strengthen the safety net for U.S. agricultural producers.

FEDERAL CROP INSURANCE AND RISK MANAGEMENT:

- The Federal Crop Insurance Program, including implementation of crop insurance provisions contained in the Agricultural Research, Extension, and Education Reform Act of 1998, as well as relevant General Accounting Office (GAO) reports recently completed or now in progress; and
- Activities of USDA carried out pursuant to Section 192 of the FAIR Act. Section 192 requires the Secretary of Agriculture to work with the Commodity Futures Trading Commission (CFTC) in the implementation of producer risk management education programs.

AGRICULTURAL TRADE:

- Hearings on U.S. agricultural trade and the role of the federal government in promoting exports and securing a more favorable export environment through the reduction of trade barriers;
- The Administration's agricultural export promotion strategy, USDA's export programs (including the Export Enhancement Program, the Market Access Program, General Sales Manager credits, and Foreign Market Development), as well as food assistance programs (including the Food Security Commodity Reserve and U.S. commitments under international agreements);
- The Administration's plans for new trade agreements and expansion of existing trade agreements affecting U.S. agriculture, including the World

Trade Organization (WTO) Agricultural Agreement, the Free Trade Area of the Americas (FTAA), and accession of countries, such as China, to the WTO;

- USDA's implementation of trade agreements and related issues to ensure compliance of other countries' trade obligations, including:

  - The Uruguay Round of the General Agreement on Tariffs and Trade (GATT), including dispute settlement provisions, European Union (EU) issues such as the EU meat hormone ban, tariff rate quotas, EU crop subsidies, biotechnology, and state trading enterprises;
  - Issues relating to the North American Free Trade Agreement (NAFTA), including Canada's use of high tariffs for dairy, poultry, eggs, barley, and margarine products; tomato and avocado imports from Mexico; and Canadian exports of wheat, barley, and other agricultural commodities into the U.S.; and
  - Harmonization of sanitary and phytosanitary standards (SPS), including those provided by international organizations setting such standards; the Administration's position regarding the use of international standards versus U.S. standards; and incorporation of new technologies and products into SPS standards.

- Implementation of the trade title of the 1996 FAIR Act;
- Implementation of changes made under the FAIR Act to Public Law 480, including third country monetization, maximum administrative funding levels, the Farmer-to-Farmer Program, and expanded authority for sales on credit;
- Food assistance programs to ensure that program goals are being met in the most recent uses of the program;
- Extension of fast track trade negotiating authority;
- The impact of sanctions on U.S. agricultural exports;
- Current labeling requirements and other technical barriers to trade the U.S. faces as an exporter of meat, perishables, and other agricultural products to major export destinations;
- Examination of which markets offer the greatest opportunity to increase sales of U.S. agricultural product, such as Asia or Latin America, and what forums are best suited to open those markets, such as the FTAA, APEC, or the WTO; and
- The potential impact of trade proposals such as the Caribbean Basin Initiative (CBI) parity and the Africa Trade Opportunity Act on U.S. agriculture.

THE COMMODITY EXCHANGE ACT:

- Hearings on the reauthorization of the Commodity Exchange Act (CEA). The current authorization expires at the end of fiscal year 2000 and the Congressionally-imposed moratorium on Commodity Futures Trading Commission (CFTC) rulemaking in the area of over-the-counter derivatives expires on April 1, 1999; and

- CFTC budget and annual performance plan, as well as the commission's compliance with the Government Performance and Results Act.

AGRICULTURAL RESEARCH AND PROMOTION:

- USDA's implementation of the Agricultural Research, Extension, and Education Reform Act of 1998, including provisions relative to competitive and special grants and precision agriculture;
- The U.S. regulatory process governing biotechnology relevant to production agriculture, as well as the federal agencies responsible for such regulation, including the Animal and Plant Health Inspection Service (APHIS), the Food and Drug Administration (FDA), and the EPA;
- Agricultural marketing and promotion programs; and
- Federal efforts to facilitate research and development of aquacultural enterprises, specifically focusing on the activities of the Joint Committee on Aquaculture, chaired by the Secretary of Agriculture and including the Secretaries of Interior and Commerce.

CONSERVATION AND THE ENVIRONMENT:

- Budget and program activities of USDA's Natural Resource Conservation Service (NRCS);
- The regulatory activities of the NRCS and the Environmental Protection Agency (EPA) relative to concentrated animal feeding operations (CAFO's) (including safe harbor agreements) and their impact on the livestock industry and other agricultural producers;
- USDA's 18th Conservation Reserve Program sign-up;
- The potential impacts of the EPA's National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter on agricultural producers;
- The potential consequences for production agriculture in the United States should the mandates contained in the Kyoto Protocol to the United Nations' Framework Convention on Climate Change be implemented by treaty, law, or regulation;
- The status of Public Law 566, the Small Watershed Program;
- The impact of regulatory activities carried out pursuant to the Endangered Species Act (ESA), or any proposed legislative changes to such Act, on agricultural producers;
- The impact of laws or regulations relative to the rights of agricultural producers to use legally acquired property, ranging from actual federal acquisition to regulatory actions that restrict or prohibit lawful activities that affect the value of private property;
- USDA Forest Service's management of public lands under its jurisdiction, including a review of agency policy governing grazing and other uses of these lands which require users to secure a permit;
- Federal efforts to reduce threats to human, animal, and plant health due to predatory and invasive species;

- The impact of EPA's regulatory activity relative to methyl bromide on production agriculture in the U.S.;
- EPA's implementation of the Food Quality Protection Act (FQPA);
- The NRCS' regulatory activity relative to the Environmental Quality Incentives Program (EQIP);
- USDA Forest Service's management of the National Forest System, including the agency's fiscal and financial accountability, strategic planning and performance measurement under the Government Performance and Results Act, efforts to address the nation's declining forest health, and federal laws and regulations affecting the management of private forest lands; and
- The Secretary of Interior's activities pursuant to Section 390 of the FAIR Act, a provision authorizing $200 million toward the restoration of the Everglades Ecosystem in South Florida.

FARM CREDIT, RURAL DEVELOPMENT, AND THE RURAL ECONOMY:

- Farm Service Agency (FSA) credit issues, including the status of the Preferred Lender Program, efforts to streamline the application process, agency loan funding shortfalls, and efficacy of direct versus guaranteed lending;
- The effectiveness of the Federal Agricultural Mortgage Corporation (FarmerMac) in providing liquidity to rural financial institutions;
- The Farm Credit Administration's regulatory responsibilities relative to the Farm Credit System, as well as their individual and collective efforts to ensure the System's financial soundness;
- The availability of credit to agricultural producers in view of low commodity prices;
- The status of the Rural Business-Cooperative Service's Business and Industry loan program; and
- The potential impact of electrical industry deregulation on agricultural producers and rural residents.

WELFARE REFORM AND FOOD NUTRITION PROGRAMS:

- Hearings on the effect of the Personal Responsibility and Work Opportunity Act on the Food Stamp Program and the efficient and effective management of the program. USDA's Food and Nutrition Service is responsible for overseeing the implementation of this reform by the states. The Committee will review and evaluate the following issues:

  - Revision of the Simplified Food Stamp Program to ensure that states have the necessary flexibility to simplify the program;
  - Harmonization of welfare and Food Stamp Programs by states;
  - Implementation of work requirement for able-bodied individuals and use of waivers by states to allow able-bodied persons aged eighteen to fifty to receive benefits;

- The timetable for nationwide implementation of the state's use of electronic benefits transfer (EBT) systems to improve the distribution of food benefits;
- Effectiveness of provisions designed to curb trafficking and fraud, particularly implementation of laws terminating food stamp benefits for prisoners and deceased individuals;
- Adequacy of USDA data collection to support comprehensive evaluation of the impact of Food Stamp reforms; and
- Consolidation of food distribution programs to improve distribution and delivery of food;

- Implementation and funding level of the Emergency Food Assistance program, formerly known as TEFAP.

FOOD SAFETY, ADMINISTRATIVE AND REGULATORY ISSUES:

- Aggressive oversight, reviews, and investigations relative to the Food Safety Inspection Service's administration of the meat and poultry inspection laws, the Food and Drug Administration's food inspection activities, including seafood and seafood products to ensure that policies and resources are focused on developing scientifically sound systems for food safety assurance;
- USDA's efforts to educate consumers regarding safe food handling practices, the development of pre-exposure and post-exposure interventions to reduce the frequency and severity of food borne illnesses, expanded research and development of pathogen reduction technologies, as well as streamlined, science-based policies relative to assessment and approval of food safety technologies;
- USDA's implementation of new protocols for meat, poultry, eggs, or seafood safety inspection, including the implementation of Hazard Analysis Critical Control Point (HACCP) for medium and small sized plants;
- USDA's Civil Rights settlement, which is pending Court approval on March 2, 1999;
- The issue of new drug development, approval, and availability for animal agriculture as well as the implementation of the Animal Drug Availability Act;
- USDA's proposed rule on organic standards;
- The effectiveness of the Grain Inspection, Packers and Stockyards Administration (GIPSA) in monitoring the potential for market manipulation in the livestock industry;
- Hearing on the issue of concentration of agribusiness in and the potential impact on agricultural producers;
- The Grain Inspection Act in anticipation of the Act's reauthorization in 2000, including any Administration proposal;
- The adequacy of agricultural labor and the agricultural guest worker program, H2A;

- USDA operations, including agency operations, reorganization efforts, administrative convergence, management improvements, compliance with the Government Performance and Results Act, and the impact on client services;
- USDA's Year 2000 readiness.

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Congress of the United States
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Committee on Appropriations
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February 2, 1999

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Honorable Dan Burton
Chairman
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U.S. House of Representatives
Washington, DC

Honorable William M. Thomas
Chairman
Committee on House Administration
U.S. House of Representatives
Washington, DC

Dear Mr. Chairmen:

On behalf of the Committee on Appropriations, I hereby transmit the Committee's plan for Oversight activities for the 106th Congress. The Committee intends to have an active and productive Congress, reviewing both ongoing governmental activities and analyzing the Budget requests in order to reflect the priorities of the American people.

The Committee looks forward to working with all Members of the House of Representatives in order to fulfill our responsibilities under the rules.

With best regards,

Sincerely,

Chairman

[FULL COMMITTEE PRINT]

106TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES

REPORT

OF

OVERSIGHT PLANS

ONE HUNDRED SIXTH CONGRESS

PURSUANT TO CLAUSE 2(d)(1) of Rule X

APPROVED FEBRUARY 2, 1999

U.S. GOVERNMENT PRINTING OFFICE
54-257 CC WASHINGTON : 1999

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(106th Congress)

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LETTER OF TRANSMITTAL

FEBRUARY 2, 1999

Hon. DAN BURTON,
Chairman, Committee on Government Reform,
House of Representatives,
Washington, DC.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on House Administration,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMEN: On behalf of the Committee on Appropriations, I hereby transmit the Committee's plan for Oversight activities for the 106th Congress. The Committee intends to have an active and productive Congress, reviewing both ongoing governmental activities and analyzing the Budget requests in order to reflect the priorities of the American people.

The Committee looks forward to working with all Members of the House of Representatives in order to fulfill our responsibilities under the Rules.

With best regards,

Sincerely,

C. W. BILL YOUNG, *Chairman*

106TH CONGRESS } HOUSE OF REPRESENTATIVES
1st Session

REPORT OF OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON APPROPRIATIONS

APPROVED FEBRUARY 2, 1999

Mr. YOUNG of Florida, from the Committee on Appropriations, submitted to the Committee on Government Reform and the Committee on House Administration the following

REPORT

OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON APPROPRIATIONS

Clause 2(d)(1) of Rule X of the Rules of the House requires each standing committee of the House to adopt oversight plans at the beginning of each Congress. Specifically, the Rule states in part:

"Rule X, clause (2)(d)(1). Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration."

JURISDICTION OF THE COMMITTEE ON APPROPRIATIONS

Rule X of the Rules of the House vests in the Committee on Appropriations broad responsibility over the Federal budget. Specifically the Rule defines the Committee's jurisdiction, as follows:

"Rule X clause (b). Committee on Appropriations.

(1) Appropriation of the revenue for the support of the Government.

(2) Rescissions of appropriations contained in appropriations Acts.

(3) Transfers of unexpected balances.

(4) Bills and joint resolutions reported by other committees that provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and referred to the committee under clause 4(a)(2)."

* * * * * * *

GENERAL OVERSIGHT RESPONSIBILITIES

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

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of Federal laws; and (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

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

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

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

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

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

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

* * * * * * *

SPECIAL OVERSIGHT FUNCTIONS

3. (a) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the United States) as it considers necessary to assist it in the determination of matters within its jurisdiction.

* * * * * * *

ADDITIONAL FUNCTIONS OF COMMITTEES

4. (a)(1)(A) The Committee on Appropriations shall, within 30 days after the transmittal of the budget to Congress each year, hold hearings on the budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings under subdivision (A), the Committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the Committee may desire.

(C) A hearing under subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by record vote that the testimony to be taken at that hearing on that day may be related to a matter of national security. The committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner.

(D) A hearing under subdivision (A), or any part thereof, may be held before a joint meeting of the Committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

(2) Pursuant to section 401(b)(2) of the Congressional Budget Act of 1974, when a committee reports a bill or joint resolution that provides new entitlement authority as defined in section 3(9) of that Act, and enactment of the bill or joint resolution, as reported, would cause a breach of the committee's pertinent allocation of new budget authority under section 302(a) of that Act, the bill or joint resolution may be referred to the Committee on Appropriations with instruction to report it with recommendations (which may include an amendment limiting the total amount of new entitlement authority provided in the bill or joint resolution). If the Committee on Appropriations fails to report a bill or joint resolution so referred within 15 calendar days (not counting any day on which the House is not in session), the committee automatically shall be discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law that (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

(4) In the manner provided by section 302 of the Congressional Budget Act of 1974, the Committee on Appropriations (after consulting with the Committee on Appropriations of the Senate) shall subdivide any allocations made to it in the joint

explanatory statement accompanying the conference report on such concurrent resolution, and promptly report the subdivisions to the House as soon as practicable after a concurrent resolution on the budget for a fiscal year is agreed to.

Rule XIII of the Rules of the House prescribes special reporting requirements of the Committee on Appropriations. Specifically Rule XIII, clause 3(f) states:

* * * * * * *

CONTENT OF REPORTS

"(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not previously authorized by law (except classified intelligence or national security programs, projects, or activities).

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for "Rescissions" and "Transfers of Unexpended Balances"; and

(B) in the report of the committee, a separate section listing such rescissions and transfers."

* * * * * * *

OVERSIGHT PLAN

The Committee on Appropriations takes seriously its responsibility to conduct oversight of Government agencies and programs. This function is carried out by the Committee throughout the year at many levels of investigation and examination. For the 106th Congress the Committee intends to proceed in the following manner:

1. *Subcommittee Hearings.* The Appropriations Committee has a long tradition of in-depth analysis of the President's pending budget as well as analysis of the effective use of previously appropriated resources. For example, during the 105th Congress the Committee on Appropriations held 315 days of hearings, took testimony from 5,928 witnesses, and published 172 volumes of hearings totaling 184,608 pages. This level of oversight and investigation will continue during this Congress.

2. *Investigations.* In addition to formal oversight, the Committee utilizes various investigative agencies to conduct in-depth analysis of specific problem areas. These investigations are conducted by the Committee's own Surveys and Investigations Staff, the General Accounting Office, and the Congressional Research Service. In the previous Congress, the Committee received 72 Surveys and Investigations studies and 224 investigative reports from the GAO.

3. *Appropriations Bills.* The ultimate exercise of oversight is the "power of the purse" which the Committee takes as its highest responsibility. This allocation of scarce Federal dollars demands strict compliance with all budgetary concepts and strictures. The Committee intends to follow the requirements of the Congressional Budget with regard to the subdivision of budget authority and outlays to the 13 subcommittees. Appropriations bills will be developed in accordance with the results of all the oversight activities in paragraphs 1 and 2, above and brought to the floor for consideration within all relevant budgetary constraints.

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JOHN R. KASICH, OHIO
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BILL REDMOND, NEW MEXICO

COMMITTEE ON NATIONAL SECURITY

U.S. House of Representatives

Washington, DC 20515–6035

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ANDREW K. ELLIS, STAFF DIRECTOR

February 2, 1999

Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Burton:

Pursuant to House Rule X, I am forwarding you an electronic and paper copy of the House Armed Services Committee's Oversight Plan for the 106th Congress, as approved by the Committee on Wednesday, January 20, 1999.

Thank you for your attention to this important matter, and I look forward to working with you in the 106th Congress.

With warm personal regards, I am

Sincerely,

Floyd D. Spence
Chairman

FDS: hlh

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON ARMED SERVICES

106th Congress

Oversight Plan

This oversight plan is filed pursuant to clause 2(d) of rule X of the Rules of the House of Representatives which requires that, not later than February 15 of the first session of a Congress, each standing committee of the House shall adopt its oversight plan for that Congress.

Introduction

The oversight responsibilities of the Committee on Armed Services will be conducted primarily within the context of the committee's consideration of the annual defense authorization bill. This legislation covers the breadth of the operations of the Department of Defense (DOD) as well as a significant portion of the annual operating budget of the Department of Energy. The annual national defense function budget of approximately $270 billion involves millions of military and civilian personnel, thousands of facilities, and hundreds of agencies, departments, and commands located throughout the world. The committee will continue to perform general oversight on the structure and management of the Department of Defense and related topics.

The committee conducts continuous oversight of laws, programs, and agencies under permanent authority in Titles 10 (Armed Forces), 37 (Pay and Allowances), 42 (Atomic Energy), and 50 and 50 Appendix (War and National Defense), United States Code, which are within its jurisdiction.

The jurisdiction of the committee, pursuant to clause 2(c) of rule X of the Rules of the House of Representatives is as follows:

(1) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
(2) Common defense generally.
(3) Conservation, development, and use of naval petroleum and oil shale reserves.
(4) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
(5) Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.
(6) Merchant Marine Academy, and State Merchant Marine Academies.
(7) Military applications of nuclear energy.
(8) Tactical intelligence and intelligence related activities of the Department of Defense.
(9) Armed Services aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair

industrial base, cabotage, cargo preference and merchant marine officers and seamen as these matters relate to the Armed Services.

(10) Pay, promotion, retirement, and other benefits and privileges of members of the armed services.

(11) Scientific research and development in support of the armed services.

(12) Selective service.

(13) Size and composition of the Army, Navy, Marine Corps, and Air Force.

(14) Soldiers' and sailors' homes.

(15) Strategic and critical materials necessary for the common defense.

In addition to its legislative jurisdiction and general oversight function, the committee has special oversight functions with respect to international arms control and disarmament and military dependents' education pursuant to clause 3(g) of rule X of the Rules of the House of Representatives.

Oversight Agenda

The committee will continue its oversight and assessment of threats to U.S. national security and U.S. interests. The committee will regularly assess national security threats and challenges as it begins consideration of the fiscal year 2000 and fiscal year 2001 defense budget requests. This effort will involve appropriate oversight hearings with the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the individual service Secretaries and Chiefs of Staff, regional Commanders-in-Chief, other officials of the Department of Defense and the military departments, officials of the Central Intelligence Agency and other defense-related intelligence agencies, and officials of the Department of Energy. In addition, the committee will invite the views and perspectives of outside experts in academia, industry, associations and those in private life on these matters.

The oversight agenda below, unless otherwise noted, is designed to serve primarily in support of the consideration by the committee and, ultimately, the House of the annual defense authorization bill. The issues identified below are expected to be on-going areas of oversight activity throughout the 106th Congress. In addition, the committee will continue to pay particular attention to the mandates placed on executive departments and agencies by Public Law 103-62, the Government Performance and Results Act of 1993. The committee will examine closely the progress of the Department of Defense, the military departments, and the Department of Energy in implementing Public Law 103-62, to include the use of performance-based budgeting techniques and five-year strategic planning documents, for programs within its jurisdiction.

Given the unique nature of national security issues and related oversight of the armed forces, the committee reiterates again that the oversight agenda is subject to the emergence of unforeseen events that may displace previously planned activities. Such oversight requirements

significantly complicate the ability to prescribe with great accuracy or specificity the entire oversight agenda of the committee. For instance, Congressional oversight of defense activities has historically involved in-depth assessments of military operations and other major events that are generally difficult to predict in advance. Past examples of this category of oversight include the bombing of the Marine barracks in Beirut, Lebanon, the reflagging of Kuwaiti tankers in the Persian Gulf, Operation Just Cause in Panama, the Desert Shield/Storm deployment and operation, the peacekeeping deployment to Somalia to name just a few. As recently as the 104th Congress, areas of intensive oversight conducted by the committee that could not have been reasonably anticipated at the outset of the Congress included the deployment of U.S. ground forces to Bosnia and the terrorist attack against U.S. military facilities in Dhahran, Saudi Arabia. The breadth and demands of such reviews are such that they can dominate committee and staff resources, sometimes at the expense of other pre-planned activities. The continuing unsettled nature of the post-Cold War world is such that the committee fully expects that this type of event-driven oversight will continue to be required and will inevitably have an impact upon other planned oversight activities.

In addition, the committee has a long tradition of translating oversight activities into prescriptive legislative action as reflected in past comprehensive efforts to reform the military retirement system, the Goldwater-Nichols Department of Defense Reorganization Act, the Federal Acquisition Workforce Improvement Act, and the Federal Acquisition Streamlining Act of 1994, and the Federal Acquisition Reform Act of 1996. The committee will continue to maintain a strong linkage between formal oversight efforts and legislative initiatives.

In addition to the above, the following specific areas and subjects are identified for special attention during the 106th Congress:

Acquisition Reform

The committee will continue to monitor closely the proper and full implementation of the Federal Acquisition Streamlining Act of 1994, the Federal Acquisition Reform Act of 1996, and other recent reforms of the federal acquisition system. In addition, the committee will continue to evaluate proposals to further reform the military procurement process to achieve greater efficiencies and economies. The committee will continue to cooperate and coordinate fully with the Committee on Government Reform in these matters of shared jurisdiction and interest.

Base Closure and Realignment

Particular attention will be given, but not limited, to the following: a continuing examination of the cost and savings associated with base realignment and closure actions taken in 1988, 1991, 1993, and 1995; examination of the impact of base realignment and closure actions on affected local communities, including the effects of Administration policy and statutory requirements concerning base reuse, disposal, and community adjustment assistance; examination of previous base realignment and closure actions and their impact on readiness and

future force modernization; continuing oversight of the management of the base realignment and closure process by the military services.

Environmental Programs

Particular attention will be given, but not limited, to the following: assessment of current federal, state, and local environmental compliance, remediation, and restoration requirements imposed on the Department of Defense, the military services and the Department of Energy; examination of current and planned funding requirements for environmental programs of the DOD and DOE, including an assessment of the cost effectiveness of such programs; and examination of the diversion of military training and operations and maintenance funds to meet unfunded environmental requirements and the impact such diversion may have on training and readiness. Additionally, the committee will continue to cooperate and coordinate fully with the Committee on Commerce and other committees of jurisdiction on reauthorization of the Superfund program.

Force Readiness

A continuing principal focus of the committee during the 106th Congress will be to assess the readiness of the armed services and the adequacy of the Administration's defense spending priorities to support sustained readiness and modernization of our military forces. Particular attention will also be given, but not limited, to the following: an examination of the current state of readiness of the armed services; an assessment of congressionally revised methods of measuring the readiness of military units; a continuing examination of the training required for the maintenance of a high state of readiness and whether training requirements are properly funded; examination of the impact of the high pace of deployments on service personnel and their families; reevaluation of current policy supporting officer and enlisted recruiting, accessions, training, promotions, separations, and retirements; assessment of pay, compensation, and other benefits of military service; a continuing assessment of recruitment and retention policies and programs of the military services; and an assessment of the condition of wartime medical readiness.

Industrial and Technological Base

Particular attention will be given, but not limited, to the following: assessment of current budget and policy priorities on the maintenance of the defense industrial and technology base; assessment of the ramifications of mergers and acquisitions in the defense industry on the development of future weapons systems; assessment of dual-use technology programs; examination of the current defense laboratory system; assessment of the role of defense funding for university research in the maintenance of the technology base.

Information Assurance

Particular attention will be given, but not limited to the following: an assessment of measures undertaken by the Department of Defense to ensure year 2000 compliance of DOD information technology and national security systems, including those measures required to ensure the continuity of essential operations for the critical functions of DOD and the military departments; an assessment of the measures being taken by the Department of Defense to reduce the vulnerability of information technology systems to unauthorized access and use, the theft of information, and new forms of informational warfare and terrorism.

Intelligence

The committee will continue to cooperate and coordinate with the Permanent Select Committee on Intelligence on tactical intelligence matters and intelligence-related activities of the Department of Defense in the course of its annual oversight of the intelligence community and the authorization of appropriations for intelligence activities shared by the two committees.

Merchant Marine

Particular attention will be given, but not limited, to the following: examination of current programs to maintain the U.S. flag merchant fleet and its role in strategic and sustainment sealift; the condition of the National Defense Reserve Fleet and its capability to meet surge requirements, and oversight of the implementation of Public Law 104-239, the Maritime Security Act of 1996 by the United States Maritime Administration and the United States Transportation Command; examination of the ability of U.S. shipyards to transition to a combination of defense and non-defense ship construction and the role of the trade agreement concerning shipbuilding among member states of the Organization on Economic Cooperation and Development in affecting that transition.

The committee will also continue its oversight of the Panama Canal Commission and the transfer of its functions and assets to the Republic of Panama as specified by treaty.

Military Applications of Nuclear Energy

Particular attention will be given, but not limited, to the following: continuing modernization and maintenance of U.S. defense nuclear structure in support of Armed Services requirements; assessment of possible effects of a nuclear test ban, in whole or in part, on the safety and reliability of the U.S. nuclear deterrent; examination of the restructuring of the nuclear facility workforce; assessment of options concerning the disposition of plutonium and highly enriched uranium; examination of future national stockpile requirements for tritium; and oversight of organizational issues affecting the Department of Energy.

Military Modernization

Particular attention will be given, but not limited to the following: a continuing examination of projected military equipment modernization on military capability; tactical aviation and bomber force structure, including review of on-going assessments by the Department of Defense on the appropriate mix of deep attack weapons; shipbuilding requirements to maintain a 300-ship naval capability; anti-submarine and mine warfare; strategic lift; oversight of research and development and procurement of major weapons systems, particularly tactical aircraft and missile procurement. The committee will also devote particular oversight attention to current plans for conducting research and development on missile defense systems; plans for deploying national missile defenses and advanced theater missile defenses for forward deployed U.S. military forces and those of our allies.

Morale, Welfare and Recreation Programs

Particular attention will be given, but not limited, to the following: oversight of Morale, Welfare, and Recreation programs; examination of military exchanges and commissaries oversight of nonappropriated fund construction programs and other nonappropriated fund instrumentalities.

National Military Strategy and Force Structure

Particular attention will be given, but not limited, to the following: a continuing examination of the strategic and tactical assumptions supporting the national military strategy of the United States; a continuing assessment of the role of contingency operations in the execution of the national military strategy and the force structure required to sustain such operations; an examination of the technological, doctrinal, and other factors affecting the long-term transformation of the conduct of military operations; examination of initiatives to enhance Guard and Reserve forces and the integration of active and reserve components, including a review of active and reserve general officer authorizations and distributions; review of the Chairman of the Joint Chiefs of Staff-combatant commands military requirements, examination of roles and missions of the armed services, and their implications for modernization requirements and the development of major weapons systems.

Organization and Management of the Department of Defense

The committee will continue its review of the Department of Defense infrastructure to insure progress in meeting established downsizing and streamlining goals. The committee considers these issues a top priority in light of the recalcitrance of the Department with respect to past Congressional direction and compliance with statutory mandates in this area. Specifically, the committee will focus on downsizing of the Office of the Secretary of Defense, Defense agencies and support activities, the staffs of the military departments, and unified commands. The committee will similarly pursue options to decrease the cost associated with the defense

service support infrastructure in an effort to redirect these budgetary resources to underfunded modernization and readiness accounts.

People and Quality of Life

The committee will continue to address critical issues and programs supporting the quality of life for military personnel and their families and the effect of those programs ultimately on military readiness. Particular attention will be given, but not limited to the following: examination of the conditions of facilities where service personnel and their families live and work, including the investment strategy of the Department of Defense for maintaining adequate facilities; assessment of the cost, accessibility, and quality of peacetime military health care, including the adequacy and relevance of military health care facilities construction to the health care objectives of the Department of Defense; examination of research and health care issues related to the care of veterans of the Persian Gulf War; assessment of the policies, procedures and systems of the Department of Defense and the military departments related to sexual misconduct; examination of family support programs, including child care and dependent education; review of the current quality and adequacy of the military family housing supply; review of the current quality and adequacy of barracks, bachelor enlisted quarters, and dormitories; oversight of the implementation of the Military Housing Privatization Initiative (section 2801 of Public Law 104-106, the National Defense Authorization Act for Fiscal Year 1996); and examination of the backlog in the repair and maintenance of military housing.

Technology Transfers and Export Controls

The committee will continue to conduct a careful examination of the current U.S. export control regime and its effectiveness in preventing the transfer of sensitive military-related technologies to potential adversaries. In particular, the committee will focus its efforts on the following: evaluating the impact of U.S. policy regarding the export of sophisticated encryption products on U.S. national security; conducting oversight of the implementation of legislative requirements related to the export of high performance computers (so-called "supercomputers") contained in Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998; examining the results and impact of the licensing jurisdiction changes related to the export of U.S. satellites mandated by Public Law 105-261, the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999; and assessing the findings, conclusions, and recommendations of the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China with a view toward developing appropriate legislative remedies to prevent the unauthorized or dangerous transfer of military-related U.S. technology to China. In these and other export control-related areas, the committee will continue to cooperate as appropriate with the Committee on International Relations and the Permanent Select Committee on Intelligence.

JAMES A. LEACH, IOWA, CHAIRMAN
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U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON BANKING AND FINANCIAL SERVICES

ONE HUNDRED SIXTH CONGRESS

2129 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6050

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BERNARD SANDERS, VERMONT

(202) 225-7502

February 8, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
and Oversight
2157 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

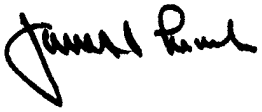
Attached is the oversight plan for the 106th Congress adopted on February 3, 1999, by the Committee on Banking and Financial Services, accompanied by additional views.

Sincerely,

James A. Leach

JAL:bm

Attachments



February 3, 1999

COMMITTEE ON BANKING AND FINANCIAL SERVICES
OVERSIGHT PLAN
106th CONGRESS

Rule X, clause 2(d)(1) of the Rules of the House for the 106th Congress requires each standing Committee, not later than February 15 of the first session, to adopt an oversight plan for the 106th Congress. The oversight plan must be submitted simultaneously to the Committee on Government Reform and the Committee on House Administration.

The following agenda constitutes the oversight plan of the Committee on Banking and Financial Services for the 106th Congress. It includes the areas in which the Committee and its Subcommittees expect to conduct oversight during this Congress but does not preclude oversight or investigation of additional matters or programs as issues arise. The Committee will continue, as it has in the past, to consult with all relevant House Committees which may share jurisdiction on any of the subjects listed below.

Financial Institutions/Banking Practice/Consumer Protection Issues

Financial Services Reform. The Committee will review the need to modernize U.S. laws governing the financial services industry and how they can be updated to benefit consumers and make U.S. firms more competitive overseas. The Committee will also consider legislative proposals to repeal the provisions of the Glass-Steagall Act and the Bank Holding Company Act which prevent banks from affiliating with or owning securities firms, insurance companies and other financial entities. Appropriate subcommittees will conduct oversight applicable to regulatory actions.

Money Laundering. The Committee, the Subcommittee on General Oversight and Investigations, and the Subcommittee on Financial Institutions and Consumer Credit will hold hearings to review the enforcement of anti-money laundering laws. Among the issues that may be examined are the "Know Your Customer" regulation recently proposed by the Federal banking agencies, the vulnerability of private banking activities to money laundering, Department of Justice and Treasury efforts to coordinate surveillance and enforcement with foreign authorities, the problem of bulk cash smuggling, and the national money laundering and related financial crimes strategy submitted by the Administration pursuant to legislation enacted last year (P.L. 105-310).

Financial Privacy and Consumers. The Committee and the Subcommittee on Financial Institutions and Consumer Credit will address threats to the financial privacy of consumers and the adequacy of industry and governmental efforts to safeguard customer information against

unauthorized access. As part of its review of financial privacy issues, the Committee may examine the consequences of the recently implemented European Union privacy directive for U.S. providers of financial services.

Year 2000. The Committee will continue to hold oversight hearings on the efforts of federal regulators and financial institutions to address the Year 2000 (Y2K) computer challenge to the nation's banking and financial services industry and will consider legislation, if necessary, to help assure uninterrupted continuity of financial services during the century date change. In addition to hearings, the Committee will monitor agency and industry progress through review of ongoing quarterly reports from the five federal financial regulatory agencies. The Committee will focus in particular on the results of Year 2000 testing among banks, service providers, and other external parties, as well as on issues related to contingency planning, Y2K related legal liability, and the Year 2000 preparedness of the international banking and financial services sector.

Banks and Hedge Funds. The Committee and appropriate subcommittees will review the activities of banks in domestic and foreign capital markets, including their trading practices, policies for extending loans to hedge funds and other speculative groups, and methods for assessing and mitigating risk. The impact of computer-based trading and other technology-driven changes will also be studied to determine their impact on markets, bank operations and regulatory requirements. Finally, in the wake of bank losses in 1998 from credit transactions with such funds, the agencies' risk-based examination procedures for addressing lending to hedge funds will be reviewed.

Financial Institutions Examinations. The Subcommittee on Financial Institutions and Consumer Credit will review the General Accounting Office's findings with regard to the inclusion of a risk-based component in safety and soundness examination programs. The GAO report is a follow-up to a prior report which was critical of the Federal banking agencies' examination performance.

Community Reinvestment Act. The Subcommittee on Financial Institutions and Consumer Credit will conduct an oversight hearing on the Community Reinvestment Act (CRA). The Subcommittee will consider the role of the CRA in today's banking industry as well as changes that have occurred in the regulation with respect to small bank examination procedures for compliance with the Act.

Credit Unions. The Subcommittee on Financial Institutions and Consumer Credit will hold hearings on the National Credit Union Administration's implementation of the Credit Union Membership Access Act of 1998. The Act came in response to the February 1998 Supreme Court decision which held that credit unions could not serve groups with different common bonds. The Act specifically authorizes multiple common bond credit unions, provides a framework for credit union growth, limits commercial lending, and establishes safety and

soundness standards such as capital standards and annual audit requirements. The Subcommittee will review the NCUA rules implementing the provisions of the Act.

On-line Banking. The Committee will review the findings of a study on electronic "on-line" banking being conducted by the GAO at the request of the Chairman. One of the areas under review is the security of Fedwire.

Community Development Financial Institutions (CDFI) Fund. During consideration of legislation to reauthorize the CDFI Fund, the Committee and appropriate subcommittees will review the Administration's implementation of reforms in the CDFI program resulting from a comprehensive investigation by the Subcommittee on General Oversight during the 105th Congress into irregularities in the grant making process.

Microenterprise Lending. The Committee and the Subcommittee on Financial Institutions and Consumer Credit will review microenterprise lending initiatives, particularly legislation to expand the microenterprise role of the Community Development Financial Institutions (CDFI) Fund.

Mortgage Lending Credit Scoring. The Committee or appropriate subcommittees will review the role of the federal government in the rapid spread of credit scoring in mortgage originations to determine how housing opportunities for consumers are being impacted. Among the issues to be examined is the impact of credit scoring on borrowers who may not conform to standard definitions of "A" credit, the methodology of credit scoring, and whether statistical data, used to identify "A" credit, is unfairly biased towards one market segment to the detriment of other markets, such as first-time homebuyers, minorities, and immigrants.

Consumer Banking Issues. The Committee or appropriate subcommittees will review the Truth in Lending Act, including consumer leasing provisions, the issuance of credit cards, the status of rent-to-own, and subprime lending practices. In addition, the Committee will continue its review of the annual report on bank fees prepared by the Federal Reserve.

Financial Markets / Economic Issues

Derivatives. The Committee and Subcommittee on Capital Markets will review the derivatives markets and examine whether instruments traded by banks on futures exchanges as well as over the counter are adequately regulated and, as necessary, recommend changes in the responsibilities and statutes of the agencies charged with oversight of these markets.

Development of Economic Opportunities. The Subcommittee on Domestic and International Monetary Policy will review economic development programs under the Banking Committee's jurisdiction, including those programs administered by the Appalachian Regional Commission and the Economic Development Administration.

Reauthorization of the Defense Production Act. With the authority of the Defense Production Act (DPA) expiring on September 30, 1999, the Subcommittee on Domestic and International Monetary Policy will review the merits of extending the authority of the DPA.

Capital Formation. Despite the longest peacetime economic expansion in history, many urban and rural areas of the country have not gained access to the capital investment needed to spur job growth and economic development. The Committee and appropriate subcommittees will examine options for building a network of private investment institutions to funnel credit, equity, and technical assistance to businesses, non-profits, and families in these emerging markets. The Committee and appropriate subcommittees will also review the Administration's New Markets Initiative and especially the proposals to create America's Private Investment Companies (APICs) and to support New Markets Venture Capital Firms.

Federal Agencies / Agency Program Issues

Management/Reform of the Federal Reserve System. The Subcommittee on Domestic and International Monetary Policy will conduct oversight over the operations of the Federal Reserve System, including the System's role in providing financial services, management structure and consolidation of operations, use of technology, control and oversight mechanisms, budget process, pay and benefit levels, and systemwide strategic planning.

Management of the Nation's Money: Activities of the Bureau of the Mint and Bureau of Engraving and Printing. The Subcommittee on Domestic and International Monetary Policy will oversee the activities of these Treasury bureaus as they relate to the printing and production of U.S. currency and coins. The efficiency and productivity of Mint and BEP manufacturing operations will be reviewed. The financing and minting of circulating, as well as commemorative, coins will be studied.

Government Sponsored Enterprises (GSEs). The Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises will conduct a comprehensive review of the three housing GSEs, including such topics as the regulation of their mission and safety and soundness, and the appropriateness of their mission-related and investment activities. In particular, the Subcommittee will examine the benefits of a single GSE regulator and more consistent regulation of all three GSEs. The areas to be covered include:

> **FannieMae and FreddieMac**. The Subcommittee on Capital Markets will review the capital adequacy of both enterprises. In addition, the Subcommittee will evaluate their performance in meeting their affordable housing goals.
>
> **Federal Home Loan Bank System**. The Subcommittee on Capital Markets will examine criteria for membership in the 12 Federal Home Loan Banks, as well as how members use advances.

Office of Federal Housing Enterprise Oversight. The Subcommittee on Capital Markets will conduct oversight of OFHEO, which will include a review of the Office's risk-based capital model. The Subcommittee will also analyze OFHEO's examination procedures of FannieMae and FreddieMac.

Department of Housing and Urban Development. The Subcommittee on Capital Markets will review how effectively the Department discharges its responsibilities as the mission regulator for FannieMae and FreddieMac. HUD's oversight of the mission-related investment rule is of special interest to the Subcommittee.

Federal Housing Finance Board. The Subcommittee on Capital Markets will conduct oversight of the agency which oversees the activities of the Federal Home Loan Bank System, including the Board's supervision, budget, staffing, and organization.

EFT 99. The Committee and appropriate subcommittees will continue to monitor and, if necessary, hold hearings on the Treasury Department's implementation of "EFT 99," which requires all social security, veterans, and other federal payments (other than tax refunds) to be made by electronic funds transfer (EFT) rather than paper check after January 1, 1999. The Committee will monitor the Department's implementation of the regulations outlining the availability of waivers as well as proposals by the Department to create a new Electronic Transfer Account (ETA) by which federal beneficiaries who do not have bank accounts may begin receiving benefits electronically.

Oversight of Agencies and the Government Performance and Results Act. The Committee and the Subcommittee on General Oversight will review on an ongoing basis the operations and effectiveness of the federal agencies, both executive branch and independent, that fall within the Committee's jurisdiction. Specifically, the Committee will continue to monitor, in consultation with the GAO, the effectiveness of the strategic planning and annual performance planning requirements of the Government Performance and Results Act of 1993 (GPRA) in measuring performance at such agencies.

Reports of Inspectors General or Investigative Reports. The Subcommittee on General Oversight will review and, if necessary, hold hearings on the findings of investigations conducted by the GAO and the Inspectors General of agencies that fall within the Committee's oversight jurisdiction.

Federal Reports Elimination and Sunset Act. The Committee will review the various reporting requirements affected by the "Federal Reports Elimination and Sunset Act of 1995" (P.L. 104-66) and assess which reports currently prepared by agencies and departments under the Committee's jurisdiction should be terminated and which reauthorized prior to December 1999.

Housing Issues

HUD Management Reform and Organization. The Subcommittee on Housing will conduct a comprehensive review of the Department of Housing and Urban Development (HUD) reform and organization efforts, as outlined in its June 1997 "2020 Management Reform Plan" and its strategic and annual plans developed under the GPRA. According to the latest GAO report, HUD has been making "credible progress since 1997 in laying the framework for improving the way the Department is managed." However, according to GAO, the ultimate effectiveness of these long-term reforms is not yet evident since they are only in the early stages of implementation. GAO notes that HUD continues to be a "high risk" agency, plagued with "internal control weaknesses and problems with information and financial management systems." Moreover, GAO identifies many critical areas experiencing staffing shortages and other organizational problems where HUD oversight and responsibility are blurred and fundamental accountability and responsibility are ill-defined.

HUD Multifamily Housing-Portfolio Restructuring. The Subcommittee on Housing will follow-up on HUD's implementation of the FHA multifamily restructuring program (the "mark-to-market" program), as enacted in Title V of the FY1998 VA, HUD, and Independent Agencies Appropriations Act. The stated goals of the legislation are (1) to reduce the excessive costs to the federal government of continuing these contracts without causing widespread defaults by the owners of these Section 8 projects, and (2) to retain as much high quality housing as affordable housing as possible. Defaults would not only cause losses to the federal government (because the mortgages are federally-insured) but cause the loss of affordable housing and widespread displacement of current tenants. At the same time, a failure to renew below-market contracts at adequate levels may lead to widespread opt-outs from the affordable housing program, especially by owners of the most economically viable housing developments.

Under mark-to-market, mortgage debt is to be written down on FHA-insured projects receiving Section 8 project-based subsidies to levels sustainable by market-rate rents (a process known as "marking rents to market"); a low-interest rate second mortgage is provided for the difference between the old loan balance and the amount of the new or restructured first mortgage. This so-called "bifurcated-mortgage" approach is commonly used to restructure debt in the private sector.

Because of HUD's designation as a "high risk" government agency by GAO, the legislation created a separate office within HUD, the Office of Multifamily Housing Assistance Restructuring ("OMHAR"), to ensure that the mark-to-market program is properly administered. For the most part, under the mark-to-market legislation, the complicated financial restructurings will be conducted by state housing finance agencies. The subcommittee will review HUD's activities under the mark-to-market program, OMHAR's oversight of state finance agencies, and the overall implementation of mark-to-market to determine whether

savings to the federal government are being realized, and to ensure that minimal displacement of tenants is occurring.

HUD Federal Housing Administration (FHA) Single Family Appraisal Process. The Subcommittee on Housing will review FHA's single family appraisal process where lenders are permitted to select appraisers to assess the property value of homes insured by the agency. In the 105th Congress, the Subcommittee received a GAO report that identified several structural or administrative weaknesses in the FHA appraisal system that could undermine the fiscal integrity of the agency's insurance funds. HUD, itself, identified two problems in the appraisal process: (1) HUD Field Offices were not implementing internal quality control procedures; and, (2) women and minority appraisers were locked-out of the lender selection process. While HUD implemented administrative reforms on June 1, 1998, there is a concern that the reforms are inadequate to protect the insurance funds. A more detailed GAO report is due during the Spring 1999 session that will provide the foundation for the Subcommittee oversight review.

Minorities and Homeownership. The Subcommittee on Housing will review and monitor homeownership rates, particularly for underserved markets, e.g., minorities, inner-city neighborhoods, and women. While the overall homeownership rate is approximately 67%, the average homeownership rate for African Americans is in the 40th percentile and Hispanics register, in some communities, as low as the 20th and 30th percentile. The Subcommittee will examine the possible causes and effects of this homeownership disparity in an attempt to fine-tune government policies, practices, and incentives that may preclude successful lending and ownership.

Flood Insurance. The Subcommittee on Housing will review the National Flood Insurance Program (NFIP) relating to the agency's implementation of reforms mandated by the Riegle Community Development and Regulatory Improvement Act of 1994. A policy issue in the 106th Congress will involve the flood insurance program's repetitive losses. The term "repetitive losses" refers to properties insured under the NFIP that continuously suffer flood damage and cause numerous claims over a period of years.

Y2K and HUD. The Subcommittee on Housing and Community Opportunity receives quarterly reports from HUD on the Department's efforts to address Year 2000 (Y2K) computer date problems, which could cause computers to either shut down or generate incorrect data. In response, the Subcommittee has been in contact with HUD's Team 2000 technical staff regarding Y2K configuration management, audits, outreach, and contingency planning. The Subcommittee is also reviewing HUD's progress in encouraging Year 2000 compliance among the thousands of business partners who work with and rely on HUD's programs. In addition, the Subcommittee plans to hold a hearing to help raise awareness about the computer date problem in housing and real estate, not only in relationship to HUD as an agency but to our communities as a whole.

Rural Housing Prepayment. The Subcommittee on Housing will review the rural multifamily rental program and specific housing laws that prohibit owners from prepaying the debt on their government-financed mortgage loans. The ban on prepayment, which locks owners into the full term of the loan, may provide a disincentive for private investors to sponsor multifamily rental development for rural low or very-low income tenants.

CDBG/HOME Oversight. The Subcommittee on Housing will review the Community Development Block Grant (CDBG) program and the Home Investments Partnerships Act (HOME). The Subcommittee will assess the effectiveness of CDBG and HOME funds in providing community development opportunities in low- and very-low income neighborhoods. The Subcommittee is concerned about potential abuses of the program, possibly stemming from statutory provisions that loosely define eligibility requirements and uses. Additionally, the Subcommittee is interested in a CDBG component—Sec. 108 Loan Guarantees—that leverages or uses up to five years of CDBG funds as a guarantee against default. According to recent GAO reports, HUD staff exercise little, if any, oversight over the loan guarantee program, with different levels of success depending on the HUD Field Office.

Chicago Housing Authority. The Subcommittee on Housing will conduct a field review of the Chicago Housing Authority on reform initiatives of that troubled housing authority as a follow-up to hearings three years ago prior to HUD's takeover of the agency. The Subcommittee will review and assess the reforms implemented by HUD management that were designed to reduce vacancies and crime, provide building maintenance, and develop tenant opportunity programs.

Monetary Policy Issues

Federal Reserve's Conduct/Implementation of Monetary Policy. The Committee will hold hearings on the Federal Reserve Board's semi-annual reports on the conduct of the nation's monetary policy. The Humphrey-Hawkins Act requires these reports no later than February 20 and July 20 of each year. No Committee has a greater oversight obligation than the Banking Committee with its jurisdiction over the Federal Reserve Board and its conduct of monetary policy. In this regard, the combination of a more disciplined fiscal policy promulgated by Congress and the continued prudential stewardship of monetary policy by Chairman Greenspan has produced the longest peacetime growth in modern times. Given many economic and financial difficulties globally, however, it is important to understand how these problems could affect the U.S. domestic economy and how monetary policy simultaneously interacts with both domestic and international objectives. Whether or not there continues to be a legislative mandate for regular Congressional review of the Federal Reserve's conduct of monetary policy, it is the Committee's intent to require the Chairman of the Board of Governors to report regularly on the state of the economy and the Federal Reserve's policies to sustain economic growth and promote the fullest credible employment of the American work force.

Currency Issues

Counterfeiting. The Committee, principally the Subcommittees on Domestic and International Monetary Policy and General Oversight, will review the Administration's efforts in detecting and combating the counterfeiting of U.S. currency in the U.S. and abroad. The Subcommittee on Domestic and International Monetary Policy will review the problem of commercial check counterfeiting, including the Treasury Department's ongoing efforts to redesign U.S. currency in order to deter counterfeiting and facilitate readability by the visually impaired.

Future of Money: Electronic Commerce and Payment Systems. The Subcommittee on Domestic and International Monetary Policy will continue to assess the domestic and international implications of new innovations in electronic money and electronic payment systems, including smart card technology. Among the issues the Subcommittee will examine are soundness, security, privacy, access to new electronic payment methods, eligibility criteria for issuing new payment methods, competing government regulation, and threats posed to critical infrastructures such as the payments system.

International Financial Issues

Assets of Holocaust Victims/Nazi Gold. The Committee will continue to monitor and, as appropriate, hold hearings on the progress of the Administration and other governments in resolving questions surrounding the disposition of Holocaust victims' assets – including bank accounts, works of art, and insurance – which were confiscated before, during, and after World War II.

International Monetary Fund Reform. The Committee will review and hold hearings on the annual reports to Congress from the Secretary of the Treasury on the International Monetary Fund. Pursuant to sections 606 and 613 of P.L. 105-277, such reports are to include information on efforts to reform the architecture of the international monetary system as well as on progress (if any) made by the U.S. Executive Director of the IMF in influencing the IMF to adopt certain policies and reform its internal procedures.

Russian/Global Financial Crises. The Committee will conduct follow-up hearings on the status of the financial crisis in Russia and the impact of IMF assistance and reform initiatives in addressing that crisis. The Committee will also monitor the ongoing impact of the financial crises in Southeast Asia, Japan, Brazil, and elsewhere on the U.S. economy.

Reform of the International Financial System. The Subcommittee on Domestic and International Monetary Policy will conduct oversight of efforts by the Treasury Department, international financial institutions, the Bank for International Settlements, and other international

authorities to address weaknesses in emerging market economies and the international financial system and architecture which were exposed following the Asian financial crisis. The Committee will include in its review the efforts of the Federal Reserve, the Office of the Comptroller of the Currency, and the Federal Deposit Insurance Corporation in their international bank supervisory discussions of improving previous international accords on bank capital standards.

U.S. Contributions to the International Financial Institutions. The Subcommittee on Domestic and International Monetary Policy will review U.S. participation in, and the effectiveness of U.S. efforts to reform, the International Monetary Fund, World Bank Group, and the regional development banks. Highlights of the U.S. Treasury Department's likely authorization request to the Banking Committee for fiscal year 2000 include roughly $1.6 billion for a replenishment of the World Bank's "soft loan" facility, known as the International Development Association (IDA-12).

Impact of Global Financial Crisis on Eximbank's Lending Policies and Portfolio. The Subcommittee on Domestic and International Monetary Policy will examine recent trends in the cost and composition of the U.S. Export-Import Bank's (Exim) financing and review how Exim is responding to conditions in Asia and other developing markets.

European Monetary Union. The Subcommittee on Domestic and International Monetary Policy will examine the ongoing impact of European Monetary Union on the U.S. and world economy, as well as international financial markets.

Trade in Financial Services. The Subcommittee on Domestic and International Monetary Policy will review Administration efforts in the World Trade Organization (WTO) services negotiations (which would include financial services) to be held in 2000, to attain open and non-discriminatory financial markets on a global scale. These negotiations will likely include e-commerce. The Subcommittee will assess whether the WTO negotiations, based on the General Agreement on Trade in Services, secure real market access and full national treatment for U.S. financial service providers.

February 4, 1999

REP. JOHN J. LaFALCE
RANKING DEMOCRATIC MEMBER
ADDITIONAL VIEWS

In considering the following issues covered by the Committee's oversight plan, the Committee should pay particular attention to these specific concerns.

Truth in Lending Modernization. The Committee should undertake a review of the Truth in Lending Act to assess whether existing protections have been eroded by inflation and changing market practices. Statutory exceptions now exempt large numbers of consumer credit and lease transactions from TILA protections and limited statutory penalties may provide inadequate deterrents to violations.

Credit Card Practices: The Committee should undertake a review of credit card industry practices. Last year's debate over bankruptcy reform highlighted a number of questionable practices by credit card issuers, as well as the link between credit card debt and record levels of consumer bankruptcy. Consumer groups and the press have highlighted problems of consumer confusion over credit card "teaser" rate promotions, card solicitations to students and minors, growing numbers of credit card fees and penalties and other issues that require oversight by the Committee.

Fair Lending Enforcement: The Committee should investigate recent studies that suggest that minority borrowers confront more limited access to mortgage credit, higher rates of mortgage loan denial and higher fees and interest costs for credit generally. Consideration should be given to proposals to supplement current fair lending data collection.

Banking Fees. The Committee should study the shifting focus of bank earnings from interest income to transaction fees and the implications for bank profitability, credit availability and customer service. Consumers confront an increasing variety of fees for basic banking services, ATM use, check processing, credit card operations and other services. The Committee should assess whether these and other bank fees are necessary to maintain services to consumers or to enhance profitability.

Subprime Lending Practices. The Committee will conduct a review of the practices of so-called "subprime" lenders that target high-cost loans to persons with limited access to credit. The recent collapse of the secondary market for subprime loans, widespread

failures among subprime lenders and heightened scrutiny of subprime lending practices by the OCC, OTS, FTC and State Attorneys General raise policy concerns that the Committee should begin to address.

Automobile Leasing. The Committee should conduct oversight hearings on the 1996 changes to the Consumer Leasing Act and Regulation M to assess their effectiveness in enhancing and simplifying consumer disclosure. Reports of continuing public confusion about lease terms and costs and recent State investigations of deceptive leasing practices suggest that additional measures to protect consumers may be needed, particularly in the area of automobile lease advertising.

Rent-To-Own. The Committee should begin an inquiry to clarify the purpose and structure of rent-to-own transactions and to define appropriate federal regulation. While opinion varies as to the purpose and practices of rent-to-own businesses, an important policy question to be addressed is whether lease-purchase transactions aptly constitute credit or lease transactions for purposes of law and regulation or whether they are distinct transactions that warrant separate definition and regulation.

Stored-Value/Smart Card Technology. The Committee should begin to review the status and market application of so-called "smart" card technology. After years of promotion as the "future of money", development of stored-value cards and multi-purpose smart card technology appears stalled by unenthusiastic consumer response and by failure to develop common standards to link various smart card programs. Yet, smart card use continues to expand, in transit systems, universities, retail chains, telephone systems and military bases, raising policy questions of whether adequate protections are available for consumers.

JOHN R. KASICH, OHIO
CHAIRMAN

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February 12, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to Budget Committee Rule 22(c), I am pleased to transmit the Oversight Plan of the Committee on the Budget for the 106th Congress.

This plan was adopted by the Committee on the Budget by voice vote at an organizational meeting held by the Committee on January 20, 1999.

If there are any questions on the Oversight Plan, please contact Jim Bates, Chief Counsel of the Budget Committee, at 6-7270.

Sincerely,

John R Kasich

John R. Kasich,
Chairman

(202) 226-7270 309 Cannon Office Building e-mail: budget@mail.house.gov

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OVERSIGHT PLAN OF THE COMMITTEE ON THE BUDGET FOR THE 106TH CONGRESS

Resolved: That the committee on the Budget, pursuant to clause 2(d) of House Rule X, and Committee Rule 22, adopt as the Oversight Plan of the Committee on the Budget for the 106th Congress the following:

COMMITTEE JURISDICTION/OVERSIGHT

Under clause 2(d) of House Rule X, each committee is required to adopt and submit to the Committees on Government Reform and House Administration an oversight plan by February 15 of the first session of each Congress. The Budget Committee's oversight responsibilities are determined by both the breadth of the Federal budget and the relatively narrow focus of its legislative jurisdiction.

Under clause 1(e)(1) of House Rule X , the primary responsibility of the Budget Committee is the development of a concurrent budget resolution that sets spending and revenue levels in aggregate and across 20 budget functions. These budget functions encompass all Federal programs or activities other than those that are defined as off-budget, such as Social Security and the Postal Service, and those that are considered nonbudgetary, such as the Federal Reserve.

Although the subject matter of the budget is inherently broad, the committee's formal oversight responsibility focuses on law governing the budget process and the agencies responsible for administering elements of those laws. Under clauses 1(e)(2) and (3)of House Rule X, the major laws falling within its oversight are the Budget and Accounting Act of 1920, the Congressional Budget Act of 1974, and the Emergency Balanced Budget and Deficit Control Act of 1985. The two agencies with primary responsibility for administering elements of these laws and hence which fall under the committee's jurisdiction are the Office of Management and Budget [OMB] and the Congressional Budget Office [CBO].

In addition to these general oversight responsibilities, the Budget Committee has the special oversight responsibility under clause 3 of House rule X to study the effect of budget outlays of existing and proposed legislation and to request and evaluate continuing studies of tax expenditures.

OVERSIGHT PLAN FOR 106TH CONGRESS

Budget Priorities

In the process of developing the annual concurrent budget resolution, the committee will hold hearings and receive testimony from Members of Congress, Cabinet-level and other Federal officials, State and local officials, and expert witnesses to review the President's budget submissions and other alternatives to programs and activities.

The committee shall continuously assess the performance of Federal agencies in both administration and service delivery by reviewing performance data in the President's budget

submissions and the relevant reports and audits of the General Accounting Office and the Offices of the Inspectors General.

The committee will study the budgetary effect of existing law and proposed legislation, as well as government regulation, on government spending, and explore ways of reducing waste, fraud, and abuse in government agencies.

The Committee will draw on the authorizing committee's Views and Estimates on the President's Budget, which are submitted to it pursuant to section 301(d) of the Congressional Budget Act, to coordinate its oversight activities with other committees.

Budget Enforcement

The committee will provide ongoing oversight of the Office of Management and Budget's implementation of budget submission, control, execution, and enforcement procedures under the Budget and Accounting Act of 1920, the Congressional Budget Act of 1974, the Budget Enforcement Act of 1990, and the Balanced Budget and Emergency Deficit Control Act of 1985, and other applicable laws.

The committee will assess the extent to which both the President's budget submissions and the budget resolutions for fiscal years 2000 and 2001 comply with the discretionary spending limits and Pay-As-You-Go [PAYGO] requirements that were extended in the Balanced Budget Act of 1997.

In addition, the committee will closely monitor adjustments to the discretionary spending limits, reclassifications of budget accounts, reestimates of the subsidies of credit programs, consistency in cost estimates for direct spending and tax bills, compliance with the Emergency Balanced Budget and Deficit Control Act in the development of baseline budget projections, and changes in spend-out rates for discretionary programs, and implementation of performance plans.

The committee will work with the Appropriations and the authorizing committees to ensure that spending and tax legislation does not breach the appropriate levels in the budget resolution, as required under sections 302(f) and 311(a) of the Congressional Budget Act of 1974.

The committee will submit to the Speaker of the House of Representatives and the President pro tempore of the Senate, pursuant to Section 201(a)(2) of the Congressional Budget Act of 1974, the recommendation of a replacement to fill the position of Director of the Congressional Budget Office.

Budget Process Reform

Building on the work of the Budget Committee's Task Force on Budget Process in the 105th Congress, the committee will consider proposals to improve the ways in which the Congress and the President develop and enforce budgetary decisions.

Direct Spending and Tax Incentives

The Committee will request and evaluate continuing studies of tax incentives and direct spending by the Federal Government, and whether they are the most appropriate and efficient means to

achieve specified public policy goals.

Monetary Policy

The Committee will study monetary policy and its effects on the Federal budget. One of the first hearings held by the Budget Committee will feature the Chairman of the Federal Reserve, Alan Greenspan, who will discuss the relationship between monetary policy and the Federal budget.

OVERSIGHT SCHEDULE

First Session (1999)

Winter 1999—Meeting to approve a new director for the Congressional Budget Office.

Winter 1999—Hearing on CBO's Economic and Budget Outlook—Director of CBO.

Winter 1999—Hearing on the President's Fiscal Year 2000 Budgets—Director of OMB.

Winter 1999—Hearing(s) to review the proposed aggregate levels of spending and revenues; and the proposed distribution of budgetary resources in the various Federal agencies, departments and programs and whether they lead to instances of waste, fraud or mismanagement.

Winter 1999—Hearing on monetary policy and its relationship to the Federal budget—Chairman of the Federal Reserve Board.

Winter 1999—Receive Views and Estimates from other committees to coordinate development of the annual concurrent budget resolution.

Winter 1999—Hearing on the President's fiscal year 2000 budgets—Members of Congress.

Summer 1999—Hearing(s) to examine the role and performance of CBO, including the process CBO follows to provide cost estimates and budgetary projections, the criteria CBO applies in personnel decisions, etc.—CBO officials, expert witnesses.

Summer 1999—Consider legislation to modify and reform the budget process of the Federal Government.

Late fall 1999—At the request of the chairman, GAO will prepare a report on OMB's compliance with budget enforcement requirements during the first session of the 106th Congress.

Second Session (2000)

Winter 2000—Hearing on CBO's Economic and Budget Outlook—Director of CBO.

Winter 2000—Hearing on the President's fiscal year 2000 budget—Director of OMB.

Winter 2000—Hearing on the President's fiscal year 2000 budget—Members of Congress.

Winter 2000—Receive Views and Estimates from other Committees to coordinate in developing the annual concurrent budget resolution.

Summer 2000—Hearing to review monetary policy and the connection to the Federal budget — Chairman of the Federal Reserve Board.

Fall 2000—Hearing on the budget year-end review and preview of coming budget year— Directors of OMB and CBO.

Late fall 2000—At the request of the Chairman, GAO will prepare a report on OMB's compliance with budget enforcement requirements during the second session of the 106th Congress.

The Committees on Appropriations, Rules, and Ways and Means were consulted with regard to the development of this Oversight Plan.

ONE HUNDRED SIXTH CONGRESS

TOM BLILEY, VIRGINIA, CHAIRMAN

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JAMES E. DERDERIAN, CHIEF OF STAFF

U.S. House of Representatives
Committee on Commerce
Room 2125, Rayburn House Office Building
Washington, DC 20515–6115
February 12, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to the provisions of Clause 2(d) of Rule X of the Rules of the House of Representatives for the 106th Congress, I am submitting the Committee on Commerce's Oversight Plan for the 106th Congress. The plan was approved by the Full Committee on February 11, 1999, without amendment, by a voice vote, a quorum being present.

If you have any questions concerning the Oversight Plan, please do not hesitate to contact me, or James Derderian, the Commerce Committee Chief of Staff, at extension 5-2927.

Sincerely,

TOM BLILEY
CHAIRMAN

Attachment

Committee on Commerce

Oversight Plan - 106th Congress

Tom Bliley, Chairman

As Approved by the Committee
February 11, 1999

COMMITTEE ON COMMERCE
OVERSIGHT PLAN
U.S. House of Representatives
106th Congress
Tom Bliley, Chairman

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Government Reform and House Administration not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Commerce for the 106th Congress. It includes the areas in which the Committee expects to conduct oversight during the 106th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

Health and Environment Issues

MEDICARE AND MEDICAID: WASTE, FRAUD, AND ABUSE

The Committee will continue its efforts to identify instances of and opportunities for waste, fraud, and abuse in the Medicare and Medicaid programs. This oversight will focus on a range of program areas, including administration, contracting, provider reimbursement, and eligibility determination.

HEALTH CARE FINANCING ADMINISTRATION'S MANAGEMENT OF THE MEDICARE PARTIAL HOSPITALIZATION PROGRAM

The Committee will continue its ongoing inquiry into evidence of widespread fraud and abuse regarding Medicare partial hospitalization services provided to psychiatric patients in community mental health centers (CMHCs) and hospitals. Last year, the HHS Inspector General found noncompliance rates of greater than 90 percent in CMHCs – the worst rates of noncompliance in Medicare history. Numerous concerns have arisen regarding HCFA's ability to identify and fix the compliance problems adequately and to manage the partial hospitalization program effectively in the future. In the 106th Congress, the Committee will continue to assess the current efforts to reform CMHCs and the role of Medicare fiscal intermediaries in administering the partial hospitalization benefit.

HEALTH CARE FINANCING ADMINISTRATION'S IMPLEMENTATION OF ANTI-FRAUD BILLING SOFTWARE

During the 105th Congress, the Committee conducted a review of the Health Care Financing Administration's (HCFA) failure to implement pre-payment, anti-fraud software in its Medicare

claims systems, in light of several reports by the HHS Inspector General and the General Accounting Office suggesting that Medicare could save hundreds of millions of dollars annually by implementing software systems similar to those currently available in the private sector. HCFA recently took steps to implement and evaluate such systems, and the Committee will monitor the agency's progress in this regard during the 106th Congress.

HEALTH CARE FINANCING ADMINISTRATION'S IMPLEMENTATION OF THE BALANCED BUDGET ACT

During the 106th Congress, the Committee will continue to monitor the Health Care Financing Administration's (HCFA) implementation of the Balanced Budget Act of 1997 (BBA). Many of the changes required by the BBA would help modernize Medicare, save money, and open the program to a wider range of private health plans.

HEALTH CARE FINANCING ADMINISTRATION'S MANAGEMENT OF FISCAL INTERMEDIARIES AND CARRIERS

The Committee will assess the Health Care Financing Administration's (HCFA) management of the fiscal intermediaries and carriers that are responsible for processing all Medicare claims and payments. In particular, the Committee will examine the relationship between HCFA and the fiscal intermediaries and carriers in combating waste, fraud and abuse in Medicare. Although HCFA provides overall policy guidance for the administration of Medicare, day-to-day operation of the program is dependent on contractors (known as fiscal intermediaries for Part A, and carriers for Part B) who process beneficiary claims and make Medicare payments to healthcare providers. Through oversight, the Committee will seek to ensure that there is a proper balance between the financial incentives that HCFA offers the fiscal intermediaries for processing claims, and their responsibility to take appropriate measures to prevent waste, fraud, and abuse in the Medicare billing process.

HEALTH CARE FINANCING ADMINISTRATION'S MANAGEMENT STRUCTURE

The Health Care Financing Administration (HCFA) was created in 1977 as part of an internal reorganization ordered by the Secretary of Health, Education, and Welfare, in order to consolidate the administration of Medicare and Medicaid in one agency. In the Spring of 1999, the National Bipartisan Commission on the Future of Medicare is expected to announce reform proposals to save Medicare for future generations, some of which may require structural changes to HCFA. The Committee will review any Medicare proposals submitted to Congress by the Bipartisan Commission.

The Committee also will conduct a comprehensive oversight review of HCFA's current management structure. Oversight activities will include a review of HCFA's recent reorganization which was completed in 1997. In considering HCFA's 1997 reorganization, the Committee will

evaluate the effectiveness of specific offices within HCFA and the extent to which HCFA's effectiveness may be enhanced.

HEALTH CARE FINANCING ADMINISTRATION'S YEAR 2000 COMPUTER PROBLEM

The Committee will continue to monitor the Health Care Financing Administration's (HCFA) efforts to resolve its Year 2000 (Y2K) problem for its Medicare claims processing systems. The Medicare program uses seven Medicare claims processing systems, more than 70 private contractors, and financial institutions to process nearly 800 million Medicare claims annually for approximately one million physicians, hospitals, medical equipment suppliers and home health agencies. Since nearly 85 percent of all Medicare claims are submitted and paid electronically, it is crucial that HCFA, its contract carriers, fiscal intermediaries, and providers are Y2K compliant.

REVIEW OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
PROGRAMS AFFECTING CHILDREN AND FAMILIES

The Committee will conduct oversight of the Department of Health and Human Services (HHS) grant programs that affect the health of children and families. According to estimates, HHS funding for programs related to the health of children and families was more than $13.7 billion in FY 1998. The Committee's oversight review will evaluate where the money is going, whether it is being spent effectively, and the extent to which these programs are consistent with statutory requirements and Congressional intent. In conjunction with the Committee's oversight of these HHS grant programs, the Committee also intends to conduct oversight of the various HHS agencies that have responsibility for children and family-related programs. For example, the Centers for Disease Control and Prevention (CDC) and the National Institutes of Health (NIH) conduct extensive studies of youth risk behaviors, including alcohol, drugs, tobacco, sex and violence. In addition, these two agencies are increasingly active in establishing health policy programs in areas such as school health, HIV education, pregnancy and sexually transmitted disease (STD) prevention. The Committee intends to review the effectiveness of these programs in the 106th Congress.

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DEADBEAT PARENT PROGRAM

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193), commonly known as the Welfare Reform Act, increased the accountability of parents in the welfare system by imposing strict work requirements and eligibility time limits on welfare recipients, and by establishing and enforcing strict child support obligations on noncustodial parents. The Committee will conduct oversight of the role of the Department of Health and Human Services' (HHS) Child Support Enforcement efforts in implementing the Welfare Reform Act. In particular, the Committee will assess the effectiveness of the Child Support Multi-Agency Investigative Team (CSMAIT) in identifying and locating noncustodial parents who have not fulfilled their child support obligations. Under this new program, the HHS Inspector General has teamed up with the HHS Office of Child Support Enforcement, the Justice Department and State and local authorities to

develop a high profile program to track down the most egregious child-support offenders and arrest and punish them in order to encourage estranged parents to pay child support. The multi-agency teams have already conducted a pilot in Michigan, Illinois, and Ohio. HHS intends to implement the program nationwide in 1999.

ADOPTION

The Committee will conduct an oversight review of adoption promotion programs within the purview of the Department of Health and Human Services (HHS). In conducting this review, the Committee will determine the extent to which HHS programs have an impact on increasing the number of adoptions. The oversight activities associated with a review of adoption programs will include assessment of relevant authorizing statutes, Federal regulations, program guidelines and practices, and statistical data.

TITLE V ABSTINENCE EDUCATION PROGRAM

During the 105th Congress, the Committee initiated a review of the Title V Abstinence Education program, which was authorized by the Welfare Reform Bill of 1996. This oversight identified problems and concerns in the implementation of this program by the Department of Health and Human Services (HHS), which the Committee will continue to assess in the 106th Congress.

THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM

The Balanced Budget Act of 1997 amended the Social Security Act to add Title XXI -- The State Children's Health Insurance Program (S-CHIP). Under this Title, funds are provided to States to enable them to initiate and expand health assistance to uninsured, low-income children. S-CHIP targets children in families whose income levels exceed Medicaid thresholds, but who lack private insurance. States may receive funds by providing child health assistance through a separate State-only S-CHIP program, an S-CHIP financed Medicaid expansion, or a combination of the two. The Health Care Financing Administration (HCFA) was charged with approving and reviewing States' plans for implementing the S-CHIP program. HCFA is responsible for approving and reviewing a State's application of a plan prior to receiving S-CHIP funds. At the Committee's request, the General Accounting Office (GAO) is examining HCFA's oversight role in a State's use of the program's design flexibility, unresolved design issues, strategies to enroll children, and plans to coordinate S-CHIP with Medicaid and private health insurance and plans to review the matter during the 106th Congress.

HUMAN PAPILLOMA VIRUS (HPV) AND CERVICAL CANCER

An estimated 15,000 cases of cervical cancer are diagnosed in the United States each year, and 5,000 women die from the disease annually. Worldwide, cervical cancer affects 500,000 women each year and, after breast cancer, it is the second most common malignancy found in women. Human Papilloma Virus (HPV) is recognized as the primary cause of cervical cancer, and is one of

the most common sexually transmitted diseases (STD). However, the Centers for Disease Control and Prevention (CDC) does not have a program to track comprehensive surveillance data for HPV. The Committee will conduct oversight to determine why this widely prevalent STD is not being tracked by the CDC, and what measures can be implemented to fight the spread of this lethal, cancer-causing virus.

CANCER RESEARCH

The National Institutes of Health and other agencies have made tremendous progress in the "War on Cancer." Scientists have been able to learn about the fundamental processes of cellular development, maintenance, and proliferation, and how these processes can be corrupted to cause cancer. The Committee will continue to oversee cancer research to help ensure that Federal efforts are properly managed, and that these recent scientific advances on the prevention, detection, and treatment of cancer are brought to the forefront of the battle.

DRUG ABUSE TREATMENT AND PREVENTION

In the 105th Congress, the Committee worked to broaden the war on drug abuse by working to bring innovative solutions to the area of drug treatment. For example, the Committee worked with several Federal agencies on proposed legislation that would build an infrastructure for the distribution of buprenorphine, which, according to the National Institute on Drug Abuse (NIDA), is a safer and better treatment for opiate addiction than methadone. The Committee will conduct oversight of the incentives for developing anti-addictive medications and the potential of other methods of drug addiction treatment.

In light of the 1998 Substance Abuse and Mental Health Services Administration Services Research Outcomes Study that found a 202 percent increase in adolescent crack use after drug addiction treatment, the Committee will inquire into Department of Health and Human Services (HHS) funding for research in this area. The Committee also will work with State and local initiatives that may provide the Committee with valuable insights on programs that succeed where others fail. Recent reports have raised concerns about the effectiveness of drug abuse rehabilitation programs, especially among adolescents seeking drug treatment. The Committee will conduct oversight of drug abuse programs and illegal drug use in order to determine the effectiveness of existing HHS efforts to reduce such usage. The Committee will examine the relationship between HHS programs and other Federal anti-drug initiatives and their overall impact on public health.

ORGAN ALLOCATION REFORM

After a thorough review, the Department of Health and Human Services'(HHS) efforts to reconfigure the organ allocation system were delayed by the 105th Congress for at least one year. During the 106th Congress, the Committee will conduct further oversight to insure that State and regional organ procurement and transplantation systems operate in the best interests of current and future patients, and that the Federal government will assist in the efforts of the transplant

community. The Committee also will assess the Institute of Medicine Study on organ allocation systems ordered by the 105th Congress.

ASSISTED SUICIDE COVERAGE FOR MEDICAL PLANS

In 1993, the State of Oregon, operating under a Section 1115 Medicaid waiver, began the Oregon Health Plan as an alternative to traditional Medicaid. The Oregon Health Plan guarantees a set of benefits (Basic Health Care Package) that provides Medicaid coverage to Oregonians based on a list of prioritized health services. The Oregon Health Plan is funded using State general funds, portions of the State's cigarette tax, and matching Federal funds. With regard to the matching Federal dollars, in April of 1997, Congress passed the "Assisted Suicide Funding Restoration Act of 1997," *P.L. 105-12.* The purpose of this bill was "to clarify Federal law with respect to restricting the use of Federal funds in support of assisted suicide."

In February of 1998, the Oregon Health Services Commission agreed to include assisted suicide as a covered medical item, thus making funding available to low-income residents for this purpose. The Federal Health Care Financing Administration (HCFA), which must ratify any change or amendment to the Oregon plan, approved this amendment allowing coverage of assisted suicide. Since Oregon uses matching Federal Medicaid funds to support the Oregon Health Plan, the Committee will conduct oversight to ensure that no Federal funds are being used to support assisted suicide in Oregon in violation of *P.L. 105-12.*

PATIENT PROTECTION: HEALTH MARKET REFORM AND HEALTH CARE QUALITY

The Committee will conduct oversight of patient protection issues, particularly the ability of patients to seek outside appeals for treatment decisions that are imposed by health plans, and the ability of patients to access their health care provider's performance records. One current proposal calls for patients to have electronic access to the service records of their providers so that they can make more fully informed health-care choices based on sound knowledge of their health-care provider's medical qualifications, and any malpractice or disciplinary records. The Committee will review this and other proposals to improve patient access to information regarding the quality of their health care.

IMPLEMENTATION OF THE FDA MODERNIZATION ACT OF 1997

In 1997, Congress passed the Food and Drug Administration Modernization Act (FDAMA), a wide-ranging piece of legislation affecting key components of the Food and Drug Administration (FDA). Under the authority of the Act, the FDA has issued a variety of rules, guidance documents, and regulatory notices dealing with such issues as the distribution of information about off-label uses for marketed drugs and fast track programs designed to speed the development and approval of drugs and biologics to treat serious and life-threatening illnesses. The Committee will closely monitor FDA's activities to ensure FDA's implementation is consistent with the statutory requirements and intent of FDAMA.

IMPORTED DRUGS

Over the last decade, there has been a surge in shipments of drug products from overseas. This trend has implications for the public health and the ability of the Food and Drug Administration (FDA) to ensure safety and efficacy of drugs. In connection with this area, the Committee has been examining FDA's foreign drug inspections, the Mutual Recognition Agreement (MRA) between the U.S. and the European Union on drug inspections, and counterfeit bulk drugs.

With respect to foreign drug inspections, the issue is whether there is an unlevel playing field between the U.S., where FDA regulation is tougher, and overseas where the FDA regulation is looser. If in fact there is a double-standard, it would mean that drugs from overseas do not meet the same safety standards as drugs made in the U.S.

With respect to the MRA, the FDA was pressured into signing an agreement with the European Union regarding drug inspections. If the agreement works, FDA will in effect rely on European inspectors to conduct the inspections of European plants shipping drugs into the U.S. by the year 2002. However, some of the European inspectorates lack the expertise and safeguards that give us assurance they can do as competent a job as the FDA conducts. Moreover, this agreement can also be viewed as a foreign-aid package to European countries, already enjoying a huge trade advantage with the US, by giving them FDA personnel to build their drug inspection programs. In addition, U.S. drug companies continue to be burdened by at-border batch testing by some EU member states. With respect to counterfeit bulk drugs, the Committee is examining the problem of counterfeit drug products from overseas.

DRUG TESTING

The Committee will continue oversight of drug-testing issues. This oversight will involve monitoring of the Department of Health and Human Services' efforts to include more advanced drug-testing technologies in the Federal workplace drug testing program, and examining Food and Drug Administration regulation of drug-testing systems.

PRESCRIPTION DRUG SAFETY

In October 1998, Chairman Bliley, along with Chairman Jeffords and Senator Frist, requested GAO to initiate a comprehensive study of the U.S. system for ensuring the safety of prescription drugs. This examination would cover not only the Food and Drug Administration's post-marketing surveillance activities, but the entire system including the pre- and post-marketing activities conducted by both public and private organizations.

PATIENT ACCESS TO TREATMENT

The Committee will continue its oversight work to ensure seriously-ill patients have early access to treatment, especially in the cases of promising treatment for incurable, life-threatening

diseases. One way is to help patients get more information on clinical trials. In consultation with the Food and Drug Administration and other public health contacts, the Committee is looking at administrative measures to provide more information to patients. The benefit is making a life-and-death difference in the lives of many patients.

FALSE CLAIMS ACT

During the 105th Congress, the Committee conducted oversight of the Department of Justice's (DOJ) application of the False Claims Act in the fight against waste, fraud, and abuse in the health care industry. In response to the Committee's review, DOJ issued new guidance on fair and appropriate use of the False Claims Act in health care. In the 106th Congress, the Committee will monitor DOJ's application of the False Claims Act with regard to the health care industry in order to evaluate the impact of the new guidelines.

HHS OVERSIGHT OF USE OF FEDERAL RESEARCH AND DEVELOPMENT GRANT FUNDS

The Department of Health and Human Services (HHS) awards billions of dollars each year under thousands of extramural agreements, many of those with universities and colleges, for scientific research. Graduate students play a central role in these Federally-funded research agreements. The Office of Management and Budget and HHS are responsible for setting the standards for determining the level of compensation for graduate student research. Generally, such compensation is allowable if it represents reasonable compensation for necessary research and development (R&D) work. However, Federal guidance strictly limits using Federal R&D awards to provide educational assistance to selected graduate students, rather than as reasonable compensation for work performed on Federal R&D awards.

The Committee is concerned that HHS may lack appropriate oversight to safeguard against hundreds of millions of Federal dollars that may be diverted or misused by some colleges and universities into a form of student aid. On May 1, 1998, the Full Committee Chairman requested that the GAO investigate allegations of improper use of Federal research and development grant funds by the University of California. The GAO's Office of Special Investigations is investigating this matter. The Committee expects to receive a report on this matter in the upcoming year.

ON-LINE HEALTH CARE

During the 105th Congress, the Committee followed the development of a number of on-line health care resources. In particular, a growing number of companies are now preparing to distribute prescription pharmaceuticals on-line, and some are moving into the realm of providing health care advice and diagnosis without physically meeting the patient. The Committee will hold hearings on the growth of on-line health care, and evaluate a variety of new consumer protection issues which have arisen in relation to this new field. The Committee will work to ensure that consumers are able to select the best health care options available and to protect themselves against unscrupulous or unqualified providers.

REVIEW OF NATIONAL INSTITUTES OF HEALTH GRANTS

The National Institutes of Health (NIH), through its 24 Institutes, Centers and Divisions, supports the research of scientists in universities, medical schools, hospitals and research institutes throughout the country. The Committee will review NIH research grants and assess how to improve the overall efficiency and accountability of the grant program. The Committee will examine the overhead costs charged by some universities, which reduce the amount of money directly spent on Federal research priorities.

CONTROL OF BIOLOGICAL AND CHEMICAL WARFARE MATERIALS

In 1996, Congress required the Department of Health and Human Services (HHS) to promulgate regulations providing for the establishment and enforcement of safety procedures for the transfer of biological agents (such as anthrax or the ebola virus), and safeguards to prevent access to such agents for terrorism or other criminal purposes. In 1997, the Centers for Disease Control and Prevention (CDC) issued final regulations governing the transport of biological agents, the registration of transferee facilities, and notification of interstate shipments. Despite these regulations, law enforcement and terrorism experts have expressed concerns about the unrestricted availability, possession, use, and transfer of these potentially dangerous agents, similar to concerns they have raised about chemical agents such as sarin gas. The Committee plans to review whether the CDC regulations adequately comply with the intent of Congress to ensure the safety and security of these agents, whether there is sufficient compliance with these regulations in a manner useful to law enforcement agencies, and whether changes to Federal laws or regulations are necessary to ensure that both biological and chemical agents are used solely for legitimate purposes. The Committee also intends to review whether there are sufficient regulations or controls on the export and import of biological and chemical agents.

THE ENVIRONMENTAL PROTECTION AGENCY'S MANAGEMENT AND OPERATIONS

During the 106th Congress, the Committee intends to continue its general oversight of the Environmental Protection Agency's (EPA) management, structure, and operations, including the agency's budget and funding decisions, resource allocation, research activities, enforcement actions, relations with State and local governments, and program implementation.

THE ENVIRONMENTAL PROTECTION AGENCY'S IMPLEMENTATION OF RECENTLY ESTABLISHED AIR QUALITY STANDARDS AND PROGRAMS

The Committee has the responsibility to ensure that the Environmental Protection Agency (EPA) implements the Clean Air Act in accordance with statutory language and Congress' intent. In July 1997, EPA published significant revisions to the existing national ambient air quality standards (NAAQS) for particulate matter and ozone. In October 1998, EPA established a major program intended to address the interstate transport of ozone within 22 States and the District of Columbia. In early 1999, EPA will establish a program to address "regional haze" affecting

visibility in Federal parks. Given the significance of these rules and programs to the environment and to States, local governments, and private entities, the Committee will continue its oversight of EPA's implementation of the revised NAAQS, ozone transport, and regional haze programs in the 106th Congress.

THE ENVIRONMENTAL PROTECTION AGENCY'S HANDLING OF ENVIRONMENTAL JUSTICE CLAIMS

In February 1998, the Environmental Protection Agency (EPA) issued interim guidance setting forth how it would handle "environmental justice" claims filed with the agency against the issuance of State environmental permits to industries located in certain areas. These claims generally allege that a specific State environmental permitting action discriminates against a class of citizens living near such sites, such as minority groups, who are protected under Title VI of the Federal Civil Rights Act. Many State and local government organizations have expressed concerns that EPA's approach to this issue may hurt urban revitalization efforts and the cleanup of contaminated "brownfields" by dissuading companies from seeking, or preventing State agencies from issuing, permits in these areas, which often are in heavily minority neighborhoods. Relatedly, EPA plans to decide in 1999 how to handle complaints that State emission-trading programs have discriminatory effects on minority areas and thus violate Title VI. The Committee raised concerns with EPA and sought information from the agency about environmental justice matters during the 105th Congress, and intends to continue its oversight in the upcoming Congress in order to ensure that the views of States and other interested parties are considered in the final agency decision making on this important matter, and that EPA's actions in this regard do not negatively impact State and local urban revitalization efforts.

INTERNET PUBLICATION OF RISK MANAGEMENT PLANS UNDER THE CLEAN AIR ACT

The Clean Air Act requires that the Environmental Protection Agency (EPA) implement a "Risk Management Program" focused on the prevention of chemical accidents. Under that program, approximately 66,000 facilities will send EPA detailed information regarding potential accidental chemical release points and estimating damages and injuries that could result from a worst-case scenario. Law enforcement and national security experts have expressed concerns that this information, which must be made available to the public under current Federal law, may be disseminated in a searchable, electronic database on the Internet, providing a targeting tool for international and domestic terrorists. The Committee plans to continue its oversight of this matter in the 106th Congress, in order to ensure that third-party access to and dissemination of worst-case scenario data is properly managed to protect the American public from potential acts of terrorism.

THE ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED REGULATION OF PEST-RESISTANT PLANTS AS PESTICIDES

The Environmental Protection Agency's (EPA) proposed "plant pesticide" rule would regulate as pesticides any pest-resistant traits transferred to agricultural crop plants through

recombinant DNA techniques. Under EPA's plan, these plants would become subject to regulation under both the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetics Act (FFDCA), and may face additional export-related restrictions in light of their domestic classification as pesticides. The Committee plans to review whether EPA's proposed action is based on sound science, proper risk management, and good policy, and what impact it could have on human health, the environment, and the United States' agricultural and technology development communities.

MERCURY EMISSIONS AND EXPOSURE STANDARDS UNDER THE CLEAN AIR ACT

During the 105th Congress, the Committee initiated an inquiry into the activities of several Federal agencies (including the Environmental Protection Agency (EPA), the Department of Commerce, and the Department of Health and Human Services) regarding the implementation of the mercury provisions of the Clean Air Act Amendments of 1990. Specifically, the Committee raised concerns and sought information about the adequacy of the scientific basis underlying EPA's report to Congress suggesting that certain levels of mercury exposure and emissions are harmful to human health, given the contrary views expressed by Federal public health agencies and many within the scientific community. The Committee intends to continue its oversight of interagency activities related to mercury exposure to ensure that EPA's regulatory determinations are made on the basis of sound science, and do not unnecessarily scare consumers away from healthy foods that generally contain mercury, such as most types of fish.

THE ENVIRONMENTAL PROTECTION AGENCY'S DIESEL ENGINE CERTIFICATION PROGRAM

The Environmental Protection Agency's (EPA) and the Department of Justice recently signed consent decrees with the manufacturers of heavy-duty diesel engines for alleged Clean Air Act (CAA) violations. EPA claims that, for years, the manufacturers used a "defeat device" in their electronically-controlled engines that allowed the engines to pass the emissions test under urban driving conditions, while emitting levels of nitrogen oxide in excess of the regulatory standard when under highway driving conditions. The settlement raises concerns regarding the consistency and level of EPA's enforcement activities under the CAA, and the harm to the environment caused by this long-term breakdown in the regulatory system. During the 105th Congress, the Committee requested and reviewed documentary information concerning this enforcement activity. This review will be expanded in the 106th Congress in order to determine how and why this situation occurred, and what changes are necessary to ensure similar problems do not occur in the future.

THE ENVIRONMENTAL PROTECTION AGENCY'S FAILURE TO ENFORCE CLEAN AIR ACT REQUIREMENTS AGAINST "SIGNIFICANT VIOLATORS"

Recent audits by the Environmental Protection Agency's (EPA) Office of Inspector General revealed that certain States and EPA's regional offices have failed to properly enforce the Clean Air Act with respect to "significant violators" in States throughout the country. The audits suggest an inconsistent application of Federal law among the various EPA regions, as well as lack of oversight

by EPA headquarters. The Committee plans to investigate the problems identified by these audits, as well as the corrective actions that may need to be taken to ensure appropriate levels of enforcement by all parties.

THE ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL INFORMATION PROGRAMS

The Environmental Protection Agency (EPA) is in the process of expanding programs designed to provide environmental information resources to the public. These programs comprise efforts to package and publish agency data bases on the Internet, to develop new information products and resources, and to implement information management reforms that address cross-cutting issues, such as data quality, public access and burden reduction. The Committee intends to monitor these information products and programs, and review the agency's implementation of its information management reform commitments.

GLOBAL CLIMATE CHANGE

The Committee will continue its close oversight of the Administration's various climate change programs and policies, with particular attention to ensuring that the Administration does not take measures that would constitute implementation of the Kyoto Protocol in advance of receiving the Senate's advice and consent on this agreement. The Committee also will review the components of the Global Change Research Program and the Climate Change Technology Initiative to ensure compliance with Congressional intent and guidance.

SAFE DRINKING WATER AMENDMENTS

During the 105th Congress, the Committee examined the Environmental Protection Agency's (EPA) implementation of the 1996 Safe Drinking Water Act Amendments, and heard concerns that EPA may not be allocating sufficient resources to ensure the successful implementation of those amendments. Specifically, the Committee was advised that funds allocated by EPA to health-effects research may be insufficient to allow the agency to address future regulatory decisions required under the 1996 amendments, and that current and future infrastructure needs may outstrip projected resources in the State Revolving Fund established by those amendments. In the 106th Congress, the Committee plans to continue its oversight of the implementation of the 1996 amendments, in order to ensure that EPA's activities are sufficient to address critical issues regarding the safety and reliability of our nation's drinking water supply.

TELECOMMUNICATIONS, TRADE, AND CONSUMER PROTECTION ISSUES

YEAR 2000 PROBLEM

The Committee is concerned about the potential impact the failure of computer systems due to the Year 2000 problem will have on the nation. The Committee is concerned that a number of

Federal agencies under the Committee's jurisdiction have not been making satisfactory progress in remediating Year 2000 problems in their computer systems. Of particular concern is the potential impact on the critical telecommunications and energy infrastructure, financial markets, and the delivery of health care. The Committee will review efforts by the private sector and Federal agencies to remediate Year 2000 problems and develop contingency plans.

ELECTRONIC COMMERCE: DOMAIN NAME SYSTEM

The National Telecommunications and Information Administration is currently in the process of turning over management of the Domain Name System (the system by which numeric Internet addresses are translated into easy to remember names such as www.house.gov) to a newly created non-profit corporation, the Internet Corporation for Assigned Names and Numbers (ICANN). In 1998, the Committee undertook oversight of the establishment of ICANN and the transition from government management to private sector management. The Committee will continue to monitor the transition of the Domain Name System to ensure the stability of the Internet.

ELECTRONIC COMMERCE: ON-LINE PRIVACY

One of the top concerns of on-line users is the protection of private information on the Internet or other computer networks. As more consumers use the Internet to conduct electronic transactions or to locate medical or financial information, there are concerns that personal information that is provided to websites may be misused. To alleviate these concerns, the private sector has undertaken self-regulatory efforts to create enforceable standards to protect the privacy of their customers. In 1998, the Committee examined through a public hearing the private sector's privacy protection initiative. The Committee will continue to monitor these efforts in the 106th Congress.

POSSIBLE PAYOLA ABUSES

The Committee plans to examine the relationship between the radio broadcast industry and the recording industry to determine whether adequate protections are in place to prevent payments for the inclusion of any matter in a broadcast without disclosure to the public. Specifically, the Committee will examine current prohibitions on such payments to determine whether they are effective and whether radio licensees are complying with the law.

CELL SITING ON FEDERAL PROPERTY

The Committee intends to examine procedural barriers that may prevent commercial wireless companies from siting wireless towers on Federal property and thus from completing a seamless wireless network for the benefit of consumers and increased public safety. In particular, the Committee will examine the established procedures of the National Park Service and General Services Administration to consider wireless tower applications.

THE ROLE OF TELECOMMUNICATIONS SERVICES IN PRIMARY AND SECONDARY EDUCATION

The Committee will continue its examination of Federal and private technology programs that facilitate the educational techniques currently employed in our nation's schools. The Committee plans to work with the Committee on Education and the Workforce to examine the results of the General Accounting Office (GAO) study conducted on behalf of Chairmen Bliley and Goodling. The Committee's effort will help develop the scope of Federal educational programs that utilize technology and explore the educational benefits of new telecommunications technologies. In addition, the Committee will examine the operations of the National Education Technology Funding Corporation, created in part by the Telecommunications Act of 1996.

The Committee will conduct oversight of the increasing utilization of technology and telecommunications in America's classrooms to supplement the curriculum. Technology can be a very effective tool for enhancing the education of our youth but only if used in the proper manner. During the 106th Congress, the Committee will review this and other issues related to the use of technology and telecommunications in our educational system.

SET-TOP BOXES

The Committee intends to examine the relationship between the cable industry and set-top box manufacturers to determine whether this relationship is harming efforts to promote the retail accessibility of set-top boxes. In particular, the Committee will examine whether recent large set-top box orders from the cable industry promote the spirt of provisions of the Telecommunications Act of 1996, which seek to promote consumers' ability to obtain set-top boxes from non-cable sources. Further, the Committee will look at how the cable industry's current involvement with the use and functionality of set-top boxes is affecting the development of other multi-media options.

TAXATION OF TELECOMMUNICATIONS SERVICES

The Committee will review and examine the use of taxes and fees on telecommunications services by governments at the local, State and Federal level. The Committee will examine the impact of these taxes or fees on telecommunications companies, telecommunications services, and most importantly, on consumers. The Committee also will examine whether these taxes or fees represent entry barriers that prevent telecommunications competition from developing or flourishing. Lastly, the Committee will gain information to educate consumers on exactly what taxes or fees they now make to government entities and where their money is going.

ADMINISTRATION ACTIONS IN CONNECTION WITH INMARSAT RESTRUCTURING

The International Maritime Satellite Act set out the statutory regime applicable to Inmarsat (the International Mobile Satellite Organization, formerly known as the International Maritime Satellite Organization). The Administration participated in international negotiations on a restructuring plan for Inmarsat that differs from the existing statutory structure. The Committee

intends to continue its examination of the conduct of the Administration in the restructuring of Inmarsat. The examination will include the issue of whether the Administration and the U.S. Signatory to Inmarsat have the statutory authority for the actions they have taken and may take in connection with the Inmarsat restructuring.

BROADCAST OWNERSHIP

Both the Telecommunications Act of 1996 and the Balanced Budget Act of 1997 mandated that the FCC liberalize its broadcast ownership rules. The 1996 Act, for example: increased the national ownership cap on television stations to 35 percent of the national audience; eliminated the national ownership rules for radio and increased the number of radio stations that could be owned in the same local market; promoted radio-television combinations by expanding the one-to-a-market waiver process from the top 25 to the top 50 markets; instructed the FCC to conduct a study to determine whether its television duopoly rules should be modified given the significant growth in the media marketplace; and grandfathered existing television local marketing agreements (LMAs).

Similarly, the Balanced Budget Act of 1997 provided substantial relief from the FCC's duopoly *and* newspaper cross-ownership rules by prohibiting the FCC from disqualifying potential auction bidders for reclaimed broadcast spectrum based on the application of these ownership rules. The Act's report language additionally instructed the Commission to "provide additional relief (*e.g.*, VHF/UHF combinations) that it finds to be in the public interest, and [to] implement the permanent grandfather requirement for local marketing agreements as provided in the Telecommunications Act of 1996."

Notwithstanding Congress' clear intent on this issue, the FCC has signaled that it may possibly tighten, rather than relax, these rules. The Committee therefore intends to closely monitor the FCC's implementation of these provisions, and to specifically identify the basis (if any) for the FCC's failure to implement Congressional intent.

LOCAL COMPETITION

The Committee is in the midst of a wide-ranging review of the state of competition in local exchange markets. In October 1998, the Committee requested information from 16 entities, including regulatory agencies, consumer advocate groups, and various private-sector trade associations. The Committee specifically sought their views on the extent to which local exchange competition was developing, what barriers existed to this development, and the impact of regulatory proceedings.

With this information, the Committee will be in a better position to determine to what extent the local competition provisions of the Act are operating as intended. In addition, the Committee will be able to determine whether the FCC is adequately prioritizing Incumbent Local Exchange Carrier (ILEC) compliance with the local competition provisions of the Act and better assess what actions may be necessary to speed compliance with these provisions.

IMPLEMENTATION OF THE TELECOMMUNICATIONS ACT OF 1996

On February 8, 1996, the Telecommunications Act of 1996 was enacted into law. The Act fundamentally changes the way the telecommunications industry is regulated. In particular, the Act swept away more than 60 years of outdated laws and regulations and replaced them with pro-competitive provisions. Under the Act, the Federal Communications Commission (FCC) is required to conduct approximately 80 rulemakings on major issues such as interconnection, universal service, Bell Operating Company entry into the long distance market, accounting and non-accounting safeguards, cable reform, open video systems, and regulatory reform. As the Telecommunications Act enters its fourth year, the Committee will continue an examination of its implementation.

FEDERAL COMMUNICATIONS COMMISSION STRUCTURE AND MANAGEMENT

Congress created the Federal Communications Commission (FCC) in 1934 for the purpose of regulating interstate and foreign communication by wire and radio. Once implementation of the Telecommunications Act of 1996 has been successfully completed, the need for regulation of the telecommunications industry will diminish. The Committee will evaluate the need for restructuring the FCC once competition flourishes in each telecommunications market. The Committee also will continue its oversight of the FCC to ensure that it operates as efficiently as possible.

CORPORATION FOR PUBLIC BROADCASTING

Congress created the Corporation for Public Broadcasting (CPB) in the Public Broadcasting Act of 1967. Historically, the Committee has been charged with monitoring the activities of the CPB and authorizing appropriations. The Committee will review the level of Federal funding necessary for the continuation of public broadcasting. The Committee also will examine issues relating to the efficiency of CPB, the Public Broadcasting Service, and the National Public Radio.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

Congress created the National Telecommunications and Information Administration (NTIA) in 1978 to perform a number of functions including: advising the President on telecommunications policy; developing policies for international communications conferences; managing Federal use of the radio frequency spectrum; and awarding financial grants to communications companies that are in need of assistance. The Committee will examine NTIA's execution of these functions and its role as a part of the Department of Commerce.

INTERNATIONAL TRADE

The services industry is an increasingly important area of the American and world economies. Services also provide an important export opportunity for American business. The Committee will examine implementation of World Trade Organization (WTO) services sector

agreements, in particular the WTO agreement on basic telecommunications and, if it is put into effect, the WTO agreement on financial services. Because another key area for growth of the American economy is electronic commerce, the Committee will examine the Administration's efforts to prevent or remove overseas barriers to international electronic commerce. Encouraging other nations to comply with their trade obligations is important in terms of opening markets for American companies. Accordingly, another area the Committee will examine is the Administration's efforts to encourage other nations to fulfill their obligations under existing trade agreements.

U.S. - JAPAN INSURANCE AGREEMENT

In August 1998, the Committee began an inquiry into certain aspects of the 1996 U.S. - Japan Insurance Agreement. The Committee will continue its examination of this agreement, which raises several policy concerns, and also will look at, more generally, the issue of transparency in trade agreements. The Committee also may review other recent trade agreements to assess how accompanying side agreements are being used and what ramifications they have for promoting the United States' free-trade policies.

CONSUMER PRODUCT SAFETY COMMISSION

The Committee will continue to review the activities of the Consumer Product Safety Commission (CPSC), in particular its response to the recommendations made by the General Accounting Office in a report entitled "*Better Data Needed to Help Identify and Analyze Potential Hazards*," which was requested by the Committee.

LIABILITY REFORM

The Committee will continue to examine the need for further liability reform in a number of areas. In particular, the Committee will assess current trends in medical malpractice liability, product liability, and punitive damage reform.

COSTS OF ELECTRIC UTILITY ADVERTISING

Numerous reports indicate that electric utilities are incurring significant increases in their advertising expenses. While utilities are permitted to allocate those advertising expenses necessary to keep their current ratepayers informed, utilities are not allowed to pass along to their customers those advertising expenses intended to increase market share or attract new ratepayers. The Committee will investigate the nature of these increased advertising costs to ensure that electric customers are only paying for costs properly attributable to their existing service.

ENERGY AND POWER ISSUES

ELECTRICITY RESTRUCTURING

The Energy Policy Act of 1992 promoted wholesale competition in the electric industry. Since then, many States have decided to open up their retail markets to competition. The Committee will conduct a comprehensive review of the electric industry and consider legislation to promote retail competition.

NUCLEAR REGULATORY COMMISSION

The mission of the Nuclear Regulatory Commission (NRC) is to ensure adequate protection of the public health and safety through regulation of commercial nuclear power plants, nonpower research, test and training reactors, fuel cycle facilities, medical, academic, and industrial uses of nuclear materials, and the transport, storage, and disposal of nuclear waste. The Committee will conduct oversight of how the Commission discharges these responsibilities, and whether the Commission is an effective regulator of nuclear facilities. The Committee will consider whether the Commission should be granted regulatory authority over DOE nuclear facilities.

NUCLEAR REGULATORY COMMISSION'S ANTI-TERRORISM PROGRAM

The Nuclear Regulatory Commission (NRC) is responsible for ensuring that licensees provide adequate safeguards and security for the nation's 100-plus commercial nuclear reactors, which operate in 32 States across the nation. In September 1998, the NRC announced the termination of its Operational Safeguards Response Evaluations program; subsequently, the program was reinstated in November 1998. Also in 1998, the NRC undertook a comprehensive review of security at commercial nuclear power plants. In light of these actions, the Committee intends to conduct oversight of the NRC safeguards and security program to ensure that it provides the public with adequate levels of safety and protection against the threat of terrorism at commercial reactors.

FEDERAL ENERGY REGULATORY COMMISSION

The Federal Energy Regulatory Commission (FERC) regulates electric utilities, hydropower facilities, and natural gas and oil pipelines. The Committee will review how FERC discharges these responsibilities, in light of the sweeping changes in the electric industry. Some of the specific areas the Committee may examine are FERC's implementation of Orders 888 and 889, FERC's merger policy and approach to market power, and FERC regulation of the transmission system. The Committee will examine FERC's hydropower relicensing process and natural gas policies.

GENERAL MANAGEMENT OF THE DEPARTMENT OF ENERGY

The Committee will continue to conduct oversight on the Department of Energy to assure improvements in management of the Department and its many contractors. Following are some of the issues that the Committee will consider in the conduct of this oversight.

DEPARTMENT OF ENERGY'S HANFORD SPENT NUCLEAR FUEL PROJECT

The Department of Energy's (DOE) Spent Nuclear Fuel project (SNF project) is an effort to remove 210,000 spent nuclear fuel rods from leaking wet storage basins (K-Basins) located at DOE's Hanford site in Richland, Washington. The K-Basins are one of the largest health and safety risks within the government's nuclear waste complex, and are known to have leaked at least 15 million gallons of slightly contaminated water, some of which already has reached the nearby Columbia River. The SNF project has encountered more than $600 million in cost overruns and schedule delays that have delayed the removal of the deteriorated fuel elements by more than four years. The Committee conducted oversight of the SNF project in the 105th Congress and, as a result, several commitments were made by DOE and its contractors to improve management of this multi-year project. The Committee plans to continue this oversight in the 106th Congress in order to ensure that this major environmental health and safety threat is managed adequately and resolved in a cost-effective manner.

DOE'S PRIVATIZATION OF ENVIRONMENTAL MANAGEMENT

The Department of Energy's contract reform initiative has focused on efforts to "privatize" major environmental cleanup projects, including a very recent $6.9 billion dollar contract issued to a private contractor to clean up radioactive wastes stored in underground tanks at DOE's Hanford reservation. As revealed by Committee oversight during the 105th Congress, the Department's initial privatization effort to clean up Pit 9 at DOE's Idaho site was a failure. Accordingly, the Committee plans to monitor DOE's performance on the Hanford Radioactive Tank Waste privatization contract, which not only is much larger in terms of costs to the American taxpayers, but also poses a much more serious environmental health and safety threat than did Pit 9. The Committee began its oversight of this contract in the 105th Congress and plans to continue this review, as well as its review of Pit 9 and other major DOE privatization efforts, in the 106th Congress, in order to ensure effective DOE management and to prevent serious public health threats and billions in wasted taxpayer dollars.

DOE'S OFFICE OF SCIENCE AND TECHNOLOGY

The Department of Energy estimates that between $150 and $300 billion in taxpayer funds will be needed over the next 40 years to clean up and stabilize wastes within its nuclear weapons complex. The Office of Science and Technology was created by DOE in response to a Congressional directive in 1989 to begin a program to fund the development of innovative environmental technologies that will make DOE's cleanup activities faster, cheaper, and safer. DOE

has estimated that approximately $20 billion in cleanup costs could be avoided with the use of innovative technologies developed by OST. However, the Committee's review of OST in the 105th Congress revealed that few technologies developed by OST have been deployed, in part due to OST's ineffective management, poor technology selection and review, and lack of integration with DOE's cleanup program offices. Close and continuing oversight of OST in the 106th Congress is necessary to ensure that DOE's $3 billion investment in OST results in cheaper, faster and safer cleanups throughout the DOE nuclear waste complex.

HANFORD PLUTONIUM FINISHING PLANT

The Department of Energy is responsible for the stabilization and removal of 17 metric tons of plutonium and plutonium-bearing materials currently stored at the Hanford Plutonium Finishing Plant (PFP) -- America's second largest plutonium inventory. The PFP was built in 1951 to convert plutonium liquids and powders into metal for use in nuclear weapons, but production operations at PFP were stopped in 1987. The plutonium and plutonium-bearing materials remaining at PFP must be stabilized, packaged, and shipped offsite. According to the Defense Nuclear Facilities Safety Board, DOE has halted plutonium cleanup activities at PFP due to repeated instances of poor work control, criticality safety infractions, and lack of management involvement. The Committee will review PFP cleanup activities at Hanford in the 106th Congress in order to identify and resolve management weaknesses and safety issues.

DOE'S PERFORMANCE-BASED INCENTIVE CONTRACTING

In its implementation of contract reform, the Department of Energy continues to experiment with incentive fee arrangements, such as annual performance-based incentive (PBI) contracts, with its major private contractors. The Committee's review of these reform initiatives during the 105th Congress revealed significant deficiencies in the management of these incentive contracts, and the Committee will continue to review these efforts to ensure that they effectively incentivize contractors to perform more efficiently and do not result in a waste of taxpayer dollars.

DOE NUCLEAR HEALTH AND SAFETY

One of DOE's major responsibilities at its nuclear production and research facilities is to ensure that health and safety requirements are being met by the contractors who operate or remediate the Department's nuclear facilities. Events at Brookhaven, Lawrence Livermore, and other national laboratories involving worker radiation exposures have raised questions about DOE's effectiveness in enforcing nuclear health and safety. The Committee will review DOE's nuclear health and safety efforts to ensure adequate attention is given to this important issue by the Department.

DEPARTMENT OF ENERGY'S OFFICE OF SAFEGUARDS AND SECURITY PROGRAM

The Department of Energy is responsible for safeguards and security at more than 50 Department of Energy facilities nationwide, including 12 nuclear weapon facilities and 27 non-

veapon facilities. The DOE inventory includes tons of weapons-grade nuclear material, classified ardware, computer systems and documents, and over 120,000 security clearances. In the 105th Congress, the Committee initiated an inquiry into the adequacy of safeguards and security at nuclear acilities, in light of a January 1997 report issued by the DOE's Office of Safeguards and Security OSS). In the 106th Congress, the Committee intends to continue to monitor the adequacy of DOE's fforts to improve safeguards and security in view of the potentially serious public health and safety onsequences of a major security breach at a DOE facility or during transportation of DOE nuclear naterials on public highways.

STORAGE OF WEAPONS GRADE FISSILE MATERIAL

The Department of Energy (DOE) currently stores weapons-grade uranium and plutonium rom dismantled U.S. nuclear weapons in above-ground structures. By contrast, the United States, hrough the Cooperative Threat Reduction program, is assisting Russia in the design and onstruction of a secure underground facility for the fissile material removed from warheads ossessed by the former Soviet Union. U.S. assistance on this Russian project is commendable, but t raises the question of why the DOE is not providing a similar level of safety and security here in he United States. The Committee will review the current situation at DOE's facilities, and investigate whether they should be upgraded to enhance the safety and security of these nuclear materials.

WASTE ISOLATION PILOT PLANT

The Waste Isolation Pilot Project (WIPP) in southeastern New Mexico is designed to store radioactive transuranic wastes from the production of nuclear weapons. The facility is complete but WIPP has yet to begin accepting transuranic waste because of continued objections from the State of New Mexico. These delays in opening WIPP will impact the schedule for cleaning up radioactive waste at other DOE sites. The Committee will review the current status of the WIPP project, including plans for transporting transuranic waste from other DOE sites to WIPP, and will evaluate the substance and impact of the delays in waste acceptance at WIPP.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM (FUSRAP)

The Formerly Utilized Sites Remedial Action Program was created in the early 1970s to clean up low-level radioactive contamination resulting from the nation's early nuclear weapons development. The program encompassed a total of 46 sites, of which 24 had been cleaned up by the Department of Energy (DOE). In October 1997, program responsibility for the remaining 22 active FUSRAP sites was transferred from DOE to the Army Corps of Engineers. The Committee, with the assistance of the General Accounting Office, will review the Corps' performance to date and evaluate the effectiveness of the program under Corps management.

DEPARTMENT OF ENERGY'S BUDGET REQUEST

The Committee will hold hearings on the Department of Energy's (DOE) budget requests for Fiscal Year 2000 and 2001 and closely examine the requests. The missions of DOE have changed dramatically over time. When DOE was first established, the major mission was promoting energy security. At present, the principal DOE missions are environmental management, defense programs, science and technology, and energy security. DOE has sought to add new missions such as trade promotion and enhancing environmental quality. The Committee will examine the DOE budget requests and determine whether they are consistent with the Committee's priorities.

APPLIANCE STANDARDS

The Energy Policy and Conservation Act set energy efficiency standards and directed DOE to consider revisions to these standards. The primary purpose of the program is to promote energy efficiency. Concerns have been raised about how DOE has developed revised standards, the impact of the standards on consumers, their potential anti-competitive effects, and the impact on manufacturers. During the 106th Congress, the Committee will review revised standards issued by DOE.

DOE'S ALTERNATIVE FUELS PROGRAM

Current law directs DOE to develop an alternative fuels program that displaces 10 percent of petroleum motor fuels in 2000 and 30 percent in 2010. DOE is well short of these goals. The Committee will consider whether the existing DOE program will meet these goals, and whether reforms to the program are needed.

DOE'S NATIONAL LABORATORIES

The Committee will examine whether DOE is effectively managing the contractors that operate the national laboratories. The Committee will review proposals to improve management of the labs.

FEDERAL ENERGY MANAGEMENT PROGRAM

Current law directs agencies to cut their energy use by 20 percent through 2000 and 30 percent through 2005. The Committee will examine whether Federal agencies are meeting these goals, and whether Federal accounting of energy savings is accurate.

FINANCE AND HAZARDOUS MATERIALS ISSUES

ON-LINE INVESTOR PROTECTION

The Committee will conduct oversight of the rapidly growing practice of on-line trading. The Internet is a powerful and inexpensive new research tool for investors, and provides considerable potential to improve price discovery and enhance capital formation in American markets. However, the rapid growth of on-line trading has been associated with increased market volatility, in particular with regard to Internet stocks, and with the growth of Internet securities fraud. The Committee intends to examine the state of the on-line trading industry and the impact of Internet trading on the stability of the capital markets. The Committee will assess the adequacy of the efforts made to protect investors from on-line securities fraud schemes.

BOND MARKET TRANSPARENCY

The U.S. bond market is the largest securities market in the world, representing more than $11 trillion in outstanding debt obligations. The bond markets play a vital role in providing private companies and State and local governments with capital on more favorable lending terms than those offered by banks. However, the level of transparency in the bond market, particularly the corporate and municipal market, is substantially less than that in the U.S. equity markets. Consequently, it can be difficult for investors and regulators to determine whether investors are paying the best price for a bond, and difficult for investors to determine the valuation of their portfolios. The Committee will review efforts to improve transparency in these markets, and may propose legislation to accomplish this goal.

PROFIT SHARING ARRANGEMENTS ON STOCK EXCHANGES

The Committee will continue its inquiry into profit sharing arrangements between companies and brokers on the various stock exchanges. The Committee will conduct oversight to determine the full scope of market problems related to questionable profit sharing arrangements and to evaluate the adequacy of market surveillance reforms introduced by the New York Stock Exchange and the Securities and Exchange Commission (SEC) in response to the ongoing investigation by Federal law enforcement authorities.

EDGAR PRIVATIZATION

The Committee continues to oversee the Securities and Exchange Commission's (SEC) efforts to improve public access to corporate filings data through modernization and privatization of the Electronic Data Gathering and Retrieval System (EDGAR) for corporate filings.

The National Securities Markets Improvement Act of 1996 (P.L. 104-290) directed the SEC to examine proposals for the privatization of its Electronic Data Gathering and Retrieval system

(EDGAR) in order to promote competition in the collection and dissemination of corporate filings. Pursuant to the 1996 act, the SEC developed an EDGAR privatization initiative in 1997, and then, in June 1998, awarded a three-year $49 million contract to modernize and maintain the EDGAR system. The Committee will monitor the SEC's efforts to modernize and privatize EDGAR, in order to ensure adequate public access to EDGAR data, and also to determine whether a privatized system will benefit taxpayers without sacrificing public policy concerns.

OVERSIGHT OF THE SEC'S IMPLEMENTATION OF ITS MANDATE "TO PROMOTE EFFICIENCY, COMPETITION & CAPITAL FORMATION"

The National Securities Markets Improvement Act of 1996 created a major new mandate for the Securities and Exchange Commission (SEC). The SEC is now required not only to protect investors, but also to promote efficiency, competition and capital formation. Section 106 of the Act requires that: "Whenever pursuant to this title the Commission is engaged in rulemaking and is required to consider or determine whether an action is necessary or appropriate in the public interest, the Commission shall also consider, in addition to the protection of investors, whether the action will promote efficiency, competition, and capital formation."

The Committee intends to conduct oversight of the SEC's implementation of this new mandate. In particular, the Committee will examine the adequacy and timeliness of information provided by the SEC's major Divisional Offices to the Office of Chief Economist, which has the responsibility for conducting cost-benefit analyses of proposed new rules. Additionally, the Committee will conduct oversight to ensure that final rules as adopted are consistent with the proposed rule. Changes in rule proposals upon adoption that would otherwise trigger a cost-benefit analysis on the basis of being a major rule will be examined.

Many of the recent rules affect significant changes in the fundamental structure and operation of the capital markets. Some of the most significant proposals have been enacted by the SEC while others remain in the proposal stage. The Committee will continue to conduct oversight to determine the effects and market impact of these recent rule changes, as well as to examine whether current rulemaking proposals are consistent with promoting efficiency, competition, and capital formation.

OVERSIGHT OF SELF REGULATORY ORGANIZATION RULEMAKING

The Committee will continue to examine rulemaking by the self regulatory organizations to ensure that the rules are necessary and do not afford anti-competitive advantages to particular market participants.

CIRCUIT BREAKERS AND COLLARS

The Securities and Exchange Commission (SEC) approved changes to so-called "circuit breakers," automatic halts in trading on the New York Stock Exchange, triggered by large downturns during a trading day. The changes were made to more accurately reflect the original purpose of

maintaining orderly markets during volatile trading periods. The point loss levels that trigger trading halts are now based on percentage drops relative to the level of the Dow Jones Industrial Average. The Committee will conduct oversight to determine the effectiveness and impact of the new trading halt levels in light of the increased volatility in the markets.

While the new trigger levels reflect today's stock market level, the "collars" that suspend program trading have not been adjusted. The Committee plans to examine the utility of the collars and determine if changes are warranted to reflect current market conditions without placing individual investors at a disadvantage.

PRESERVING DERIVATIVES' STATUS AS PRIVATE CONTRACTS

Derivatives have become a useful and integral risk management tool for many businesses and financial institutions. The Committee will continue to ensure that the utility and status of derivatives is not harmed through any new regulatory efforts, while working to preserve protections for investors.

OVERSIGHT OF HEDGE FUNDS

The Committee will continue to monitor questions relating to moral hazard and enforcement of applicable regulations in the hedge fund industry. The Committee will continue to monitor the unwinding of positions at Long Term Capital Management.

Y2K / INSURANCE

The Committee will examine the progress made by the insurance industry and the State insurance regulators in preparing for Y2K problems. In particular, the Committee will consider insurance solvency issues and the potential losses from duty to defend responsibilities and from coverage exposure related to directors and officers liability policies.

INSURANCE REGULATION

The Committee will oversee the Financial Standards Accreditation program, and will examine recent efforts by the National Association of Insurance Commissioners (NAIC) to regulate investment guidelines, company splits, and producer database networks. The Committee also will review the role of the NAIC in the functional regulation of insurance products offered by non-insurance companies and agents, the involvement by the NAIC in setting uniform standards for commercial insurance transactions, and the implementation of NAIC proposals to address insurance fraud.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA, COMMONLY KNOWN AS SUPERFUND)

The Committee will continue to conduct oversight with respect to the operation of the Superfund program. In particular, the Committee will be interested in ensuring that the program is achieving its primary goal -- cleaning up toxic waste sites -- in an efficient and expeditious manner. The Committee will also review the implementation of State cleanup programs and will investigate whether changes to existing Federal laws are necessary to expedite cleanups at toxic waste sites to ensure the protection of human health and the environment.

BASEL CONVENTION

The Committee will conduct oversight on the implementation of the Basel Convention, an international agreement governing the transboundary movement of hazardous materials. The Committee's oversight will help determine whether the United States should become a party to the Convention through the enactment of implementing legislation.

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February 12, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn HOB
Washington, DC 20515

Dear Mr. Chairman:

On Wednesday, February 10, 1999, the Committee on Education and the Workforce adopted in open session and with a quorum present, its oversight plan for the 106th Congress.

A copy of the plan is enclosed and I am transmitting it to you and the Committee on House Administration as required by Rule X, Clause 2 of the Rules of the House of Representatives. The Minority submitted their views on the oversight plan and they are attached as well.

Sincerely,

BILL GOODLING
Chairman

WFG/jms
Enclosures

[Committee Print]

REPORT OF OVERSIGHT PLAN OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE

MR. GOODLING, from the Committee on Education and the Workforce, submitted to the Committee on Government Reform and the Committee on House Administration the following.

REPORT

OVERSIGHT PLAN OF THE HOUSE COMMITTEE ON EDUCATION AND THE WORKFORCE

1) House Rule X 2(d)(1)

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

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

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

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

1) *Child Labor.*
2) *Gallaudet University and Howard University and Hospital.*
3) *Convict labor and the entry of goods made by convicts into interstate commerce.*
4) *Food programs for children in schools.*
5) *Labor standards and statistics.*
6) *Education or labor generally.*
7) *Mediation and arbitration of labor disputes.*
8) *Regulation or prevention of importation of foreign laborers under contract.*
9) *Workers' compensation.*
10) *Vocational rehabilitation.*
11) *Wages and hours of labor.*
12) *Welfare of miners.*
13) *Work incentive program.*

Accordingly, the Committee is responsible for overseeing approximately 24,000 federal mployees and more than $125 billion in annual spending. More importantly, it is charged with valuating whether federal education programs are contributing favorably to our children's ducation, whether we are creating a process of life-long learning, and whether we are leveloping workplace policies that encourage the most productive and competitive workplaces in he world.

) General Oversight Responsibilities

According to House Rule X 2(a):

*The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in_ (1) its analysis, appraisal, and evaluation of_*

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

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

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

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

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

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

4) Exercise of Oversight Responsibilities

The Committee takes seriously its responsibility to conduct oversight and investigations. The Committee is therefore committed to ensuring that government agencies, departments and programs within in its jurisdiction:

- Focus on an appropriate federal mission;
- Work in an effective and efficient manner; and,
- Consistently follow Congressional intent in their respective activities and operations.

Accordingly and in keeping with the Rules of the House and the principles of oversight and investigations, the Committee has identified five major projects for the 106th Congress. These projects are:

- Education reform in elementary and secondary schools;
- Implementation of the reauthorized Higher Education Act;
- The Corporation for National Service;
- The American Workforce; and,
- Year 2000 conversion problems.

Education Reform

During the 105th Congress, the Committee issued *Education at a Crossroads*, a comprehensive report analyzing the components of successful schools and the effectiveness of federal education programs funded by taxpayer dollars. In the 106th Congress, the Committee plans to continue its oversight of education reform efforts and to monitor progress in conjunction with the reauthorization of the Elementary and Secondary Education Act. The Committee will also continue to highlight innovative and effective practices at the local level, including but not limited to charter schools, accountability mechanisms, and innovative teacher programs. As part of the reauthorization of the Office of Educational Research and Improvement, the Committee will examine how federal research dollars are spent, including OERI's evaluation of educational challenges faced by different communities. The Committee will also examine the Department of Education's discretionary grant and peer review processes to ensure that applications are reviewed as efficiently as possible.

Higher Education

The Committee will monitor the implementation of the Higher Education Act as reauthorized in the 105th Congress, including the establishment of a Performance-Based Organization (PBO) to administer student financial aid programs at the Department of Education. The PBO will be critical in resolving the student financial aid problems which have caused the General Accounting Office (GAO) to keep those programs on its High Risk list, which was updated in January 1999. The department's Inspector General also expressed concerns in December 1998 about the programs and the importance of implementing an effective PBO.

The Corporation for National Service

During the 105th Congress, the Committee examined the Corporation for National Service and its premier program, AmeriCorps (Corporation). The Committee found numerous weaknesses in accounting and financial management practices. The Committee plans to continue to monitor the program in order to protect taxpayers' interests.

The American Workforce

The Committee plans to issue two reports of projects conducted in the 105th Congress: the report on its investigation of the 1996 failed election of the International Brotherhood of Teamsters and related matters, and a report on the American Worker at a Crossroads, which examined the impact of the federal government on the American worker. The Committee will continue to monitor the rights of the rank-and-file membership in labor unions, as well as the actions of employers in the garment industry. The Committee will continue oversight of proposed federal regulations and standards in the workplace, and will examine the effectiveness of the Department of Labor's reporting requirements and its enforcement procedures.

Year 2000 Conversion Problems

The departments of Education and Labor have made progress but remain at risk due to potential computer problems with the Year 2000. The Committee held hearings in the 105th Congress and will continue to monitor both agencies to ensure that adequate steps are taken to avoid disruption in critical programs. These include data sharing components that enable 8.5 million postsecondary students to receive financial assistance. Year 2000 conversion was listed in December 1998 among the top 10 problems at both Education and Labor by each agency's Inspector General. The matter also remains at the top of GAO's list of High Risk government operations released last month.

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

Minority Views on the Education and the Workforce Committee Oversight Plan for the 106th Congress

The Democratic Members of the Committee on Education and the Workforce are pleased to summarize our views on the proper oversight responsibilities of this Committee for the 106th Congress. Specific areas of disagreement remain between the Majority and Minority with respect to education and labor policies. Each is discussed separately below. However, four essential themes continue to characterize our general oversight philosophy:

- The Committee's responsibilities are most effective if carried out in a bipartisan manner;
- While the Committee should resist maintaining a static view of its role in shaping education and labor policies, it should not reject the basic premise that the Federal role in the great arenas of education and labor has fostered improved access to quality education and lifelong learning, and helped protect American workers from exploitation and harm in the workplace;
- Wherever possible, Federal policies should encourage cooperation between Federal and state education and labor agencies; and
- Education policy should seek to empower parents and help ensure a high quality education for all students.

I. EDUCATION

During the 106th Congress this Committee is charged with reauthorizing the Elementary and Secondary Education Act (ESEA) which is intended to assure that all children have equal access and equal opportunity to a high quality education. We take this charge very seriously. A true and reasoned analysis of our Federal education programs can only be accomplished on a bipartisan basis. We reject the highly partisan, one-sided "oversight" of education programs last year (Education at a Crossroads), and urge the Majority to work in a bipartisan way.

We believe reform of the public education system cannot be accomplished through divisive politics, but will require a partnership between Federal, State, and local governments. As a part of the ESEA reauthorization, Committee Democrats request that the Majority join us in considering the President's education initiatives to: (1) help states

improve teacher quality and help states turn around low-performing schools; (2) assist communities build and modernize their schools; (3) provide communities help in reducing class sizes; and (4) continue to ensure that all schools are safe and orderly. Coupled with this look at the President's initiatives, we want to maintain and strengthen targeting of Federal resources to disadvantaged children, improve our technological investments, and enhance early childhood education.

Additionally, this Committee needs to conduct careful and objective oversight of local school reforms that have resulted in increased student achievement and examine the effectiveness of charter schools and other alternative public schools, and barriers to creating such schools.

Most importantly, we want to examine ways to infuse accountability into existing Federal education programs to further improve student achievement. With the reauthorization of ESEA, we have an important opportunity to conduct oversight aimed at enhancing, not diminishing, our Federal education investment.

II. LABOR

We believe that the Committee should ensure that our labor laws are fully and fairly enforced so that unlawful conduct is deterred. Unfortunately, many private-sector union organizing efforts are opposed by employers. Some employers go so far as to unlawfully fire workers for pro-union activity. Because the punishment for such violations are outweighed by the potential benefits to employers, employers continue to violate the law and, too often, the right of workers to organize remains an illusion. Our labor protections against such illegal employer conduct should be reviewed and strengthened.

During the 105th Congress, the Committee devoted time to the examination of employment practices in the garment industry. Our Republican colleagues finally saw fit to acknowledge that sweatshops remain a reality within the United States, even on the eve of the 21st Century. However, they have been disingenuous regarding the reasons sweatshops continue to exist and unwilling to consider meaningful legislative proposals to end this kind of unconscionable exploitation of workers. Indeed, so far the only legislative proposals coming from our Republican colleagues relating to enforcement of the wage and hour laws would serve to exacerbate rather than redress the problem of sweatshops. Market forces in the garment industry act to encourage manufacturers and retailers to profit from sweatshop operations. If we are serious about ending sweatshops, those who profit from the violation of our labor laws must share in the liability for those violations.

Perhaps the most striking characteristic of labor market development over the last several decades is the increasing disparity of income within the workforce. Many of the fastest growing job markets in the country pay less than living wages and increasing numbers of workers are finding that while they are working harder and harder, they are

earning less and less. This has remained the case even during the unprecedented economic prosperity of the Clinton Administration. As a consequence, insuring that minimum labor standards, such as the minimum wage, are adequate has become more important than ever.

III. OLDER AMERICANS ACT

The Majority's Oversight Plan fails to mention our critical oversight over a number of service programs for older persons. We expect to work with the Majority to develop an effective reauthorization bill that will improve the delivery of supportive and nutrition services to older persons. Further, we remain committed to protecting long-term care ombudsman programs; the prevention of elder abuse, neglect, and exploitation; elderly rights and legal assistance development; outreach; counseling; and research and training. We will continue to support necessary safeguards which target Older American Act programs to low-income minority elderly.

IV. TEAMSTERS

The proposed increase in the Committee's budget to support a continuation of the Teamsters investigation is without justification. Last year, the Majority spent well over $1 million on a partisan witch-hunt that did not produce any additional credible evidence of wrongdoing or any benefit to the taxpayers. The Majority has steadfastly refused to account for its expenditures related to this investigation. We still do not have time sheets demonstrating the work done by Committee consultants who received almost a quarter million dollars last year. The Majority should terminate this wasteful investigation.

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ONE HUNDRED SIXTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

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Committee on Government Reform
Oversight Plan
106th Congress
Honorable Dan Burton
Chairman

Rule X, Clause 2(d) of the Rules of the House requires each committee of the House to adopt and submit a two-year oversight plan to the Committees on Government Reform and House Administration by February 15 of the first session of the Congress. The following is the oversight plan for the 106th Congress for the Committee on Government Reform and its eight subcommittees. It details areas in which the Committee and subcommittees plan to conduct oversight, but does not preclude investigation into additional matters as the need arises.

Full Committee

Introduction

The Committee on Government Reform dates back to 1927, when 11 separate committees were consolidated into the Committee on Expenditures in the Executive Departments. In 1952, it was renamed the Committee on Government Operations to better reflect the Committee's primary mission: to study "the operations of Government activities at all levels with a view to determining their economy and efficiency."

When the Republican Party assumed control of the House in 1995, the Committee broadened its portfolio by absorbing two other standing committees, the Committee on the District of Columbia, and the Committee on Post Office and Civil Service -- achieving substantial cost savings. This new, expanded committee was then renamed the Committee on Government Reform and Oversight, to reflect the emerging consensus that government-wide reform was needed to better serve the taxpayers. This January, at the outset of the 106th Congress, that designation was shortened to the Committee on Government Reform.

The Government Reform Committee is widely recognized as the House's chief oversight committee, acting as a watchdog against waste, fraud and abuse. While all Congressional committees are expected to oversee the agencies under their jurisdiction, the Government Reform Committee's authority to conduct oversight government-wide sets it apart.

The Committee has frequently been asked to undertake high-profile and sensitive investigations that cut across normal committee jurisdictions. During the 104th Congress, Chairman Bill Clinger undertook the investigation of the improper firings of White House Travel Office workers. This investigation later uncovered the Clinton White House's improper handling of hundreds of sensitive FBI files.

In the 105th Congress, Chairman Dan Burton was asked to lead the investigation into millions of dollars of illegal foreign contributions that flowed into the Democratic National Committee and other political organizations. In October 1998, the Committee produced an interim report on its investigation. The report detailed in exhaustive fashion millions of dollars in illegal contributions (most originating overseas), along with questionable interactions of DNC fundraisers Charlie Trie, John Huang, Ted Sioeng and Johnny Chung with senior government and Democratic Party officials. The interim report concluded that the DNC had failed to return as much as $1.8 million in illegal and suspect contributions.

Activities for the 106th Congress

Beyond the Beltway: What's Working at the State and Local Level

During the 106th Congress, the Committee will undertake a series of hearings to examine innovative reforms undertaken by state and local governments to address some of our nation's most challenging problems. Under House Rule X, the Committee has jurisdiction over intergovernmental relations: the relationship of the Federal Government to the states and municipalities.

These hearings will explore programs undertaken by state and local governments, as well as private organizations, to fight crime, reform welfare, improve education and reduce taxes. The purpose of these hearings will be to determine if innovative approaches to problems in these areas are getting results, if Federal mandates on the states and localities are hindering further reforms, and if further efforts to scale back Federal rules and regulations will prompt greater innovation by state and local governments.

Complementary and Alternative Medicine

The Committee plans to continue hearings begun in the 105th Congress into complementary and alternative medicine. According to a recent study, more than 40 percent of Americans use some form of non-conventional medical treatment. The Committee's hearings will seek to determine if Federal programs meant to promote better research into and understanding of alternative medicines are being implemented properly, if biases toward conventional treatments at the National Institutes of Health and other organizations are hindering clinical trials of alternative medicines, if seriously ill patients are being denied access to experimental treatments, and if sufficient governmental resources are being devoted to this exploding field.

As part of this oversight project, the Committee is expected to examine the FDA's regulation of dietary supplements, and its track record in speeding up the approval process for drugs for the seriously ill.

Investigation into Illegal Fundraising Activities

The Committee will continue to pursue its investigation into illegal campaign fundraising activities during the 106th Congress. The Committee made substantial headway in this investigation, as evidenced by its 500-page interim report, despite an unprecedented campaign of stalling and obstruction by targets of the investigation. Among the hurdles the Committee struggled to overcome: 121 witnesses asserted their Fifth Amendment rights or fled the country to avoid testifying, foreign governments refused to provide any information as to the origins of foreign money that wound up in DNC bank accounts, the White House for six months failed to produce videotapes of the President at fundraising events with key suspects, and finally, the Attorney General defied a Congressional subpoena to turn over key documents in the investigation and was held in contempt by the Committee for this action.

With a list of 121 individuals refusing to testify, among them close friends and advisors of the President, important questions remain unanswered. These include: "Were foreign governments behind the efforts of key individuals to funnel foreign money into U.S. political campaigns?"; "What did key suspects in this scandal seek in return for their contributions?"; "Did the President or senior government officials have knowledge of illegal campaign activity?"; and "Was the national security jeopardized by any of these actions?". With such central questions left unresolved, the Committee believes it has an obligation to continue to pursue information in this matter.

Waste, Fraud and Mismanagement

Recent reports produced by the General Accounting Office and inspectors general from various agencies have identified serious and longstanding management problems at numerous Federal agencies, as well as billions of dollars lost to endemic waste and fraud. These reports include the GAO's annual "High-Risk Series," the GAO's report on "Major Management Challenges and Program Risks," and a survey compiled by agency inspectors general of programs plagued by waste and fraud.

Among the examples of waste identified in these reports are:

- $20 billion in overpayments by the Medicare program, involving about 11% of all Medicare fee-for-service payments.
- More than $1 billion a year in overpayments by the Food Stamp program, including payments to prisoners and deceased individuals.
- Estimates that the Federal Aviation Administration has wasted $1.5 billion in its troubled program to upgrade its Advanced Automation System Program.

Many of the problems identified by the GAO and the inspectors general have persisted for years and cost the taxpayers untold billions of dollars. The Committee will conduct an examination of some of the most egregious examples of waste and mismanagement. The Committee will seek to determine how these problems came into existence, what is being done to attempt to correct them, and why, despite the high priority placed on solving these management problems, they endure from one year to the next.

To further the aims of this project, the Committee will survey the offices of all 435 Members of Congress to determine which agencies create the most serious and frequent casework problems. Anecdotal evidence provided by caseworkers may provide valuable information about chronic programmatic problems that need to be addressed by Congress.

Embassy Security

In the wake of recent terrorist bombings of U.S. Embassies in Kenya and Tanzania, the security of U.S. installations overseas has received a great deal of attention. A commission chaired by Admiral William J. Crowe recently issued a report on this matter, only part of which is unclassified.

The Committee will conduct a review of security measures undertaken at U.S. embassies and other U.S. facilities and may hold hearings in this area. The Committee will seek to determine what measures are being undertaken to improve security at U.S. installations, what the most serious vulnerabilities are, and whether sufficient resources are being directed to the problem.

The Committee will consult actively with the House Committee on International Relations, and may ultimately conduct joint hearings on this subject.

Coordination with Subcommittees

Census

The full Committee will continue to work with the Census Subcommittee as it oversees the Census Bureau's preparation for the Year 2000 Census. The Supreme Court's recent decision confirming the illegality of the Clinton Administration's controversial plan to statistically adjust the decennial count reinforces the need for Congressional oversight to ensure that the Census Bureau is prepared to conduct a full and complete enumeration. As the date for the Census approaches, concerns that the Bureau is not prepared to conduct the full count required by the law grow. Vigorous oversight of the Census Bureau's activities will help guide Congress' legislative actions in this area. The full Committee will work actively with Subcommittee Chairman Dan Miller to address these issues.

The Year 2000 Computer Problem

Another problem looming on the horizon is the 'Y2K' computer glitch. As January 1, 2000 approaches, concerns grow that computer problems could cause disruptions in the delivery

of Federal benefits and critical government services. March 31 is the date established by the Office of Management and Budget for Federal agencies to certify that their computer systems are free of Year 2000-related problems. The Subcommittee on Government Management, Information, and Technology has held numerous hearings on this matter. The full Committee will work with the Subcommittee, chaired by Congressman Steve Horn, to review government efforts to meet this impending challenge.

Postal Reform

The Subcommittee on the Postal Service, chaired by Congressman John McHugh, has conducted extensive oversight of the U.S. Postal Service as it has prepared legislation to reform the Postal Service and make it more competitive. The Subcommittee has planned a series of hearings leading up to a mark-up of Chairman McHugh's legislation. The full Committee will work hand-in-hand with the Subcommittee to ensure that the bill adequately addresses problems and concerns raised through the oversight process.

Subcommittee on the Census

The Subcommittee on the Census held a total of 6 hearings in the 105th Congress on matters relating to the oversight of the 2000 Census and its preparations. The subcommittee plans to continue working on a number of oversight and legislative projects started in the last Congress, in addition to many new activities it has begun this Congress. Chairman Miller looks forward to working closely with subcommittee members as well as the Census Bureau to ensure the most accurate count ever.

A. Investigations and Hearings

The subcommittee plans to continue with extensive investigations of the Census operations for the 2000 decennial Census. The subcommittee is continuing with a series of field hearings directed at soliciting suggestions from various community groups, and community leaders throughout the nation. Chairman Miller believes it is important to hear what improvements and suggestions these groups have for a traditional enumeration. Mr. Miller also believes these first hand experiences lend invaluably to the process.

B. Oversight

The Subcommittee plans to continue close oversight of the Census Bureau as it plans to take a full enumeration as required by the Supreme Court in its ruling in *William Jefferson Clinton, President of the United States, et al., Appellants v. Matthew Glavin et al.* As part of this oversight, the Subcommittee plans to monitor the following:

1. Oversight of the 2000 Decennial Census Dress Rehearsal and its results.
2. Oversight of the 2000 Decennial Census preparations.
3. Compliance with the ruling of the Supreme Court on the illegality of statistical sampling.

4. Awarding of contracts.
5. Address list development.
6. Content of questionnaire.
7. Mailout/delivery of questionnaire forms.
8. Printing and addressing of questionnaires.
9. Canvass of city style and rural addresses.
10. The Local Update of Census Addresses (LUCA) program.
11. Master Address Lists.
12. Opening of Local Census Offices.
13. Field office staffing.
14. Telephone assistance.
15. Opening of Data Capture Centers.
16. Data capture system.
17. Automated data processing system.
18. Mailing and/or delivery of advance letters, questionnaires and reminder cards.
19. Be Counted National Campaign.
20. Questionnaire Assistance Centers.
21. Complete Count Committees.
22. Service Based Enumeration.
23. Special population enumeration.
24. Recruitment and training.
25. Paid Advertising.
26. Non-response follow up.
27. Vacant housing unit follow up.
28. Large household follow up.
29. Unduplication of multiple responses.
30. Quality check survey.
31. Demographic analysis.
32. Geographic products.
33. P.L. 94-171 Redistricting data program.

C. Legislative Reforms

The Subcommittee has several substantive pieces of legislation we plan on introducing and passing into law this Congress. The Subcommittee will pursue legislation that will enhance operations of the Census Bureau in an effort to guarantee the most accurate count in the 2000 decennial Census.

Subcommittee on the Civil Service

The Civil Service Subcommittee's oversight activities during the 105th Congress included intensive reviews of activities related to retirement coverage, the Federal Employee Health Benefits Program, Veterans' Preference as administered by Federal agencies, employee appeals and grievance procedures, and continued efforts at comprehensive reform of civil service laws and regulations. Chairman Joe Scarborough looks forward to strengthening provisions of

law protecting hard-earned benefits for Federal employees and annuitants. He welcomes the chance for close collaboration with the Ranking Member in completing significant legislation in these areas and in addressing emergent issues, including the Administration's human resource management initiatives.

A. Implementation of Legislation

1. Military health care/FEHBP demonstration project -- In last year's Defense Authorization Act, Congress established a demonstration project to allow up to 66,000 Medicare-eligible military retirees and others to participate in the FEHBP rather than receive military health care. Administration actions have already raised several serious issues concerning its implementation of this project. For example, by capping the total population that will be able to select FEHBP coverage at 66,000, DOD has ensured a much smaller test than Congress intended. Likewise, policies under consideration by OPM, such as requiring carriers to maintain separate reserves for military beneficiaries, also threaten to undermine the demonstration project.

2. Veterans' preference reforms -- The subcommittee will oversee implementation of the Veterans' Employment Opportunities Act of 1998. OPM has taken the position that veterans who become Federal employees under the bill's equal access provision will be placed in the excepted service and, therefor, have fewer rights than their co-workers in the competitive service. A legislative correction may be required. The subcommittee will also review actions taken by OPM, the Department of Labor, the Special Counsel, and the MSPB to implement provisions improving the redress mechanism for veterans and making violations of veterans preference prohibited personnel practices.

3. Federal Employees Group Life Insurance program -- The subcommittee will oversee OPM's implementation of various improvements made by the Federal Employees Group Life Insurance Improvement Act and the open season provided by the Act. The subcommittee will also examine OPM's study of employee interest in group universal life insurance, group variable universal life insurance, and additional accidental death and dismemberment insurance and options to provide employees with those forms of insurance through commercial carriers.

4. Federal Employees Health Benefits Program -- The subcommittee will examine OPM's policy guidance for contract year 2000 and changes in FEHBP premiums. It will also oversee OPM's implementation of provisions of the Federal Employees Health Care Protection Act of 1998 that strengthened OPM's ability to combat waste and fraud in the FEHBP, sanction unfit providers, and combat the use of so-called silent PPOs. In addition, that Act also established new rules on the readmission of plans to the FEHBP and the distribution of reserves from departing plans. The subcommittee will oversee OPM's implementation of these specific provisions as well.

B. New Legislative Reforms

1. Correction of erroneous retirement coverage -- The Federal Retirement Coverage Corrections Act (H.R. 416) provides a mechanism to correct agencies' mistakes in enrolling Federal employees into incorrect retirement systems. This bill is identical to the bill passed unanimously by the House during the 105th Congress following action by the Committee on Ways and Means. The subcommittee looks forward to fruitful discussions with Senate counterparts to bring a timely closure to this difficult problem affecting nearly 20,000 Federal employees and annuitants.

2. Long term care insurance benefit for Federal employees -- The Subcommittee conducted a hearing and developed a legislative proposal in the 105th Congress to provide Federal employees the option to purchase this coverage at group rates. The Administration recently submitted its own proposal to acquire and administer such a benefit for the Federal workforce. There is bipartisan support to create such a benefit option but significant differences still exist in structuring and administering this benefit in the Federal environment.

3. Civil service provisions in the President's FY2000 budget -- Each year, the Administration includes provisions in its budget submission which affect the civil service constituency. The Committee on the Budget in turn has carried civil service related provisions in past Budget Resolutions. Federal service retirement and health benefits constitute the primary sources of mandatory spending in the jurisdiction of the Committee on Government Reform. Recent Budget Resolutions have affected retirement COLAs, increased retirement contributions, affected health insurance cost sharing, and proposed other changes to current benefits. The subcommittee anticipates additional proposals affecting employee benefits in the FY 2000 budget.

4. Civil service provisions in the 1999 Defense Authorization bill -- The Department of Defense regularly includes provisions affecting civil service rules in its annual authorization bill. Past provisions have addressed personnel reductions, compensation issues, separation incentives, retirement and health benefits. Indications are that the Department, this year, will seek major changes (e.g., waiver of pension reduction for employees who retire before age 55) that could impose substantial costs on the government. The subcommittee works closely with the House Armed Services Committee to ensure that issues raised by Department of Defense are considered in the context of the civilian workforce as a whole.

C. Civil Service Issues

1. Examine proposals to reform the employee appeals system -- The Equal Employment Opportunity Commission has been stymied in its attempt to administratively change some aspects of its appeals processes. Federal employees also have access to the Merit Systems Protection Board, the Federal Labor Relations Authority, and the Office of Special Counsel to address concerns related to adverse personnel actions, allegations of discrimination, and other forms of prohibited personnel

practices. Case backlogs and patterns of abusive filings are undermining the effectiveness and credibility of the system. There is a growing consensus that the grievance system established by the Civil Service Reform Act of 1978 is in need of reform. Greater reliance on alternative dispute resolution means and agency consolidations are examples of reform options being advanced.

2. Examine proposals to reform the Federal compensation system and pay for performance -- The President has alleged that the pay mechanism established by the Federal Employees Pay Comparability Act of 1990 is seriously flawed. He has recommended lower levels of pay raises each year. OPM promised a major review of Federal employees' compensation, largely in recognition of widening differences between the Bureau of Labor Statistics, the Federal Salary Council, and GAO and private sector assessments of Federal pay. The Vice President has recently promoted a "pay for performance" concept that appears at odds with the "pass-fail" performance management standards that the Administration has adopted at many agencies. During the 105th Congress, increasing numbers of bills were introduced to address discrete pay issues, and the Administration appears inclined to combine several of these concerns (e.g., overtime pay ceilings, categories of premium pay, specialty pay, and locality issues) into a coordinated package.

3. Continue oversight over Federal affirmative action programs and employment discrimination in the Federal workplace -- Recent news reports estimate that employment discrimination costs paid by Federal agencies exceed $860 million since 1990. The appeals processes available to Federal employees require extensive periods to hear cases, and result in reversals of agency actions in fewer than 10 percent of cases. Although the President promised to "mend, not end" affirmative action programs following the Supreme Court's decision in ***Adarand v. Pena***, subsequent cases have declared agency policies unconstitutional. The subcommittee conducted three hearings on employment discrimination during 1997, and has directed additional attention to specific agency problems in this area.

4. Continue oversight of OPM's management of the FEHB program -- The subcommittee regularly reviews the annual call letter and annual premium setting to examine the justifications for proposed changes of policy and to monitor their impact on health insurance premiums.

5. Investigate the frequency and extent of problems in OPM processing of retirement claims -- OPM claims relatively few problems in the administration of retirement benefits, but Member offices receive numerous complaints. OPM's information systems dealing with retirement data have the objects of some controversy and the agency is under pressure to develop a new system under tight deadlines.

6. Investigate violations of the Hatch Act and Pendleton Act -- The Hatch Act amendments of 1993 increased Federal employees' abilities to participate in political activities. The Pendleton Act has not been updated for 100 years. Recent campaign finance abuses have underscored to need to clarify certain provisions of these acts and to

strengthen punitive sanctions to enhance enforcement capabilities.

7. Investigate the use and abuse of authorities to hire temporary Federal employees -- Federal land management agencies -- particularly the Forest Service -- appear to have numerous employees retained as "temporary" employees for extensive periods (as long as 20 years in some cases). The practices have been criticized by OPM, GAO, and several specific task forces, but problems appear not to have been resolved. Furthermore, current practices concerning provision or denial of benefits to temporary employees are in need of review.

8. Investigate abuses in the use of Intergovernmental Personnel Act appointments -- The Committee has received reports of Federal employees serving with interest groups and conducting lobbying for these groups while receiving government salaries. Other abuses include use of this authority to appoint people whose primary qualifications are political, use of the IPA authority to staff task forces (e.g., the President's Health Care Task Force), and use of this authority to provide sinecures for political appointees when agency leadership changes.

9. Investigate the use of official time by Federal employees to pursue union work and to lobby; and examine the extent of Federal subsidies to Federal unions -- A report from OPM required by a Treasury-Postal Appropriations amendment (sponsored by Mr. Miller) documented that Federal agencies supported union operations to the extent of nearly $58 million in salary and office expenses in the first half of FY-1998. It appears that use of official time has expanded significantly since the President's Executive Order creating the National Partnership Council. OPM argued that the benefits of partnership justify these costs, but the report warrants scrutiny.

10. Examine proposals to reform the Federal Workers Compensation Act -- GAO reported that more than 1/4 of FECA beneficiaries receive compensation greater than the salary that they received as employees. The Department of Defense and the Department of Agriculture have approached the Subcommittee about increased costs of providing these benefits, and documented several anomalies in the program that leave people in extended periods as beneficiaries rather than moving to retirement. The Committee on Education and the Workforce has worked closely with the Department of Labor's Office of Inspector General to identify concerns about the program and to develop a start on proposed modifications of current benefits.

11. Examine proposals for retirement system reforms, including funding mechanisms and benefit portability -- Federal employees' retirement benefits are not funded on an actuarially sound basis. As a result, the Treasury must rely on taxpayers to provide most of the funding for current and future benefits. Reforms should incorporate measures for more secure funding and greater portability of benefits to accommodate a more mobile workforce.

D. Agency Oversight

The Subcommittee exercises its oversight responsibility to ensure that agency activities are in compliance with the role and mission established by the Congress. The agencies in the Subcommittee's jurisdiction include:

1. **Office of Personnel Management** -- overall policy and operation of Federal personnel systems;
2. **Merit Systems Protection Board** -- appeals of adverse personnel actions and studies to evaluate impact of merit systems on Federal employment;
3. **Federal Labor Relations Authority** -- labor-management policies and impasse resolution in the Federal sector;
4. **Office of Government Ethics** -- oversight of conflict of interest laws and clearances of appointees seeking Senate confirmation;
5. **Office of Special Counsel** -- investigation and prosecution of violations of prohibited personnel practices, allegations of retaliation, and Whistleblower Protection Act;
6. **Equal Employment Opportunity Commission (Federal sector)** -- review of employment discrimination disputes in the Federal sector, adjudication of appeals, and establishment of agency procedures governing these areas; and,
7. **Federal Retirement Thrift Investment Board** -- administers the Thrift Savings Plan accounts of Federal employees' retirement.

Subcommittee on Criminal Justice, Drug Policy, and Human Resources

The Subcommittee on Criminal Justice, Drug Policy, and Human Resources maintains jurisdiction over the domestic and international aspects of the Nation's anti-drug or counter-narcotics efforts, portions of which span fifty-four Federal agencies. During the 105th Congress, a variety of hearings were held into the effectiveness and needs relating to prevention, treatment, law enforcement, interdiction and source country counter-narcotics programs. That oversight effort will intensify, with special attention to exploring new problem areas and potential legislative reforms. In addition, the Subcommittee will examine the panoply of programs administered by agencies at the Department of Justice, and will pursue aggressive oversight of the Departments of Education, Health and Human Services, Housing and Urban Development and Commerce, as well as several associated agencies.

U.S. Counter-Narcotics Efforts - A thorough review of the effectiveness of U.S. anti-drug programs, including programs aimed at stemming drug-related crime, will be undertaken. Agencies that will receive special scrutiny include those administering source country anti-drug programs in Colombia, Bolivia, Peru, Mexico, India, Thailand, Laos, and other source or transit nations in the Caribbean and Far East, as well as domestic programs involving drug treatment and prevention. In addition, attention will be directed at the needs and effectiveness of Federal programs run by the Office of National Drug Control Policy, Drug Enforcement Administration, Federal Bureau of Investigation, Coast Guard, Customs, State Department's Bureau of International Narcotics and Law Enforcement, Border Patrol, FinCen, and Bureau of Alcohol, Tobacco and Firearms, as well as programs administered by the United Nations Drug Control

Policy Office, Joint Interagency Task Forces, the Defense Department's Joint Task Force Six, and the High Intensity Drug Trafficking Areas nationwide. Topics under special consideration include the ONDCP Performance Measures of Effectiveness System, Scoring of the so-called Federal drug budget, the Mexican drug problem, international money laundering, the drug legalization movement, and Federal agency corruption.

Drug Legislation Oversight - A review of the degree of compliance with legislative mandates stemming from passage in 1998 of the Office of National Drug Control Policy Reauthorization, the Western Hemisphere Drug Elimination Act, the Drug Free Communities Act, the Federal Demand Reduction Act, Drug Free Workplace Act, Drug Free Prisons and Jails Treatment Act, Marijuana Prohibition Act, and the Speed Trafficking Act. Other programs to be scrutinized include the Safe and Drug Free Schools Program, various Federal treatment programs, the Federal anti-drug media campaign, and programs administered by a variety of other Federal drug control agencies.

A. Department of Justice

1. **Citizenship USA** - The Subcommittee will continue to follow-up oversight efforts begun in 1996 into the mismanagement of the Citizenship USA Program, including follow-up meetings, document review and possible hearings.

2. **Criminal Justice Deficiencies in Prosecuting Medicare Fraud** - Congressional efforts to investigate and monitor the Department's pursuit of fraud in the area of Medicare, and related or similar programs will be pursued.

3. **Government Performance and Results Act Compliance** - There will be a thorough review of GPRA compliance, both at the Department and across the affected agencies.

4. **Shifts in Prosecutorial Priorities** - Potential and actual shifts in prosecutorial priorities will be examined to determine whether such shifts have been effective and whether there have been opportunity costs associated with these reported shifts.

5. **General investigation, based on GAO, IG, and CI contacts, of Mis-, Mal-, and Non-Feasance by various components of the Department as necessary**. Review of duplication and redundancy in program missions and roles.

B. Human Resources

1. **Health and Human Resources** - The Subcommittee will review compliance by the Department with the Government Performance and Results Act, both at the Department and across various agencies. General investigation, based on GAO, IG, and CI contacts, of Mis-, Mal-, and Non-Feasance by various components of the Department as necessary. Review of duplication and redundancy in program missions and roles. Special attention may be directed toward a review of the Early Head Start program effectiveness; the efficacy of the Child Support Enforcement Administration's efforts at "deadbeat Dad" debt collection (including various alternatives); waste, fraud and abuse within the

Medicaid and Medicare programs, including the efficacy of the Health Care Financing Administration.

2. Education - The Subcommittee will review compliance by the Department with the Government Performance and Results Act, both at the Department and across various agencies. General investigation, based on GAO, IG, and CI contacts, of Mis-, Mal-, and Non- Feasance by various components of the Department as necessary. Review of duplication and redundancy. Special attention may be directed toward a review of GAO High Risk Areas; the relationship between the ever-increasing amount of Federal student aid and increases in post-secondary education costs (especially the student loan program); and the Federal Family Education Loan program and borrowing for payments to foreign schools. Finally, the overarching mission of the Department and its role in the national educational priorities, as well as cooperation with state and local authorities, may be examined more closely.

3. Housing and Urban Development - The Subcommittee will review compliance by the Department with the Government Performance and Results Act, both at the Department and across various agencies. General investigation, based on GAO, IG, and CI contacts, of Mis-, Mal-, and Non-Feasance by various components of the Department as necessary. Review of duplication and redundancy. Special attention may be directed toward a review of High Risk areas identified by GAO, namely weaknesses in internal controls, ineffective and unreliable information gathering and use, financial management systems, overlapping responsibilities among various components within the Department, and poor staff training. Also under consideration for more detailed review are the Empowerment Zone Program, programs dedicated to rehabilitation of public housing, treatment of HUD-supported property owners, and the overarching issues of fraud within the Department and the Department's role in the cooperating with state and local authorities.

4. Commerce - The Subcommittee will review compliance by the Department with the Government Performance and Results Act, both at the Department and across various agencies. General investigation, based on GAO, IG and CI contacts, of Mis-, Mal-, and Non-Feasance by various components of the Department as necessary. Review of duplication and redundancy. Special attention may be directed toward a review of how Commerce coordinates with other Federal trade agencies, how the Department's activities have affected the U.S. Trade Deficit, remaining responsibilities for export control, activities of the Maritime Administration, SBA, SEC, U.S. International Trade Commission, and Office of U.S. Trade Representative.

Subcommittee on the District of Columbia

During the 105th Congress, the Subcommittee on the District of Columbia held 19 oversight hearings and moved a major piece of legislation, Title XI of the Balanced Budget Act of 1997, District of Columbia Revitalization, also known as the "National Capital Revitalization and Self-Government Improvement Act of 1997." This law followed up on the District of

Columbia Financial Responsibility and Management Assistance Act of 1995 also known as the "District of Columbia Financial Control Board." The District of Columbia Revitalization Act addressed problems of a wide range of service delivery issues in the District by enacting reforms in areas such as pensions, management reform, criminal justice, tax collection, accumulated deficit and regulatory reform financing. During the 106th Congress, the subcommittee plans to continue its oversight of the District of Columbia by reviewing several matters, some of which may require coordination with other committees such as Education and the Workforce, Transportation and Infrastructure, Judiciary, and Appropriations. An oversight hearing was held on January 22, 1999, on New Vision for the District of Columbia with newly elected Mayor Anthony Williams, D. C. Control Board Chairwoman, Alice Rivlin and D. C. City Council Chairwoman, Linda Cropp.

A. Oversight and Legislation

1. **Memorandum of Understanding (MOU)** - Review the MOU drafted between the Mayor's office and the D. C. Control Board which transfers certain responsibilities back to the Office of the Mayor from the D.C. Control Board. Legislation to revert authority over nine key D.C. Agencies from the D.C. Control Board to the mayor.

2. **Public Safety** - Review public safety in the District of Columbia.

3. **Finances (P.L. 104-8)** - Continue to review the District of Columbia's financial condition.

4. **Education** - Oversight of District of Columbia's education emergency Board of Trustees and Superintendent Arlene Ackerman. Introduce a college tuition incentive bill for D. C. high school students which would provide in-state tuition rates at public universities outside the District of Columbia.

5. **District of Columbia Water and Sewer Authority** - Continue monitoring the Blue Plains Wastewater Treatment Facility and its impact on the Washington Metropolitan region.

6. **Department of Corrections** - Review the operations of the Lorton Correctional Facility with respect to the Trustees as it goes through the closing phase. Reviews of contracts with the Corrections Corporation of America.

7. **Public Housing** - Review public housing in the District - the receivership aspect.

8. **Health** - Oversight review of St. Elizabeth's Hospital and the mental health system of the District of Columbia. Review needs of other hospitals, reimbursement issues, roles of teaching hospitals.

9. **P.L. 105-33** - Oversight of District of Columbia Finance Responsibility Assistance Management Authority's implementation of P.L. 105-33.

10. District of Columbia Courts - Oversight of Administrative Management of the District of Columbia Superior Courts.

11. Year 2000 Oversight Correction - Oversight of implementation of corrections to the Year 2000 problem for the District of Columbia Government

Subcommittee on Government Management, Information, and Technology

The Subcommittee on Government Management, Information, and Technology's focus in the 105th Congress was primarily on oversight activities having conducted approximately 80 hearings. The subcommittee also considered substantial legislation, much of it resulting from the oversight activities. The subcommittee held 8 markups, reporting a total of 12 bills to the full Committee on Government Reform and Oversight. Among the legislation falling in the subcommittee's jurisdiction, five bills were enacted into law. Much of the oversight activity in the 106th Congress will build upon the results of our previous work.

A. Legislative Implementation Oversight

1. Debt Collection Improvement Act - The subcommittee will continue its review of the implementation of the Debt Collection Improvement Act. The Act provides agencies the tools to collect Federal debts by providing centralized administrative offset and cross-servicing authority.

2. Travel and Transportation Reform Act - Public Law 105-264 is designed to remedy poor management of the Federal Government's massive travel expenditures. The bill aims to eliminate obstacles to better management by encouraging a concerted effort by Federal managers to improve the efficiency and cost-effectiveness of travel by Federal employees.

3. Inspector General Act - The subcommittee will consider impact and efficacy of the Act, now in its 20th year as law. The subcommittee will focus on the due process requirements of inspectors general in their investigations.

4. Clinger-Cohen Act - The subcommittee will review this Act, which established statutory Chief Information Officers in Federal departments and agencies, to determine the efficacy of its provisions.

5. Government Performance and Results Act - The subcommittee will review the status of the Executive Branch's implementation of the Act which, among other things, measures program performance and requires the establishment of programmatic goals.

6. Single Audit Act - The Act establishes audit requirements for State and local governmental entities and not-for-profit organizations receiving Federal financial aid. The subcommittee will review the impact of the amendments enacted during the 104th Congress.

7. Federal Acquisition Reform Act - The subcommittee plans to examine the implementation of the Federal Acquisition Reform Act of 1996. This Act reduces unnecessary costs, regulations, and bureaucracy in government procurement through reforming the commercial acquisition system. The Act reduces the need for formal written certifications, enhances international competitiveness, and encourages competition.

8. Federal Advisory Committee Act - Public Law 105-153 establishes guidelines that the National Academy of Sciences and the National Academy on Public Administration must follow. The law exempts the full application of the Act from the groups.

9. Government Management Reform Act - The Act's requirement of an audited consolidated financial statement will be reviewed.

B. Information Technology Oversight

In the first session of the 106th Congress, the subcommittee will conduct extensive oversight of the status of Federal departments and agencies' efforts to prepare for the Year 2000 computer problem. This will include the actions of State, local and foreign governments, as well as those of private sector entities, in addressing the Year 2000 problem. This review will focus on the impact of their actions as they relate to the ability of the Federal Government to perform its functions. In addition, the subcommittee will examine the Administration's expenditure of the emergency supplemental appropriations for Year 2000 fixes. Other problems associated with the procurement and implementation of technology systems will be reviewed.

C. Financial Management Controls Oversight

1. Agency Financial Management - The status of departments and agencies' efforts to receive clean opinions on their financial statements will be considered by the subcommittee.

2. Internal Revenue Service - The subcommittee will continue its consideration of the status of efforts to address the financial management problems within this division of the Department of the Treasury.

3. Department of Defense - The department's ability to produce reliable financial statements will be reviewed.

4. Oil Royalty Revenue Collection - The status of the Minerals Management Service's efforts to address underpayments to the Federal Government of royalties on crude oil drilled on Federally controlled lands will be reviewed.

5. Customs Service - A review of the Customs Service's management practices and its policy on allocation of resources will occur.

6. **Forest Service** - The subcommittee will review the agency's internal controls as they relate to its ability to produce accurate and auditable financial statements.

D. Agency Oversight

The subcommittee will hold oversight hearings, examining the roles and missions of selected departments and agencies, to determine whether they are fulfilling their mission.

E. Government Management Oversight

1. **Office of Workers' Compensation Programs** - Review of the administration of the Federal Employees Compensation Act.

2. **Statistical Agency Consolidation** - The subcommittee will examine proposals to consolidate the primary statistical functions of the Federal Government.

3. **General Accounting Office's High Risk Report** - Examination of the programs highlighted by the GAO as at high risk of waste, fraud, and abuse.

4. **Federal Telecommunications Services Contract** - The subcommittee will conduct oversight on the government's long-distance telecommunications service.

F. Information Policy Oversight

The subcommittee will review the Federal Government's information policies, including the impact of the Freedom of Information and Privacy Acts.

Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs

The Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs held 19 hearings in the 105th Congress on a range of issues from environmental policy, such as global climate change, particulate matter and ozone, and superfund cleanup, to legislative proposals, such as the Small Business Paperwork Reduction Act Amendments and the Congressional Office of Regulatory Analysis Creation Act. The subcommittee completed the investigation into the White House Database during the 105th Congress. The White House Database was a program that tracked sensitive personal and political information of 400,000 individuals and 80,000 organizations and businesses. The subcommittee will continue its oversight of the Paperwork Reduction Act and the Congressional Review Act, and has plans for additional legislation, especially in the regulatory reform area.

A. Oversight

1. Agency Compliance with the Congressional Review Act (CRA) - The subcommittee will continue oversight on the type of agency rules and reports that must be submitted under the CRA. The subcommittee will review the final rules, reports, and cost-benefit analyses submitted under the CRA, and provide assistance with passage of resolutions of disapproval.

2. Agency Compliance with the Paperwork Reduction Act (PRA) - The subcommittee will continue oversight of the role of the Office of Management and Budget's Office of Information and Regulatory Affairs (OIRA) in enforcing the PRA, including compliance with the statutory requirement for OMB to identify specific paperwork reduction accomplishments expected, constituting 5 percent reductions in paperwork expected in fiscal year 1999 and in fiscal year 2000.

3. Oversight of OMB/OIRA's Regulatory Review Performance - The subcommittee will continue to examine overall regulatory activity (e.g., number of rules issued, number reviewed, and number returned to the agencies); OIRA's record on improving economic analyses; and OIRA's record in evaluating and reporting on total Federal regulatory costs and benefits, as required by law.

4. Oversight of Individual Regulations - The subcommittee will continue oversight of individual regulations, especially in the environmental area.

5. Global Climate Change - The subcommittee will continue to hold hearings on the Kyoto Protocol and the Administration's global climate change initiatives, including the Administration's overall budget request and its compliance with specific statutory provisions in the climate change area. The subcommittee will also examine legislative proposals relating to the Kyoto Protocol and credit for voluntary early action to reduce greenhouse gas emissions or sequester carbon.

B. Legislation

1. Regulatory Reform Legislation - The subcommittee will examine legislative proposals, such as those relating to the public's right to know the costs and benefits of regulatory programs and to required cost-benefit analyses and risk assessments for major rules. The subcommittee will continue to pursue amendments to the Paperwork Reduction Act for small businesses and legislation to create a Congressional Office of Regulatory Analysis.

2. Global Climate Change - The subcommittee will consider legislative proposals, including those relating to the Kyoto Protocol and credit for voluntary early action to reduce greenhouse gas emissions or sequester carbon.

Subcommittee on National Security, Veterans Affairs, and International Relations

A. Oversight

1. US Efforts to Combat Terrorism - The subcommittee will continue its comprehensive, government-wide review of efforts to combat terrorism both domestically and abroad. This effort will examine the national strategy, agency roles and missions, and inter-agency coordination.

2. Scientific Feasibility and Ease of Terrorist Use of Chemical/Biological Agents to Cause Mass Casualties - At the request of the subcommittee and other committees, GAO is reviewing which chemical and biological agents pose a credible threat of mass casualties; the degree of difficulty in effectively producing and delivering such agents; the likelihood of a successful Weapon of Mass Destruction (WMD) attack; and, potential medical treatments.

3. Counterterrorism Best Practices - A review of the best practices of foreign governments in counterterrorism programs.

4. Federal Preparedness to Conduct Counterterrorism Operations - The subcommittee will continue its review of agency efforts to prepare for a counterterrorism operation.

5. Role of the National Guard and Reserves in Consequence Management of Domestic WMD Terrorist Incidents - The subcommittee will continue to examine the role of the National Guard and Reserves in the consequence management of domestic WMD terrorist incidents.

6. Air Support for Counterterrorist Operations - FBI primarily relies on DOD to provide air support in order to carry out its mission to investigate, arrest, and bring to justice terrorists located overseas. In the wake of recent terrorist incidents, concerns over the timeliness and quality of DOD air support to the FBI has arisen. At the request of the subcommittee, GAO is reviewing the process by which DOD air support is requested and subsequently made available to the FBI to determine the efficiency and effectiveness of the current process and to recommend improvements if necessary.

7. First-responder Training - Review of the Federally-funded training of first-responders in reacting to the consequences of a terrorist attack involving WMD.

8. OMB Efforts to Manage Funding of Agency Terrorism-related Programs to Combat Terrorism - The subcommittee will review OMB efforts to establish a reporting system for executive agencies to account for the budget and expenditure of funds for counterterrorism and antiterrorism program and activities.

9. President's Annual Report to Congress on Counterterrorism and Antiterrorism Activities - The subcommittee will conduct a review of this report upon its issuance to Congress.

10. National Coordinator for Security, Counterterrorism, and Critical Infrastructure - The subcommittee will examine the role of the National Coordinator for Security, Counterterrorism, and Critical Infrastructure within the National Security Council and the organizational structure established by the National Coordinator to coordinate crosscutting counterterrorism and antiterrorism activities and initiatives.

11. U.S. Government Programs to Secure, Reduce, Control and Account for Nuclear, Biological, and Chemical Materials in Russia and the Newly Independent States - The subcommittee will examine U.S. Government programs designed to secure, reduce, control, and account for weapons of mass destruction materials, and limit the spread of WMD technology and expertise to rogue nations or terrorist groups.

12. National Security Implications of Y2K - The subcommittee will continue to monitor the progress of the Department of Defense and Intelligence Community's efforts to become Y2K compliant and potential national security implications of Y2K noncompliance.

13. National Security Implications of Continuing Economic, Political, and Social Instability in Russia and the Newly Independent States - In light of the continued economic, political, and social turmoil in Russia and certain newly independent states, the subcommittee plans to examine the effectiveness of US programs and initiatives currently being implemented to address the situation.

14. The Future of NATO - NATO expansion, the Bosnia conflict, continued tensions between NATO members Greece and Turkey, ethnic tensions in the newly independent states, and relations with Russia all are important factors in the development of NATO's mission for the next century. The subcommittee plans to explore the effects of these factors on the role of NATO in the post-Cold War era.

15. Defense Operation Management - The subcommittee will examine operational and support consolidation activities that cross service lines as defense force reductions occur.

16. Defense Inventory Management - The subcommittee will examine the Department of Defense's inventory management procedures, including DOD's ability to know the location and condition of all its assets.

17. Weapon Systems Acquisition - The subcommittee will examine the general issues surrounding weapon system acquisitions including the cost of development, development time through deployment, and anticipated weapon system performance.

18. Defense Procurement - Risks have been identified in the Department of Defense's (DOD) contracting procedures. The subcommittee will examine contracting activity,

including issues of erroneous, and improper payments to contractors, and payment of higher prices for commercial spare parts than necessary. In addition, the subcommittee will examine the globalization of the defense industry.

19. Military Base Realignment and Closure - The subcommittee will examine the benefits and challenges of additional military base closures including the impact of environmental cleanup.

20. The Results Act - The subcommittee will examine the Department of Defense's commitment to develop goals, performance measures, and time frames for DOD programs and operations.

21. NASA -The subcommittee will examine how NASA has encouraged the commercial application and privatization of the space program.

22. Embassy Security - The subcommittee will review State Department plans to increase security in the wake of bombings at two U.S. embassies. The subcommittee will also consider how the Department determines the number of overseas posts, the changing role of the ambassador, and the potential for new technology to reduce U.S. presence and vulnerability overseas.

23. International Assistance - The subcommittee will review implementation of the statutorily mandated consolidation of U.S. aid agencies and programs, specifically steps to measure the effectiveness and increase the accountability of foreign aid.

24. FEMA - The subcommittee will review FEMA's role in the detection, prevention and mitigation of domestic mass casualty incidents involving chemical or biological agents.

25. Media Access to Combat - The subcommittee will examine the mechanics and implications of the international media's coverage of armed conflicts. The inquiry will focus on the extent to which real-time television coverage of wars compromises U.S. military strategy and the safety of our troops, as well as its ability to influence foreign policy decisions and promote the peaceful resolution of international conflicts.

26. DOD: Outcomes and Quality Measures for Health Care Delivery - The subcommittee will look at DOD's ability to measure health care outcomes and ensure quality of care in health care delivery, as an important component of quality of life for military personnel and a relevant part of overall military readiness.

27. VA: The Successes and Failures in the Implementation of VISN and VERA - The subcommittee will review Veterans Administration health care system integration and funding allocation policies (VISN and VERA) to learn the extent to which those policies improve access and health care quality.

28. VA and DOD: Progress in Improving Collaboration, Coordination and Delivery of Health Care - The subcommittee will review existing agreements between the VA and DOD to share staff, resources and facilities in the delivery of care to active duty and retired military personnel. In this effort, the subcommittee will monitor the activities of the joint VA, DOD and HHS "Military and Veterans Health Coordinating Board" established by executive order.

29. DOD and VA: Government Actions to Prevent/Reduce Post-conflict Health Problems - The subcommittee will review what actions the agencies have taken to reduce, avoid, prevent health problems subsequent to future military missions through education on health risks, medical and non-medical counter-measures, improvement in government collection of risk and exposure information, as well as coordination of research programs and sharing of health information of military personnel into veteran status.

30. DOD: Contracting Issues in the Acquisition of Information Systems Supporting Health Care Delivery - The subcommittee will review DOD's contract with SAIC and the long-term effort to implement an appropriate information system to facilitate access, record keeping, claims processing and administration of health care delivery to military personnel.

31. Gulf War Veterans' Illnesses - The subcommittee will continue to examine the Departments of Veterans Affairs and Defense approach to the health complaints of Gulf War veterans to insure that research and treatment options are being vigorously pursued. As part of this review, the subcommittee will monitor agency compliance with the legislative mandates contained in Section 1601 of P.L. 105-277 regarding a presumption of service connection for certain Gulf War illnesses.

32. Quality of Life of U.S. Military Personnel - The subcommittee will examine the issues relating to the quality of life for members of the uniformed services and their families such as: health care, compensation equity, family support services, retiree and survivor benefits, housing, relocation, dependent education, and general moral, particularly as these issues relate to force retention.

33. Readiness of U.S. Military Personnel - The subcommittee will examine the question: Are U.S. forces doing too much? The issue is whether the military, in an era of force reductions, can maintain an effective level of readiness for high intensity conflict while at the same time meet its mission requirements on a global basis, including regional peacekeeping.

Subcommittee on the Postal Service

A. Legislative Agenda

1. Modernization of the Nation's Postal Laws: The subcommittee will continue its extensive hearings and analysis of the challenges facing the Postal Service under the current governance structure as conducted in the 104th and 105th Congresses. On September 24, 1998, the subcommittee approved H.R. 22, the Postal Modernization Act, in a bipartisan manner. The subcommittee will proceed with additional hearings and meetings with interested parties in order to achieve consensus among various stakeholders with interests affected by the Postal Service.

Fundamental topics to be considered as part of postal reform include:

- **Competition** - the extent to which the Postal Service should be allowed to compete with private sector interests to sustain its universal service infrastructure, the extent to which unfair competition laws should be applied to the Service, and the scope of the Service's statutory monopoly over the delivery of letter mail in light of this competition;

- **Ratemaking** - the ability to set rates based on a standard inflation index as adjusted by a productivity factor as a method of breaking the outdated, lengthy, and confusing cost-based ratemaking process and its associated lack of incentives for efficiency; and

- **Increased criminal penalties for misuse of the mails**

The subcommittee intends to conduct hearings that will focus on the current version of the legislation as approved by the subcommittee in the 105th Congress.
(Hearings: Winter 1999)

2. Honesty in Sweepstakes: The subcommittee will address legislation that seeks to address fraud resulting from the misuse of the mails by entities using sweepstakes that promise prizes, winnings, etc., in a dishonest and deceptive manner.
(Hearings: Spring 1999)

3. Post Office Designations: The subcommittee will address legislation designating post offices for individuals, once the sponsor has received the cosponsorship of the entire State delegation in which the facility is located. This policy has been endorsed and followed by the full Committee since the 104th Congress and the subcommittee recommends its incorporation into the Committee Rules for the 106th Congress.

(Hearings: As necessary throughout the Congress)

B. Oversight Agenda

1. **General Oversight Hearing** - In each Session of Congress, the subcommittee will conduct a general oversight hearing to explore current problems and challenges facing postal operations and services. Witnesses will tentatively include the Postmaster General, the Chairmen of both the Postal Service's Board of Governors and the Postal Rate Commission (PRC). Additionally, the subcommittee will seek the comments of numerous other interested parties including postal employee unions and organizations; trade associations representing mail users such as advertising, newspapers, magazines and parcels mailers; and competing private sector firms such as express, parcel, and mailbox companies.

2. **Y2K** - The plans to review, in concert with the appropriate sister subcommittee, the Postal Service's readiness for the Y2K computer challenges. Given that many entities view the Postal Service as their contingency/back-up in case of system problems, the Postal Service becomes a key organization for review.

3. **Measurement of Delivery Standards** - In light of questions raised in the 105th Congress by the Postal Inspection Service and the Inspector General regarding the reliability and accuracy of the Postal Service's speed of delivery measurement system, the subcommittee will review the effectiveness of the Postal Service's purported corrective actions.

4. **International Mail** - The subcommittee will review issues related to the international mail market, specifically the role of the State Department in implementing a statutory change in the 105th Congress that requires it to represent the United States at the Universal Postal Union.

5. **Inspector General Oversight** - It is anticipated that the subcommittee will hear from the Inspector General on the operations of her 2-year-old office.

6. **Postal Service Data Measurement** - The review of the quality of data submitted by the Postal Service to the Postal Rate Commission will be continued during the 106th Congress. During conduct of oversight hearings, the subcommittee was made aware of concerns regarding the quality of the data the USPS submits to the PRC, and the subcommittee expects to receive the results of a study by an independent third-party in an attempt to improve the quality of the data.

7. **Address Privacy** - The subcommittee will continue to review this topic in light

of the General Accounting Office report on the National Change of Address (NCOA) program and the accompanying privacy questions.

8. Labor-Management Relations - The subcommittee plans to continue to monitor the status of labor-management relations within the Service.

9. Accountability - The subcommittee will continue its focus on accountability and revenue protection within this $60 billion operation. The General Accounting Office and the Inspector General are preparing various reports on the Service's efforts to improve internal controls in a variety of areas including bulk mail operations, money-by-wire programs, and purchasing.

10. Compliance with the Government Performance and Results Act - The subcommittee will be closely monitoring performance plans and reports. This Act provides an excellent opportunity to enhance Congressional oversight on postal performance. The subcommittee will be working with the Full Committee and other oversight committees to monitor the effectiveness of this very important Act.

11. Workers Compensation Costs - In 1995 the Postal Service recognized $877.3 million in workers compensation expenses compared to $326.8 million in fiscal 1994. Obviously, the Postal Service is a labor-intensive enterprise and can be expected to have injuries. However, the subcommittee believes this to be an area in need of serious review, particularly the implementation of the Department of Labor's additional enforcement tools that were enacted in the 105th Congress to ensure the Postal Service's compliance with the OSHA laws.

12. Budget Issues - The Subcommittee remains concerned that despite its off-budget status, the USPS may be targeted to provide a source of funds for Federal budgetary savings which could result in higher postage rates for consumers.

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Congress of the United States
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February 12, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn HOB
Washington, DC 20515

Dear Dan:

Pursuant to clause 2 (d)(1) of Rule X of the Rules of the House, the Committee on House Administration held a meeting that was open to the public on February 3, 1999. With a quorum present, the Committee adopted the Committee's Oversight Plan for the 106th Congress. Enclosed, as required by Rule X, is a copy of that Plan.

Please let me know if I may be of further assistance in this matter.

Best regards,

Bill

Bill Thomas
Chairman

Enclosure

106TH CONGRESS OVERSIGHT PLAN

MEMBER SERVICES

- Oversee Member allowance amounts, structure, and regulations; provide guidance to offices to ensure compliance with House regulations.
- Review *Members' Congressional Handbook* regulations governing expenditure of Members' Representational Allowances.
- Review the formulas that establish the Members' Representational Allowance.
- Review processing of vouchers and payroll.

COMMITTEE FUNDING AND OVERSIGHT

- Continuing review of biennial and consolidated funding resolutions for committees.
- Receive and review Monthly Reports on committee activities and expenditures.
- Review *Committees' Congressional Handbook* regulations governing expenditure of committee funds.
- Review Primary Expense Resolutions and approve committee-funding levels.
- Review rules and regulations associated with administration of the reserve fund for unexpected oversight activities of committees.

IMPLEMENTATION OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

- Monitor implementation of the Congressional Accountability Act of 1995 (PL 104-1).
- Review regulations adopted by the Office of Compliance.
- Evaluate resources available to the Office of Compliance and House Employing Offices to facilitate implementation of the Act.
- Provide oversight for the Office of Compliance.
- Review the Congressional Accountability Act.

FRANKING COMMISSION

- Review proposals to reform mass mailing practices of Members, and regulations governing such mailings, and monitor current prohibition on mass mailings 90 days before a primary or general election.
- Review previously implemented rules to increase disclosure and improve the accounting of franked mail costs.
- Consider revisions of pre-election franking complaint procedures.
- Review regulation of Unsolicited Mass Communications.
- Review alternatives to the District Office Franked Mail Certifications for recording and reporting franked mail usage in district offices.

GOVERNMENT PRINTING OFFICE

- Consider legislation to reform government printing by eliminating redundancies, increasing efficiency, and enhancing public access to government publications.
- Gather information on the restructuring of government printing and the dissemination of government information to the public, especially in electronic form.
- Track the implementation of the Booz-Allen study required in the FY99 Appropriations bill.
- Conduct Oversight and Hearings on the Government Printing Office.

HOUSE OFFICERS AND HOUSE OPERATIONS

- Analyze management improvement proposals and other initiatives submitted by the House Officers, the Inspector General and the Architect of the Capitol.
- Coordinate with the Subcommittee on Legislative Appropriations on matters impacting operations of the House and joint entities.
- Provide policy guidance to the House Officers, Inspector General and the Joint entities as appropriate.
- Oversee compliance with the House Employee Classification Act, 2 U.S.C. 291, *et seq.*
- Assure coordination among officers and joint entities on administrative matters.

Chief Administrative Officer

- Review procedures for processing contracts with the House that exceed the threshold of $100,000.
- Continue to review implementation of new financial management system.
- Review the structure of House Information Resources and determine organizational direction.
- Review new technology initiatives to better serve Members, Committees, and the House.
- Review the process for approving equipment purchases by members and committees.
- Continue review of functions and administrative operations assigned to the CAO.
- Review semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

Clerk of the House

- Review the administration of the audio transmission on the House floor.
- Review and approve contracts and requests for proposals for the Clerk which exceed the $100,000 spending threshold.
- Review plans for the implementation of the document management system.
- Review progress steps towards defining a standard for the electronic exchange of legislative information among Congress and legislative branch agencies.
- Continue review of functions and administrative operations assigned to the Clerk.
- Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

Sergeant at Arms

- Review security operations in the House, including the House chamber, the galleries, the Capitol, House Office Buildings, and Capitol Grounds.
- Review semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review impact of electronic access to controlled spaces.
- Continuing review of functions and administrative operations assigned to the Sergeant at Arms.

- Review the security operation of the House's parking facilities, its regulations and allocation of parking spaces.
- Analyze U.S. Capitol Police Board plans for the spending of $106.7 million for the enhancement in Capitol campus security as authorized by the Omnibus Appropriations Act of 1999.

Inspector General
- Review proposed audit plan and audit reports.
- Review comprehensive financial and operational audits of the House: investigate any irregularities uncovered; and monitor the required improvements.
- Monitor progress of House audits.

OVERSIGHT OF LEGISLATIVE BRANCH ENTITIES

Information and Technology Coordination:
- Oversee, in conjunction with the Senate, forums for the sharing of technology plans and capabilities among the legislative branch agencies.
- Oversee, in conjunction with the Senate, the Legislative Branch Telecommunications group.
- Oversee, in conjunction with the Senate, plans for the implementation and growth of the Legislative Information System.

Library of Congress
- Oversee the remedial measures taken by the Library in response to the audit conducted in the 104th Congress.
- Consider the Library's proposals regarding restructuring of the Gift and Trust funds.
- Conduct a review of the progress that the Library has made in providing public access to government information, especially in electronic form.
- Continuing oversight of Library and Congressional Research Service operations.
- Continuing review of the preparations for the Culpeper Film Preservation Facility by the Library
- Examine options to improve the operation and structure of the Library Inspector General

Smithsonian Institution
- Review the Smithsonian Inspector General's reports on the status of the Smithsonian.
- Continuing oversight of Smithsonian operations.

Architect of the Capitol
- Review the operations of the office of the architect, consider a systems and financial audit of the operation as a whole to provide a baseline for the administration of the new Architect.
- Review the electronic and procured services provided by the Architect.
- In conjunction with the Senate and other appropriate House Committees, oversee the preparations for the construction of the proposed Capitol Visitor's Center.

TECHNOLOGY USE BY THE HOUSE

- Continuing oversight of House Information Resources and other technology functions of the House to ensure timely, accurate electronic information dissemination.
- Oversee implementation of House Rule XI 2(e)(4) requiring committee documentation to be made available electronically, to the maximum extent feasible.
- Oversee the continuing efforts of the House to prepare for the Year 2000 computer problem.

ELECTIONS, VOTER REGISTRATION, AND CORRUPT PRACTICES

- Conduct a review of current operations of the Federal Election Commission and evaluate possible changes to improve efficiency, strengthen enforcement of the Federal Election Campaign Act, and improve procedures for the disclosure of contributions and expenditures.
- Review state and federal activities in connection with the National Voter Registration Act. Examine reforms that could improve voter registration procedures, particularly with regard to strengthening protection against fraud.
- Examine evidence of fraud in the conduct of federal elections and evaluate measures to improve the integrity of the electoral process.
- Examine evidence of possible corruption and evasion of election laws in campaign fundraising, including contributions from prohibited foreign sources.
- Study the role of involuntary contributions used for expenditures that influence political campaigns.
- Review current federal election financing laws and consider legislative changes as necessary.

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February 24, 1999

House Permanent Select Committee on Intelligence: Oversight Plan for the 106th Congress

The following is the oversight plan for the House Permanent Select Committee on Intelligence (HPSCI) for the 106th Congress. We share responsibilities in some areas with the Committees on Appropriations, Armed Services, International Relations and Judiciary. The resolution establishing this Committee (H. Res. 658, 95th Congress) recognized this and provided that some HPSCI members be drawn from those Committees. This is a major means of coordination, as are the daily activities of Committee staff with their counterparts, keeping within the framework of Committee rules.

Most of the work done by the Committee is highly classified and extremely sensitive. We intend, however, to seek every opportunity to hold hearings that are open.

Full Committee

1. *Intelligence Community Budget Authorizations.* HPSCI is responsible for annually producing an authorization bill, including a classified budget schedule, for all elements of the Intelligence Community. The National Security Act of 1947 requires, because of the sensitivity of the programs and operations involved, that intelligence and intelligence-related activities must have both an appropriation and a specific authorization. This affords us a major opportunity to review current activities and future plans of the Intelligence Community. We expect to have the Fiscal Year 2000 authorization bill reported by mid- to late April 1999, and to meet the same deadline for the Fiscal Year 2001 authorization bill.

2. *LA Crack Cocaine Investigation.* In September of 1996, the Committee began an investigation of allegations first published by in the *San Jose Mercury News* that assets of the Central Intelligence Agency (CIA) were involved in the trafficking of drugs into the Los Angeles area in the mid-1980s. Since the beginning of this investigation, Committee members and staff have been involved in a variety of activities, including reviewing thousands of pages of documentation and conducting dozens of interviews. The Committee made the decision early in the investigation that it could not complete its work without reviewing the results of the independent investigations being conducted by the Inspectors General of the CIA and the Department of Justice to ensure that all relevant material has been

considered. The last of these reports was delivered to the Committee in October 1998. Currently, the Committee intends to complete its investigation in the spring of 1999.

3. *DCI Management and Oversight.* Since the 104th Congress, the Committee has emphasized the importance of having the Intelligence Community working collectively to face current and anticipated challenges, rather than working in the independent "stovepipe" boundaries that developed over the past 40 years. As part of this effort, the Congress created new positions and structures under the Director of Central Intelligence (DCI), to enhance the DCI's insight, oversight, and management control over the entirety of the Intelligence Community. During the 106th Congress, we will evaluate the steps taken thus far, concentrating on additional improvements that may be required from a budgetary perspective as well as a statutory perspective when considering the DCI's authorities.

4. *Covert Action.* The Committee will review existing covert action capabilities and explore their usefulness in confronting current and anticipated international realities. The Committee is specifically interested in determining if the resources available to the DCI to are adequate and properly executed so as to build a covert action "tool box" that can enhance and achieve national security objectives.

5. *Monitor Current International Developments Affecting National Security.* The Committee will monitor the intelligence available to policymakers and the military covering developments in Iraq, Iran, and the Middle East; hotspots in the Balkans, particularly Bosnia and Kosovo; Colombia and other drug producing countries and transit nations; Russia and the Central Eurasian states; and, of course, North Korea, China, and the Pacific Rim. The objective is to determine the effectiveness of the intelligence community in carrying out its principal mission to keep the President and the rest of the U.S. government advised of foreign developments affecting U.S. national security interests.

6. *Processing, Exploitation, and Analysis.* The Committee has for four years sought to restore a balance between intelligence collection and intelligence processing, exploitation, and analysis. This is to correct a long-standing overemphasis on the procurement of expensive technical collection systems. The ability to collect information loses importance without a concurrent capability and the expertise to process, analyze, and disseminate it as intelligence in a format and with a timeliness that allows it to be of value to the President, senior policymakers, and military commanders. The Committee will pay specific attention to the acquisition of new collection systems to ensure that proper tradeoffs are being made between collection and utilization of information.

7. *Desert Fox and Intelligence Community Performance.* The Committee will take a detailed look at the performance of the Intelligence Community during the Desert Fox campaign in Iraq. Specifically, we will look at the performance of tactical military systems before, during, and after the operation, as well as the success of the interfaces between national and tactical systems.

8. *Information Operations.* The Intelligence Community and U.S. national security are challenged by the accelerating development of advanced technologies, especially in the areas

of communications and information systems. Potential threats to the United States now include groups and even individuals armed with sophisticated, commercially acquired, equipment that can penetrate and damage the critical U.S. infrastructures that are now almost totally reliant on computers and information networks. These include not only government systems, but also those systems that are basic to day-to-day life such as food and water distribution and banking. The possibility of such an "attack" poses a massive national security threat -- one that the Intelligence Community must understand thoroughly. The same technologies that threaten us should be studied for offensive use. Such "Information Warfare" capabilities are key to future military operations, and involve both the Department of Defense and the Intelligence Community. The distinction between "offensive" and "defensive" information operations is often blurred. Moreover, there are many legal and operational questions that remain unexamined. Thorough oversight by congressional committees is required to, among other things, determine if legislation is required.

9. *Bomb Damage Assessment.* The Committee will also examine the structures and processes currently in place to perform bomb damage assessment during and after a military operation. Military commanders and policy makers benefit from having the best analysis of information on targets that have been attacked in order to assess damage and to assist in decisions regarding future targeting and operations. Moreover, understanding the strategic and tactical implications of such attacks, beyond the basic assessments of physical damage, is crucial for policy makers and requires all-source analysis – more than the basic exploitation of imagery and signals intelligence data often performed by military analysts. The Committee is not convinced that the current system of doing battle damage assessment brings the best analytic rigor to the process. The Committee intends to take a detailed look into this matter.

Subcommittee on Human Intelligence, Analysis and Counterintelligence

1. *Counternarcotics.* The subcommittee will continue an effort to focus attention on the issues of counternarcotics and money laundering. This effort will build on the important work done in the 105th Congress. The Committee will seek ways to encourage greater coordination and joint action between the intelligence and law enforcement communities, and to insure proper investment in their activities.

2. *Counterintelligence Coordination.* In light of recent espionage cases, the subcommittee will continue to look at the issue of FBI/CIA coordination and cooperation and the ongoing lessons learned.

3. *Counterterrorism.* The subcommittee anticipates an examination of the operations and production of the counterterrorism center and its effectiveness in supporting policymakers and the law enforcement community.

Subcommittee on Technical and Tactical Intelligence

1. *The Future of Overhead Collection.* The subcommittee will continue its oversight of the acquisition programs and procedures employed by the National Reconnaissance Office, and each program's ability to meet future requirements. Key to this effort will be a study that is

concentrated on potential future intelligence gaps and needs. Important questions to be addressed are, among others: whether the gaps and needs are best satisfied by overhead systems or through other collection disciplines; and whether new overhead collection systems and architectures, specifically focusing on the costs of the programmed investments, reflect the proper priorities for future collection disciplines.

2. *Signals Intelligence*. Along with our human intelligence capabilities, signals intelligence – across the broad spectrum of collection, processing, exploitation, analysis and dissemination – is in desperate need of recapitalization. Simply put, without significant attention and action, our capabilities will not be sufficient to meet tomorrow's challenges. The subcommittee will continue to work closely with the National Security Agency to develop strategies and investments that will help NSA revitalize its structure and operations.

3. *Imagery Analysis*. The subcommittee will focus attention on the status and future of the National Imagery and Mapping Agency (NIMA). This will address previous areas of concern that include management, organization, and financial management of NIMA. Substantively, our current and future imagery analysis capabilities will come under close scrutiny. Whether NIMA is a viable structure for the future will be one additional question addressed.

4. *Y2K*. The subcommittee will study current plans and progress of every agency within the Intelligence Community regarding those agencies' efforts to remedy the effects of the perceived Y2K problem, ensuring that there is proper attention and funding, especially for mission critical systems.

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DEMOCRATIC CHIEF OF STAFF

February 12, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

By direction of the Committee on International Relations, I hereby transmit to the Committee on Government Reform, in compliance with the Rules of the House of Representatives, the Oversight Plan of the Committee on International Relations for the 106th Congress.

The Committee's Oversight Plan was adopted by unanimous consent on February 11, 1999, at a meeting of the Committee on International Relations that was open to the public, a quorum being present.

Please let me know if I or the staff of this Committee can respond to any question you may have with regard to the Plan.

With best wishes,

Sincerely,

BENJAMIN A. GILMAN
Chairman

cc: The Honorable Sam Gejdenson

Adopted by the Committee,
February 11, 1999

COMMITTEE ON INTERNATIONAL RELATIONS

OVERSIGHT PLAN

Rule X, clause 2 (d) of the Rules of the House of Representatives requires that each standing Committee adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Government Reform and House Administration not later than February 15 of the first session of the Congress. Rule XI, clause 1 (d) requires that the Committee report, at the end of each Congress, on the recommendations made with respect to its oversight plan and any recommendations made or actions taken thereon.

This is the oversight plan of the Committee on International Relations for the 106th Congress. It includes the areas in which the Committee hopes to conduct oversight during this Congress. As the Committee's priorities change, the oversight work of the Committee may change. The fact that an issue is listed here does not mean that the Committee will necessarily hold a formal meeting devoted solely to that issue. The Committee, in the course of its oversight work, may also rely on briefings, member and staff travel, and investigations. It is the intention of the Committee that, wherever practicable, oversight activities will be planned on a bipartisan basis.

I. General
   A. Meetings with foreign political leaders. The Committee's ongoing program of informal and formal meetings with foreign political leaders gives it the opportunity to explore the effectiveness of United States foreign policy
   B. Meetings with Administration officials. The Committee's formal and informal meetings with Administration officials allows Members and staff to explore the effectiveness of the Administration's implementation of foreign policy
II. International Security/UN/Peacekeeping/General
   A. Oversight of arms transfer procedures and legislation, including implementation of previous security arms transfer bills; review of specific major proposed arms sales, fighter aircraft to Israel, Greece, Egypt and Chile as well as helicopters to Greece and Turkey
   B. Peacekeeping oversight including Administration policy supporting new peacekeeping operations and terminating existing missions; command and control issues; special attention to the status of the international peacekeeping effort in Haiti, Macedonia, Kosovo, Bosnia, and the Middle East
   C. "Rogue Regimes" -- Review of the problems of security threats from so-called "rogue regimes" that have or could gain the power to create or use weapons of mass destruction, including but not limited to Iraq, Iran, and North Korea
   D. Nunn-Lugar program -- Review implementation of program aimed at dismantlement

and destruction of nuclear, chemical, and biological weapons in the former Soviet Union

E. Review of START I implementation, START II ratification, and the prospects for START III

F. Review of Demarcation and Multilateralization Agreements to Anti-Ballistic Missile Treaty, and other proposed amendments to the treaty

G. Review of Conventional Forces in Europe Treaty and possible revisions thereof

H. Review of nonproliferation sanctions regimes

I. Other nonproliferation and disarmament topics:

1. Effectiveness of International Atomic Energy Agency
2. Status of Fissile Material Production Ban
3. Review effectiveness of existing and proposed nuclear weapon free zones in Latin America, the South Pacific, Africa, South Asia, and Southeast Asia
4. Review of efforts by the U.S. and Russia to curtail exports of sensitive military technologies to Iran and other states; assessment of Iran's nuclear capabilities and a review of the need for legislation to address these problems
5. Compliance with arms control agreements
6. The disposition and elimination of excess weapons-grade plutonium stores worldwide
7. The status of the land mine treaty ban
8. Implementation of the U.S.-China Nuclear Cooperation Agreement
9. Prospects to expand membership in the Missile Technological Control Regime, including China
10. Review of South Asia and sanctuary issues

K. Security Assistance -- Review effectiveness and implementation of security assistance programs including foreign military financing, economic support fund, international military education and training, and non-proliferation and disarmament fund and other "spigots"

L. UN reform/arrearages with a focus on the impact of arrearages on U.S. foreign policy

M. International crime issues:

1. Russian organized crime, and the international response to it, as well as its impact on American and other investment in the Russia and elsewhere
2. Impact of U.S. foreign assistance in the rule of law area on U.S. ability to combat international crime

N. Oversight of agency implementation of the Government Performance and Results Act ("GPRA")

O. Narcotics oversight

1. The emerging heroin crisis and the Administration's plans for dealing with it
2. Source nations strategy, with special attention to Colombia and Peru
3. Eradication efforts and their effectiveness; alternative development
4. The "certification process" and the annual drug certification determinations for the major drug producing and transit nations around the globe
5. Plans for riverine interdiction program

6. Aggressive oversight of the war on drugs in the hemisphere and of the Administration's implementation of the major portions of H.R. 4300 of the 105th Congress known as "The Western Hemisphere Drug Elimination Act," including a focus on the provision and use of helicopters in Columbia to eradicate opium production
7. Efforts to avoid disruption of U.S. counternarcotics operations as a result of the scheduled termination of the U.S. military presence in Panama after December 31, 1999

P. Terrorism/espionage oversight
1. The AMIA (Buenos Aries Jewish Community building) bombing and the emerging threat of Islamic-fundamentalist based terrorism in Latin America
2. Effectiveness of the US technological response to terrorism
3. Overseas visa lookout system in the light of the new provisions of law relative to the exclusion of aliens on membership in foreign terrorist organizations
4. Security of US government facilities abroad, especially in the former Soviet Union
5. Oversight and evaluation of the State Department's post-East Africa terrorist bombings security program plans and expenditure of the monies provided by the 105th Congress to increase post security around the globe. This oversight to include review of personnel increases and asset management to minimize cost of property acquisition

Q. Multilateral export controls: Role of Waassenar export control arrangement

R. Review of international implications of the Y2K computer problem

III. State Department and related agencies operations

A. Oversight/legislation on personnel & contractor misconduct and on the Foreign Service (update Foreign Service Act) (possibly as part of an item under (1))

B. Management of the foreign affairs agency workforce; assignment process; utilization of the civil service; size of the senior foreign service and senior executive service

C. Review of Administration's planning for constrained budgets

D. Problems in the administration of foreign affairs, including Y2K

E. Review of smaller international organizations to which the U.S. belongs

F. Review of duplication, lack of coordination in exchange/visitor programs

G. Review of foreign affairs inspectors general

H. Review of the implementation of the ICASS (International Cooperative Administrative Support Services) system

I. Overseas property management, including a hearing on management of the Office of Foreign Buildings; expenditures of supplemental funds; progress on asset management (property disposal and acquisitions); review of supplemental spending plan

J. Implementation and development of staffing models, including review of the future of the Foreign Service, personnel practices, and management of overseas presence; a hearing to pull together recent studies on the foreign service and personnel experts

K. American Institute in Taiwan (general oversight)

L. International Commissions

M. Hearing with the Secretary of State on the FY 2000 budget and authorization issues,

including GPRA issues, supplemental spending plans, and reorganization plans etc.

N. Review the 60 day plan for consolidation of the US Information Agency and the Agency for International Development into the Department of State, with plans for continual oversight throughout the course of the year

O. Review of the separation of the International Broadcasting function. Also review quality control issues of VOA and RFE/RL and the Broadcasting Board of Governors responsibility to assure broadcasts are of the highest quality

P. Review consolidation of Administrative functions underway over the last few years

Q. Oversight of the jointly managed Diplomatic Telecommunications Service

R. If the Satellite Competition Act is revived, conduct hearings on elements within our jurisdiction

S. Review practice and procedures for receiving foreign parliamentarians

T. Review of exchange program issues respecting coordination and overlap, competition for management of the Fulbright program, mission planning on exchange participants

U. Review of the linkage of resources to foreign policy objectives

V. Review of Arms Control and Disarmament Agency (ACDA) - arms control, disarmament, and related issues arising from consolidation of ACDA with the Department of State

W. Review of diplomacy programs now conducted by the United States Information Agency

IV. Foreign Assistance Oversight

A. Review cost, management, donor coordination and impact of U.S. foreign assistance programs. Special emphasis will be given to major aid programs in:

1. Eastern Europe
2. the New Independent States of the former Soviet Union
3. Drug-producing countries
4. Haiti
5. Africa
6. Activities that are research and promotional in character relating to international cooperation on environmental and other scientific issues

B. Review size, purpose and effectiveness of FY1999 and FY2000 International Affairs Function 150 budgets. Special emphasis will be given to expected Administration initiatives, such as:

1. Increased aid to the NIS
2. Increases in the Economic Support Fund program
3. UN reform and arrears payments
4. U.S.participation in and contributions to the U.N. and affiliated agencies, e.g. WHO, UNICEF, and UNFPA

C. Conduct special review of programs with noted problems focusing on activities highlighted in AID Inspector General and GAO reports. Special emphasis will be given to AID --

1. Missions and Operations
2. Credit Programs

3. AID's New Management System
4. Strategic Objectives
5. Enterprise Fund Management
6. The "R4" ("Review of Resources, Requirements, and Results") process

D. Special attention will be given to the effectiveness of programs that have consumed large amounts of Congressional attention in recent years, including:
1. U.S. participation in and contributions to international population planning activities and related programs and policies
2. U.S. participation in and contributions to international child survival activities and related programs and policies
3. Review of refugee and migration assistance programs and administrative expenses of the bureau charged with carrying out the purposes of the Migration and Refugee Assistance Act of 1962

E. Tour of world-wide progress of democracy; review efficiency and effectiveness of USG funded democracy programs; review support for the democratic opposition in Iraq

V. Europe

A. Periodic reviews of the region with the Assistant Secretary of State for European Affairs
B. Review of U.S. policy towards Russia and other states of the former Soviet Union
C. Oversight of SEED Act assistance programs
D. Enterprise Funds in Eastern Europe and the NIS
E. Developments in the Baltic Region (to assess U.S. interests, policy and events in the Baltic states and the surrounding region)
F. Developments in and U.S. policy toward Serbia & Montenegro and the former Yugoslav Republic of Macedonia
G. New Independent States:
1. Oversight of FREEDOM Support Act assistance program, Nunn-Lugar Assistance program, and other programs of assistance by agencies such as USIA and DOE in the New Independent States
2. US-Russian relations
3. Assessing Russian foreign policy objectives
4. Russian relations with China
5. Developments in and examinations of U.S. policy toward the Western New Independent States of the former Soviet Union -- Ukraine, Belarus and Moldova
6. Developments in Central Asia
7. Developments in Armenia, including the status and policy assessment of the conflict over the region of Nagorono-Karabakh
8. Developments in Russia as well as an examination into Russian military deployments in the other New Independent States
9. The Silk Road -- The East-West Corridor in the New Independent States
H. Review of NATO Enlargement process and related legislation, as well as other NATO-related issues, including internal restructuring of the Alliance
I. U.S.-E.U. relations (political, security, trade and financial issues; European monetary union; and the process of European integration)

J. Review of Bosnia and Kosovo
K. Review of Cyprus
L. Review of Northern Ireland
M. Examination of U.S. policy towards the East European States
N. Examination of U.S. policy towards Southeast Europe: Romania, Bulgaria and Macedonia

VI. Middle East
A. Periodic reviews of the region with the Assistant Secretary of State for Near Eastern Affairs
B. Review of U.S. policy toward Iraq with focus on the implementation of the Iraq Liberation Act of 1998
C. Review of U.S. policy, relations, and sanctions towards Iran with focus on the implementation of the Iran Libya Sanctions Act
D. Review of Turkey's role in the Middle East
E. Review of Middle East peace process and related assistance
F. Review of Gulf policy (Saudi Arabia and Gulf Cooperation Council states)
G. Review of Iranian foreign policy objectives in the Middle East
H. Impact of fundamentalism in the Middle East and its impact on U.S. interests
I. Review of U.S. policy towards North Africa, with special attention to Libya
J. Review of U.S. assistance to Egypt
K. Review of U.S. economic interests, and economic development in the Middle East and North Africa
L. Review of U.S. relations with Yemen
M. Treatment of Israel by the United Nations
N. Review of EDA utilization in the Middle East and its role in augmenting or replacing military aid
O. Review of micro-credit programs in the Middle East
P. Review of Peace Corps activities and programs in both Jordan and Yemen

VII. Asia
A. U.S. - China economic and political relations; options for U.S. policy toward China; U.S. -China Summit #3, with special emphasis on China's possible WTO accession
B. Overview of U.S. interests in East Asia
C. Overview of South Asia
D. AID activities in Asia
E. North Korean political instability; KEDO; Foreign Aid to North Korea; North-South dialogue; trading with North Korea; the Agreed Framework Policy and an assessment of its intended effectiveness; North Korean missile proliferation
F. U.S.-Sino relations after 20 years
G. Review of POW-MIA issues for both Vietnam and Korea
H. US-Burma relations
I. US-Indonesia relations; potential instability in Indonesia
J. Agricultural exports to Asia
K. China technology transfer

L. East Timor - Autonomy or Independence
M. Military-to-military relations in Asia (The U.S. relies on a network of relationships to maintain its forward presence in Asia; this is supplemented by training and education)
N. U.S. democracy promotion activities in Asia
O. Overview of Hong Kong since Reversion; Macau's Future - Reversion
P. Economic and demographic change in the PRC
Q. American energy development business potential in Asia
R. Free trade in Asia: Iimplementing the APEC vision
S. The "Great Power Game" in Asia: China, Japan, Russia, and the U.S.
T. U.S. and Republic of Korea relations
U. Taiwan's relations with the PRC and the Taiwan Relations Act after 20 years
V. Democracy and human rights in Cambodia
W. India-Pakistan nuclear stalemate
X. Regional cooperation in Southeast Asia
Y. Sex trade and child abuse in Asia
Z. Resource sharing issues between India, Bangladesh, and Nepal
AA. Review of the CINCPAC, East-West Center, Asia-Pacific Center, and Joint Task Force Full Accounting
AB. Chinese nonproliferation practices
AC. The Chinese People's Liberation Army: Its goals, influence, and commercial ties
AD. Taiwan's effort to be admitted to the United Nations
AE. The future of Afghanistan
AF. U.S. interests in the Central Asian republics
AG. U.S.-Japan Alliance
AH. The Asian Financial Crisis
AI. Human Rights in China: 10 Years After Tiananmen
AJ. The security relationship between the U.S. and New Zealand
AK. The future of ASEAN
AL. The impact of U.S. sanctions policy in Asia
AM. U.S. and South Asian Relations
AN. The various nations economic and military interests in the South China Sea
AO. Cambodia's fragile government
AP. Democracy and rule of law in China
AQ. Problems and Promises with China & WTO accession
AR. Theater missile defense: The Asian perspective
AS. Overview of the Pacific compacts
AT. Vietnam -- Prospects for closer relations

VIII. Western Hemisphere
A. In General -- Importance of political stability and economic growth to U.S. Interests; a review of the strength of democracy in the region (including recognizing upcoming democratic elections in several nations, corruption, appropriate role of the military, etc.); Summit of the Americas follow-up: the emerging role of civil society in Latin America; the status of judicial reform in the Hemisphere efforts to control drugs and immigration

B. Trade -- Evaluation of NAFTA; free trade in the Americas; Chile accession; importance of MERCOSUR, South America's common market, and subregional agreements; Caribbean Basin enhancement; and the role of the OAS and IDB in Regional Development

C. Central America -- Consolidating and maintaining democratic gains and status and assessments of relief efforts in post-Hurricane Mitch recovery and reconstruction

D. Security -- Advanced arms sales to Latin America; hemispheric security and confidence-building measures; cooperation against illegal drugs; guerrillas and "narcoterrorism"; an update on the guerrilla war in Columbia, in particular, and the New Peace Process and the final U.S. withdrawal from Panama as well as the future U.S. presence in Panama

E. South America -- Mercosur; Argentina (intellectual property rights and terrorist bombings); Chile (NAFTA accession); recognizing the border settlement between Peru and Ecuador; recognizing the continued peace process in Guatemala; and the Columbian Peace Process

F. Cuba -- Implementation of Libertad Act; multilateral efforts; human rights and internal dissident movements; Cuba broadcasting; oversight of the new U.S. policy initiatives towards Cuba

G. Mexico -- Drug cooperation and corruption; NAFTA Implementation; economy; political reforms; elections; and Mexico's efforts to control illegal immigration

H. Haiti -- A review of the political situation with a focus on the future of democracy, including elections and strengthening/professionalizing democratic institutions (incl. police); human rights and extrajudicial killings; and sustainable investment/jobs

I. U.S. relations with Mexico and Canada

J. An overview of the strength of the region's economy in the wake of the Brazil financial crisis

K. Other-- Caribbean (drug cooperation, economic stability, & CBI enhancement); Canadian unity; role of the OAS; and Inter-American Development Bank

IX. Africa

A. Review of African human rights issues

B. Review of ongoing democratization efforts in Africa

C. Review of US trade and investment in Africa

D. Review of developments in African countries gripped conflict e.g. Angola, Congo-B, Congo-K, Sierra Leone etc., and the ongoing conflict resolution efforts, including peacekeeping issues

E. Slavery in Africa

F. Monitor the problems of corruption and organized crime in Africa

G. The African Crisis Response Initiative and possible US support for peacekeeping operations in Africa

H. Review the development of independent radio in Africa

I. Review of the development of African regional economic and monetary organizations.

J. Review of the situation in the Western Sahara

K. Review of the Rwanda/Burundi crisis

X. Human Rights
- A. Review of human rights country reports
- B. Implementation of the Universal Declaration of Human Rights and other internationally recognized human rights
- C. Torture Victims Relief issues
- D. Child Labor - Administration efforts to implement International Labor Organization child labor conventions; slave labor; and related practices
- E. International refugee protection and resettlement
- F. International trafficking in women and children
- G. Religious persecution - Oversight of implementation of the International Religious Freedom Act of 1998
- H. Review of People's Republic of China (political and religious repression, forced abortion and sterilization, forced labor, situation of Tibetan and Uighur minorities)
- I. Sudan (slavery, religious and race-based persecution, allegations of genocide)
- J. Central Africa (human rights and refugee issues in Rawanda, Congo, and surrounding countries)
- K. Vietnam (religious and political persecution, access to U.S. resettlement programs, and related issues)

XI. Economic Policy and the Environment
- A. Enterprise Funds
- B. Overview of global trade situation and implementation of International Monetary Fund terms and conditions
- C. Trade distorting actions by foreign governments (bribery, economic espionage, manipulation of customs rules, import licensing, skewing health and safety standards, etc.); Mutual Recognition Agreements ("MRAs");efforts by other foreign governments to implement the OECO Anti Bribery Convention
- D. OPIC/TDA Oversight
- E. EAA Oversight; encryption issues
- F. Implementation of Iraq, Iran and other sanctions regimes by State and Treasury
- G. Global environmental trends: International instability and national security
- H. The U.S. government position on global warming
- I. How environmental cooperation can enhance bilateral relations and U.S. interests abroad

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515–6216
One Hundred Sixth Congress

February 5, 1999

Honorable Dan Burton
Chairman
Committee on Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Honorable William M. Thomas
Chairman
Committee on House Administration
U.S. House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515

Dear Chairmen Burton and Thomas:

Pursuant to clause 2(d)(1) of House Rule X, I am hereby submitting the Oversight Plan of the Committee on the Judiciary for the 106th Congress. Our Oversight Plan was adopted on February 4, 1999 in a meeting that was open to the public with a quorum present.

Thank you for your consideration.

Sincerely,

HENRY J. HYDE
Chairman

Attachment
cc: Hon. John Conyers, Jr.

Oversight Plan

Committee on the Judiciary

106th Congress

February 4, 1999

FULL COMMITTEE

I. Antitrust Enforcement The Full Committee will be conducting hearings on the operations and activities of the Antitrust Division of the Justice Department and the Bureau of Competition of the Federal Trade Commission. (Spring /Summer 1999)

II. Hart-Scott-Rodino Act The Committee will conduct oversight of the operation and implementation of the Hart-Scott-Rodino pre-merger notification statute. (Summer/Fall 1999)

III. Robinson-Patman Act The Committee will review the Robinson-Patman Act, which makes it unlawful for a seller to discriminate in price between different purchasers of goods, where the discrimination may result in a substantial lessening of competition. Of particular interest will be whether the statute requires modernizing amendments. The Committee will also consider the application of the Act to the small business community. (Fall 1999/Winter 2000)

IV. Health Care Policy Statements The Committee will review and evaluate the implementation of the "Statements of Antitrust Enforcement Policy in the Health Care Area" -- guidelines jointly issued by the Federal Trade Commission and the Antitrust Division on September 15, 1993, revised September 27, 1994 and once again revised on August 28, 1996. As part of this oversight effort, the Committee will analyze whether legislation is still needed to ensure the appropriate application of the antitrust laws to various health care industry practices. (Fall 1999)

V. Telecommunications The Committee will examine the implementation of the Telecommunications Act of 1996, including its electronic publishing and alarm monitoring provisions. As part of its review, the Committee will be looking at the Department's policy with respect to mergers in the telecommunications industry. These mergers now fall under the Hart-Scott-Rodino Act by virtue of the repeal of Section 221(a) of the Communications Act of 1934. The Telecommunications Act of 1996 repealed this anachronistic provision. (Spring/Summer 1999)

VI. International Antitrust Enforcement The Committee will examine the Division's implementation of the "International Antitrust Enforcement Assistance Act," enacted in 1994 (Public Law 103-438). (Fall 1999)

VII. Electric Utilities Deregulation The Committee will conduct hearings on the antitrust implications of proposed deregulation legislation related to the electric utility industry. (Winter 1999/Spring 2000)

VIII. Government Performance and Results Act The Committee will engage in consultation with the Department of Justice, the Federal Trade Commission, the Patent and Trade

Office, and other government agencies within its jurisdiction, regarding the preparation and implementation of strategic plans and performance plans as required under the Government Performance and Results Act. Each of the Subcommittees will engage in such consultation with the particular divisions of agencies which fall within their respective jurisdictions. (Ongoing)

IX. Department of Justice Oversight The Department of Justice has not been formally authorized for 20 years. In the 105th Congress, the Committee reported and the House approved an authorization bill, and intends to renew that effort in the 106th Congress. In preparation for this effort, the Committee intends to engage in wholesale oversight of the administrative structure of the Department and the effectiveness of its individual components. (Ongoing)

X. Attorney Fee Awards in Class Action Suits The Committee will examine the effect of the availability of attorney fee awards in connection with the settlement of large scale private litigation. In light of the magnitude of attorney fee awards which have been recovered in recent settlements, the Committee will analyze whether legislation is needed to place some restrictions on the right to recovery of fee awards. (Spring/Summer 1999)

XI. Government Sponsored Private Tort Litigation In recent years, cities, states, and the Federal government have engaged in private suits against various alleged tortfeasors for the recovery of damages to their citizens. The Committee will consider whether this is an appropriate role for government entities and if so, whether there should be procedural and substantive rules imposed in those cases to protect the rights of both the defendants and the citizens on whose behalf the cases are brought. (Spring 2000)

XII. Independent Counsels In addition to the Committee's general overview of the Department of Justice, the Committee intends to examine the relationship between independent counsels appointed under 28 U.S.C. 591 *et seq.* and the Attorney General. This review will include consideration of the conflicts raised by the assertion of privileges on behalf of the government against investigatory requests of the independent counsel. (Summer 1999)

XIII. Violence Against Women The Committee will conduct hearings to consider the need for re-authorizing and strengthening the original Violence Against Women Act of 1994. As part of its proceedings, the Committee will review how that legislation has assisted treatment facilities and shelters for battered women. The Committee will also consider causes and possible responses to the many criminal law problems which uniquely affect women, such as the rising rate of rape and domestic violence, including murder.

SUBCOMMITTEE ON COMMERCIAL AND ADMINISTRATIVE LAW

I. Administrative Process and Procedure

A. Role of Congress in Creating Regulatory Burden In light of a GAO report finding that Congress specifically requires a significant amount of burdensome regulation, the Subcommittee expects to conduct a hearing analyzing the role of Congress in creating regulatory burden. (Spring 1999)

B. Administrative Taxation During the 105th Congress, the Subcommittee conducted a hearing titled "Administrative Taxes: The FCC's Universal Service Tax," which explored the fact and consequences of federal agencies having the power to tax. The Subcommittee expects to continue investigating this issue, exploring examples beyond the Universal Service tax and the effect of agency taxation on tax levels and accountability in the spending of taxpayer dollars. (Summer 1999)

C. Congressional Review Act During the 105th Congress, the Subcommittee conducted a hearing on implementation of the Congressional Review Act and Subcommittee staff conducted numerous briefings to alert congressional staff to this relatively new oversight tool. The Subcommittee expects to continue its efforts to highlight the Congressional Review Act. The Subcommittee also expects to expand its efforts, making the regulated public aware of the Congressional Review Act reporting requirement. Under the Act, a rule must be submitted to Congress and the GAO before it may take effect. (Summer 1999)

D. Judicial Review of Regulatory Flexibility Act In 1996, the Small Business Regulatory Enforcement Fairness Act ("SBREFA") amended the Regulatory Flexibility Act to give judicial review to small entities affected by an agency's failure to perform a Regulatory Impact Analysis ("RIA"). Subsequently, the Environmental Protection Agency issued National Ambient Air Quality Standards without performing an RIA. The Subcommittee held a hearing highlighting this failure, among many. Pursuant to the judicial review provisions of SBREFA, small entities are challenging the EPA's actions, and their case was argued in the Court of Appeals for the D.C. Circuit in December. Should the court rule in favor of the small entities and remand the rule, the Subcommittee expects to highlight this success and oversee EPA's subsequent actions. (Winter 1999)

E. Agencies as Independent Political Actors The Subcommittee expects to research the extent to which agencies compete for supremacy in the world of policymaking. Agency practices that the Subcommittee may analyze include: implementation of policies that Congress has considered and rejected; threats to implement policies Congress has under consideration; use of consent decrees to achieve non-statutory policy goals; and use of agency resources to influence legislative processes. (Spring 1999)

II. Agencies

A. Legal Services Corporation The Subcommittee has authorization jurisdiction over the Legal Services Corporation (LSC), a federally funded independent entity which provides grants to local recipients providing legal services to the poor. The LSC continues to be the subject of considerable controversy, almost since its inception in the 1970's, which has prevented the Congress from passing an authorization since 1978. It has continued its existence through the annual appropriation process. The Judiciary Committee approved legislation during the 104th Congress that would have abolished the corporation and converted the provision of legal services to the poor into a block grant program administered primarily by the states. This legislation was not considered by the House. The Subcommittee expects to be extensively involved in continuing oversight of the corporation and in the reauthorization effort. Hearings, as well as considerable staff investigation and monitoring, are expected. (Summer/Fall 1999)

B. Other Agencies In addition to the Legal Services Corporation, the Subcommittee has authorization responsibility for several other federal entities, including: the Office of Solicitor General, the Executive Office for United States Trustees, the Executive Office for United States Attorneys, the Environment and Natural Resources Division of the Department of Justice and the federal bankruptcy court system. The Subcommittee conducted hearings and engaged in considerable oversight of these entities during the 105th Congress and anticipates increasing that effort, involving staff investigation, monitoring and additional hearings. (Spring 1999 through Summer of 2000)

III. Interstate Compacts

The Constitution requires that the Congress approve compacts or agreements between two or more states in order to assure these will not adversely impact federal interests. The Subcommittee has approved numerous compacts during the past two Congresses which were enacted into law and it expects to engage in oversight to determine whether the process whereby states seek Congressional approval is being adhered to by the various states, which may include travel to a number of states. The Subcommittee may also consider holding hearings on whether the Northeast Interstate Dairy Compact should be extended or allowed to expire. (Spring through Winter 1999)

IV. Bankruptcy

The Subcommittee has jurisdiction of the Bankruptcy Code (11 U.S.C. 101 *et seq.*) and related provisions codified in title 18 and 28 of the United States Code. In addition, the Subcommittee has jurisdiction over bankruptcy judgeships. During the 105th Congress, the Subcommittee held an extensive series of hearings on the need for bankruptcy reform, the work of the National Bankruptcy Review Commission, the treatment of charitable contributions, and administrative protections for private trustees. The Subcommittee

anticipates substantial oversight of the Bankruptcy Code (Spring 1999) and possibly hearings on whether the code should be amended to deal with the special issues presented by insolvent health care providers, such as hospitals and HMOs, and the treatment of mass torts in a bankruptcy case. (Spring 2000)

V. Specific Statutory Oversight

A. Independent Counsel Act The Subcommittee has jurisdiction over the Independent Counsel Act (28 U.S.C. 591 *et seq.*), which expires on June 30, 1999. The Subcommittee anticipates engaging in considerable oversight to determine the effectiveness of the Act, the performance of those appointed independent counsel thereunder, and further determine whether reauthorization of the statute is warranted, with or without appropriate modification. (Spring/Summer 1999)

B. Administrative Procedure Act The Subcommittee has jurisdiction over the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), which includes the Congressional Review Act and the Regulatory Flexibility Act. The Subcommittee anticipates oversight in this area to find areas where these laws can be improved, rationalized, and streamlined. (Summer 1999 through Summer 2000)

C. Federal Debt Collection Act The Subcommittee has jurisdiction over federal debt collection and anticipates oversight in this area of its responsibility, including the operation of the Federal Debt Collection Act of 1990 and other related aspects of federal debt collection. (Summer 2000)

D. Contract Disputes Act The Subcommittee has jurisdiction over the Contract Disputes Act (41 U.S.C. 601 *et seq.*), enacted into law in 1978 in response to recommendations made by a federal commission on procurement. The Subcommittee anticipates oversight of the operation of the Act to determine how well it has achieved its purpose and to evaluate the performance of the Board of Contract Appeals. (Summer 2000)

E. Federal Arbitration Act The Subcommittee has jurisdiction over the Federal Arbitration Act (9 U.S.C. 1 *et seq.*) and anticipates conducting oversight of its operation to determine whether it has achieved its intended purpose. Hearings will be scheduled as warranted. (Spring 2000)

F. Negotiated Rulemaking Act The Subcommittee has jurisdiction over the Negotiated Rulemaking Act (5 U.S.C. 581 *et seq.*) and anticipates conducting hearings to determine how effectively the statute is operating and the level of its utilization by agencies. (Fall 1999)

G. Administrative Dispute Resolution Act The Subcommittee has jurisdiction over the Administrative Dispute Resolution Act (5 U.S.C. 571 *et seq.*). It anticipates oversight hearings to determine the effectiveness of the dispute resolution procedures authorized under the statute. (Winter 2000)

SUBCOMMITTEE ON THE CONSTITUTION

I. Civil Rights Division, U.S. Department of Justice Hearings will be necessary to consider the enforcement record, priorities, and authorization request of the Civil Rights Division. The Subcommittee will focus on the Division's activities in the areas of education, employment, voting, credit, housing, public accommodations and federally funded and conducted programs.

The Subcommittee will examine the implementation/enforcement and impact of the Fair Housing Act Amendments of 1988, the American Disabilities Act, the Voting Rights Act, the National Voter Registration Act of 1993, the Civil Rights Act of 1991 and the Religious Freedom Restoration Act. (2000)

II. Community Relations Service The Subcommittee will consider the enforcement record, priorities, and authorization request of the Community Relations Service. (2000)

III. United States Commission on Civil Rights The United States Commission on Civil Rights is intended to serve as an independent, bipartisan fact-finding agency. The Subcommittee plans to examine the priorities, structure, and authorization request of the Civil Rights Commission. (1999)

IV. Office of Government Ethics The Subcommittee will consider the priorities, operation and authorization request for the Office of Government Ethics. (1999)

V. Employment Non Discrimination The Subcommittee will conduct hearings to consider the extent of discrimination based on sexual orientation, including in particular employment discrimination, and consider the need for legislative remedies.

SUBCOMMITTEE ON COURTS AND INTELLECTUAL PROPERTY

I. The Federal Judicial System The Subcommittee will continue to devote considerable time and resources to improving the delivery of justice by Federal Courts.

A. The Judicial Conference of the United States In 1922, Congress created a Conference of Senior Circuit Judges which today is known as the Judicial Conference of the United States. The Conference is the policy making body of the Federal Judiciary. The Subcommittee plans to hold oversight hearings on the Judicial Conference's role and that of the U.S. Supreme Court in developing recommended changes und the Rules Enabling Act. One issue is whether the U.S. Supreme Court should play a meaningful part in that process. (Summer 2000)

B. Administrative Office of the U.S. Courts The Administrative Office of the U.S. Courts was created by Congress in 1939, and assigned the responsibility for administrative duties for the Federal Courts, including preparation of the Judiciary's budget, gathering of statistics for the judicial branch, and implementing the policies of the Judicial Conference. The Subcommittee plans to hold an oversight hearing on the Federal Judicial Branch and the functioning of the Administrative Office. (Summer 2000)

C. Federal Judicial Center In 1967, the Federal Judicial Center was established within the judicial branch of government and given the responsibilities over research, judicial education and system development. The Subcommittee plans to hold an oversight hearing on the research, support and automation plans of the Federal judiciary. (Summer 2000)

D. Structural Alternatives for the United States Courts of Appeals In the 105th Congress, the House passed H.R. 908, a bill that authorized a one-year study of the burgeoning caseloads of the federal circuits, with special attention accorded the Ninth Circuit. The Commission created by the bill was also charged with making recommendations to correct the problem.

The Commission has completed its work and has recommended that the Ninth Circuit serve as a paradigm for other circuits that become swamped by increased filings. Rather than split the Ninth and create a new 12th Circuit - which would exclude California, however configurated - the Commissioners suggest restructuring the Ninth into regional divisions. A Circuit Division, with 13 judges from all regional divisions, would resolve conflicts among the regional divisions.

The Subcommittee plans to hold an oversight hearing to consider possible legislative solutions to this problem. (Summer 1999)

E. The Federal Judiciary's Courthouse Construction Program There has been a substantial increase in Federal Courthouse construction, often accompanied by what is thought of to be excessive spending. The Subcommittee plans to hold an oversight hearing on cost overruns in courthouse construction projects. (Summer 2000)

II. Investigation of the Number of Unused Federally Maintained Courthouses Throughout the United States Over the years, the Subcommittee has passed legislation authorizing the use of new places of holding court. In most instances this legislation resulted in the use and maintenance of an existing court structure. Sometimes this legislation resulted in the building of new courthouses. The Subcommittee plans to hold and oversight hearing to review the status and use of these courthouses throughout the country. (Summer 2000)

III. The U.S. Copyright System The Subcommittee will continue to devote considerable time to oversee the operation of the copyright system in a world of ever changing technology. It is vital to the protection of American copyrighted works that the Subcommittee be vigilant in its exercise of its jurisdiction to carry out its constitutional mandate to "promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries[.]" (Art. I Sec. 8. cl. 8)

A. The U.S. Copyright Office The Subcommittee has oversight responsibilities over the operation of the U.S. Copyright Office, which is part of the Library of Congress. The Copyright Office has a number of responsibilities, from collecting and distributing copyright royalties to registering and granting certificates of copyrights to thousands of people each year. The Subcommittee will conduct an oversight hearing on the changing needs and efficient operation of that office. (Winter 2000)

B. The WIPO Audio-Visual Treaty The Subcommittee plans to hold an oversight hearing on the progress of the current Audio-Visual Treaty negotiations being held under the auspices of the World Intellectual Property Organization or any necessary legislation as a result of the Audio-Visual Treaty should the United States becomes a signatory. (Spring 2000)

IV. U.S. Patent and Trademark Systems

A. U.S. Patent and Trademark Office (PTO) is part of the Department of Commerce and the Subcommittee has oversight responsibilities for its authorization and its operation. The PTO is responsible for the examination and issuance of U.S. Patents and Trademarks. It is also responsible for international negotiations with other patent and trademark authorities, such as the European Patent Office and the Japanese Patent Office. The Subcommittee will hold oversight hearings on the operations of the PTO. This will be part of a continuing review. (Winter 2000)

B. Single, Low-Cost World Patent The cost to U.S. companies and inventors of applying for and obtaining separate patents in each of 150 or more countries is prohibitive. In developing countries and even in Europe, patent fees are at such high levels that they constitute a tax on innovation. European government fees to obtain and maintain a patent are more than ten times the fees in the U.S. In addition, the expense of retaining separate patent attorneys or agents in each foreign country is burdensome and expensive. The United States could take a leadership role in negotiating an agreement under which countries would give full faith and credit to patents granted by an international organization or one of the three largest patent offices in the world – the U.S. Patent Office, the European Patent Office, or the Japanese Patent Office. Countries giving full faith and credit would charge a minimal fee for patenting in that country, and it would be unnecessary to retain separate patent attorneys or agents to obtain a patent in that country. The obstacles to negotiating and implementing such an arrangement would be formidable, but a single low-cost world patent is the best long-term approach to obtaining effective world-wide patent protection for U.S. companies and inventors. (Fall 1999)

SUBCOMMITTEE ON CRIME

I. The War on Drugs

A. Interdiction The Subcommittee on Crime will continue its review of the U.S. drug interdiction effort. With the passage of the "Western Hemisphere Act" in the 105th Congress, federal law enforcement has been given new tools for combating drug trafficking. There is growing evidence that trafficking in the eastern Caribbean transit zone has increased substantially in recent years. Consequently, particular attention will be focused on the adequacy of current interdiction efforts in this geographical area. (Spring/Summer 1999)

B. Major International Drug Traffickers The Subcommittee will continue to examine the federal law enforcement effort at identifying and apprehending those who conspire to import controlled substances into the U.S., with particular focus on the Drug Enforcement Administration's priorities. (1999)

II. Prisons

A. The Prison Litigation Reform Act (PLRA) The Subcommittee will review the implementation of the PLRA as it is enforced, and litigated, around the country. (1999)

B. Federal Assistance to Build State Prisons The Subcommittee will continue to monitor the Justice Department's distribution of Violent Offender Incarceration grants to the States. (1999 and 2000)

III. Federal Assistance to State and Local Law Enforcement The Subcommittee will continue to monitor the Justice Department's implementation of the Local Law Enforcement Block Grant Program and the COPS Grant Program. (1999 and 2000)

IV. Brady Act The "Brady Handgun Violence Prevention Act of 1994" required the FBI to develop and operate a national, point-of-sale, criminal background check system for all firearms purchases. The system became operational last November. The Subcommittee will monitor the operations of this instant check system. (1999 and 2000)

V. The Federal Bureau of Prisons (BOP) The Subcommittee will conduct extensive oversight of the management practices of the BOP in the 106th Congress. Attention will be given to issues relating to privatization of prison operations, drug treatment in prison, and the transfer to the BOP of persons sentenced by the District of Columbia. Special attention will be given to issues relating to the Federal Prison Industries program operated by BOP. (1999 and 2000)

VI. The Federal Bureau of Investigation (FBI) As the largest federal law enforcement agency, the FBI will be the subject of much of the Subcommittee's oversight activities. Among the areas of inquiry will be expansion of the FBI's presences overseas through its legal attache offices, its increased emphasis on enforcing anti-terrorism laws, and issues relating to the implementation of the Communications Assistance for Law Enforcement Act of 1994. (1999 and 2000)

VII. The United States Secret Service The Subcommittee will conduct oversight of the United States Secret Service concerning the extent of its protective function for the President and Vice President, their families, retired Presidents, and foreign dignitaries. The Subcommittee will also monitor the enforcement by the Secret Service of two new laws passed in the 106th Congress: the "Wireless Telephone Protection Act of 1998," and the "Identity Theft and Assumption Deterrence Act of 1998." (1999 and 2000)

VIII. U.S. Sentencing Commission The Subcommittee will review the mission and operations of the U.S. Sentencing Commission. The Subcommittee will focus particularly on the effectiveness of the Commission given its recent lack of leadership. (1999)

IX. Restitution The Subcommittee will work with the General Accounting Office to determine whether restitution orders are being adequately enforced. (1999)

X. Juvenile Justice The Subcommittee will review the Justice Department's implementation of the juvenile accountability incentive grant program funded in the 105th Congress. (1999)

XI. Discrimination in Law Enforcement The Subcommittee will conduct hearings to consider the magnitude of discrimination in the criminal justice system. The hearings will consider the extent to which racial minorities are treated differently than their non-minority counterparts committing or accused of the same offenses.

XII. Prosecutorial Misconduct The last Congress began to address the issue of prosecutorial misconduct by enacting the Citizens Protection Act, requiring that federal prosecutors follow state ethical guidelines. Previously, Chairman Hyde also sponsored legislation which passed into law allowing for recovery of legal fees to address the most extreme instances of prosecutorial over-reaching. Hearings will focus on the operation and impact of these laws and consider the need for additional legislative revisions and responses.

SUBCOMMITTEE ON IMMIGRATION AND CLAIMS

I. Immigrant "Quality" The Subcommittee expects to conduct hearings on 1) the impact of low-skilled immigrants on American workers and minority communities, 2) the workforce needs of American employers in the 21st century, and 3) various methods to make our legal immigration system more responsive to the workforce needs of American employers in the 21st century. (Spring 1999)

II. INS Restructuring/Management The Subcommittee expects to conduct hearings on management problems in the Immigration and Naturalization Service and proposals to restructure the agency to enable it to more effectively carry out its missions. While the agency's budget has doubled in recent years, concerns about its ability to function effectively have only increased. (Summer 1999/Fall 1999)

III. Consequences of Hurricane Mitch The Subcommittee expects to conduct hearings on 1) the effects of Hurricane Mitch in Honduras, Nicaragua, El Salvador, and Guatemala, 2) appropriate responses by the United States government including temporary protected status, 3) lessons from the amnesty of 1986 and previous uses of temporary protected status, and 4) the Immigration and Naturalization Service's ability to respond to an immigration emergency along our southern border. (Spring 1999)

IV. Implementation of the Nicaraguan Adjustment and Central American Relief Act The Subcommittee expects to conduct hearings to monitor the Immigration and Naturalization Service's implementation of NACARA (which granted permanent resident status to certain migrants from Cuba and Nicaragua and allowed certain migrants from El Salvador and Guatemala and other areas to apply for suspension of deportation), including anti-fraud efforts. (Summer 1999)

V. Alien Smuggling The Subcommittee expects to conduct hearings on recent trends in alien smuggling and methods for the detection, apprehension, prosecution and punishment of alien smugglers. (Spring 1999/Spring 2000)

VI. Detention of Aliens The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service's capability to detain criminal and illegal aliens and to meet the detention requirements of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and on the condition of INS detention facilities. (Fall 1999)

VII. Removal of Aliens The Subcommittee expects to conduct hearings on the implementation of new procedures to remove criminal and illegal aliens provided by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (Summer 2000)

VIII. Interior Enforcement The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service's efforts on finding and removing illegal aliens living and

working in the interior of the United States, including 1) the employment eligibility verification pilot program, 2) INS' worksite enforcement strategy, and 3) INS' "Quick Response Teams." (Summer 1999/Spring 2000)

IX. Entry-Exit Control System The Subcommittee expects to conduct hearings on the status of the Immigration and Naturalization Service's implementation of an entry-exit control system along the northern and southern borders (to monitor the entry and exit of aliens). Staff travel to visit implementation sites may be warranted. (Summer 1999/Spring 2000)

X. Border Control The Subcommittee expects to conduct hearings on the situation along our southern border, the success of current border control initiatives such as "Operation Gatekeeper" in San Diego, and the necessity of additional resources. Staff travel to visit border sites may be warranted. (Spring 1999/Spring 2000)

XI. Alien Terrorism The Subcommittee expects to conduct hearings on 1) our vulnerability to alien terrorists, 2) our ability to deny entry to terrorists, 3) the use of anti-terrorism courts provided for under the Antiterrorism and Effective Death Penalty Act of 1996. (Summer 1999/Fall 2000)

XII. Student Visas The Subcommittee expects to conduct hearings on 1) the use of student visas by aliens from countries designated as sponsors of terrorism, 2) the status of the Immigration and Naturalization Service's pilot program to track alien college students, and 3) the advisability of loosening restrictions on the availability of student visas to attend public high schools. (Summer 1999/Spring 2000)

XIII. Affirmative Action and Aliens The Subcommittee expects to conduct hearings on the eligibility and use of affirmative action programs by aliens. (Spring 2000)

XIV. Expedited Exclusion The Subcommittee expects to conduct hearings on the implementation of the expedited exclusion provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which allow for the expedited return of aliens arriving at ports of entry with fake or nonexistent documents. (Spring 1999)

XV. Dual Nationality The Subcommittee expects to conduct hearings on the policy implications of the widening acceptance worldwide of dual nationality. (Summer 1999)

XVI. Fraud in Various Temporary Visa Programs The Subcommittee expects to conduct hearings on fraud in the issuance and use of various temporary visas, such as the creation of phantom overseas companies to obtain "L" intercompany transferee visas. (Summer 2000)

XVII. Battered Spouse Protections The Subcommittee expects to conduct hearings on battered spouse protections provisions in the Immigration and Nationality Act. The

Subcommittee will look at the prevalence of fraud and the advisability of expanded protections for aliens who have been battered by their spouses. (Summer 2000)

XVIII. New Affidavit of Support The Subcommittee expects to conduct hearings on the effects of new affidavit of support required by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Sponsors of immigrants now must sign a legally binding affidavit promising to provide for the support of the immigrants until they naturalize. (Fall 1999)

XIX. Naturalization Issues The Subcommittee expects to conduct hearings on the denaturalization of criminals who were mistakenly naturalized during the "Citizenship USA" program and on the naturalization processing backlogs. (Fall 1999)

XX. Immigration Statistics The Subcommittee expects to conduct hearings on the Immigration and Naturalization Service's inability to generate timely immigration statistics. (Fall 2000)

XXI. Investor Visa Program The Subcommittee expects to conduct hearings on recent INS changes to the Investor Visa Program (granting permanent residence to aliens investing a certain amount into U.S. enterprises and creating a certain number of jobs for American workers). (Fall 1999)

XXII. Parole The Subcommittee expects to conduct hearings on the Attorney General's use of her discretionary parole authority to admit persons otherwise not eligible to enter the United States, including the implementation of restrictions on the use of such authority included in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. (Summer 2000)

DON YOUNG, CHAIRMAN

U.S. House of Representatives
Committee on Resources
Washington, DC 20515

February 8, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Chairman Burton:

Pursuant to House Rule X (2)(d)(1), I submit the Oversight Plan for the 106th Congress for the Committee on Resources. The Oversight Plan was adopted in open session on February 3, 1999.

Sincerely,

Don Young

DON YOUNG
Chairman

Enclosure

COMMITTEE ON RESOURCES
OVERSIGHT PLAN FOR THE 106TH CONGRESS

ADOPTED FEBRUARY 3, 1999

Pursuant to Rule X (2)(d)(1) of the Rules of the House of Representatives, each standing committee of the House must adopt an oversight plan prior to February 15 of the first session of a Congress. The attached document constitutes the oversight plan for the consideration of the Committee on Resources. This plan covers oversight matters for the Full Committee and for the Committee's five subcommittees. This plan is merely a plan and is subject to change. It is based on current knowledge and anticipated oversight needs to ensure laws are being properly administered by the executive branch. It is based on adequate funding to carry out needed oversight activities during the 106th Congress. Actual oversight activities of the Committee may expand or change as circumstances evolve.

FULL COMMITTEE

Endangered Species Act Reauthorization: The Endangered Species Act (ESA) was last reauthorized in 1988 for four years. During the 104th Congress, the Committee on Resources held numerous oversight hearings on the implementation and administration of the ESA. On September 7, 1995, H.R. 2275, the Endangered Species Conservation and Management Act of 1995, was introduced by Chairman Don Young and 94 Members of Congress. On October 12, 1995, the Committee on Resources voted to report H.R. 2275 favorably with amendments to the House of Representatives. No further legislative action was taken on the ESA in the House of Representatives.

During the 105th Congress, the Committee continued its oversight hearings on the ESA.

It is expected that ESA legislation will be introduced during the 106th Congress following oversight hearings. Major issues that continue to be of concern include the credibility of the science used to list species, greater inclusion of States and local governments in ESA decision making, protecting the rights of private property owners, ensuring that the goals of the ESA are reached through greater landowner incentives, determining whether the recovery goals of the ESA are being achieved, ensuring that the ESA does not impede other important laws and missions, particularly those designed to protect public health and safety, ensuring greater public involvement, and greater consideration of socio-economic impacts.

World Heritage Sites and Biosphere Reserves: During both the 104th and 105th Congress, the Committee held oversight hearings on designation of United Nations' World Heritage Sites and Biosphere Reserves in the United States. The Committee has found that these designations are made with virtually no input from state and local government and result in centralization of land use policy-making authority at the federal level, particularly in the executive branch. They also result in less chance for input into land use decisions by individuals and affect the use and market value of private lands adjacent to or intermixed with federal lands. The Committee plans more oversight hearings and field hearings to further examine problems associated with these land use designations. Legislation to correct the problems identified with these programs passed the House in 1997, and it is anticipated that this legislation will be introduced again in the 106th Congress.

Impact of Federal Land Management Policies on Rural Communities: The Committee held an oversight hearing in 1998 on the impact of federal land management policies on local economies. The Committee found that some current federal land management policies have had locally devastating impacts on rural communities. Too often, federal land management agencies decide that Washington knows best and ignore the devastating local impacts of these policies. During the 106th Congress, the Resources Committee plans on holding field hearings to further examine the impact of federal land management policies on rural communities and local economies.

The Conservation and Reinvestment Act (CARA): The Conservation and Reinvestment Act (CARA) resolves the inequity of oil and gas revenue distribution while providing for important conservation and recreation programs. The legislation would distribute

royalties collected from outer continental shelf oil and gas operations to states, the federal government and local communities for various environmental improvement activities, including wetlands restoration and habitat restoration and protection. It represents a responsible reinvestment of revenue from non-renewable resources into renewable resources of conservation and recreation for all 50 states and territories. Following oversight hearings, CARA will be reintroduced in the 106th Congress.

National Environmental Policy Act of 1969 (NEPA) and Environmental Quality Improvement Act (EQIA): The Full Committee maintains jurisdiction over the National Environmental Policy Act (NEPA) and thus over the Council on Environmental Quality (CEQ) which NEPA created. Likewise, the Full Committee maintains jurisdiction over the Environmental Quality Improvement Act (EQIA) and thus over the Office of Environmental Quality which EQIA created. As a 1960s piece of legislation and a 1960s-organized agency in the Executive Office of the President prepare to enter a new millennium, they face many new and significantly different problems than they did at their creation. CEQ considers itself the top advisory body to the President and Vice President on issues regarding the environment. Interpreting its jurisdiction quite broadly, CEQ is involved in such diverse projects as the American Heritage Rivers Initiative, the Kyoto Global Warming Protocol, all environmental aspects of the Fiscal Year 1999 omnibus spending bill, automotive emissions, Environmental Impact Statements, the roadless moratorium in national forests, the National Petroleum Reserve-Alaska, and the new Lands Legacy Initiative–to name a few. Bipartisan agreement exists that NEPA is not functioning as it was envisioned at the time of enactment. The Committee will conduct oversight both on particular instances of problems as well as the overall function and implementation of NEPA which this Administration admitted it has "not well implemented."

Government Performance and Results Act of 1993: The Results Act encourages greater efficiency, effectiveness, and accountability in federal spending, and requires agencies to set goals and to use performance measures for better management and achievement of each agencies' goals. The Resources Committee will continue to scrutinize the Performance Plans of the departments under its jurisdiction. The Forest Service is reworking its Strategic Plan, including public hearings which ostensibly are being held to obtain public opinion. Oversight will examine whether these hearings receive a representative sampling of opinion. The Natural Resources Performance Management Forum, representing the environmental and land management agencies, attempts to coordinate issues which many or all such agencies have in common. Such issues are known as "cross-cutting" issues. This work will continue to be overseen. Results Act oversight will include the assignment of grades to the agencies' plans and may necessitate one or more hearings.

Y2K: "Y2K" stands for "Year 2000" and refers to a specific problem with computer software, data and hardware. Using two digits to indicate the year, such as "99", results in problems when "00" is not properly computed. This problem will affect all of the agencies under the jurisdiction of the Committee on Resources. Oversight will continue to encourage this Administration to remediate its problems in this area so that mission critical functions can be sustained.

Appropriations/Budget: Two major Administration initiatives for Fiscal Year 2000, called the "Lands Legacy Initiative" and the "Livability Initiative", seek a minimum of $2 billion (at least $1 billion each) in new spending. Some fear that these programs may increase restrictions on private land, authorize the condemnation of additional land for the federal government (which currently constitutes one third of the Nation's land) and further inject the federal government into local, state, and regional land use planning. These and other appropriations/budget proposals necessitate authorizing bills and will be examined and overseen by the Committee on Resources.

ALASKA ISSUES

The Trans-Alaska Pipeline (TAPS): The Resources Committee will continue its thorough oversight into the operation and safety of the Trans-Alaskan Pipeline (TAPS). The Committee will continue to monitor the few remaining maintenance upgrades resulting from agreements made after federal and internal Alyeska Pipeline Service Company (Alyeska) audits. Regular briefings and consultation will continue with Alyeska, the Bureau of Land Management (BLM), and the Joint Pipeline Office (JPO). Staff will continue to perform field inspections of Alyeska equipment, facilities, and processes – including BLM and JPO functions.

Arctic National Wildlife Refuge (ANWR): The Committee will continue its role in oversight over the management of the Arctic National Wildlife Refuge (ANWR). This oversight includes potential development of the Coastal Plain. The Coastal Plain of ANWR holds substantial promise for development which could bolster the United States domestic oil and gas industry and decrease the over-reliance on foreign sources supplying the Nation's domestic energy demand. Several developments adjacent to ANWR also call for responsible stewardship by the federal government to ensure that the public receives royalties to which they are entitled.

Alaska Public Lands: The full Committee retains jurisdiction over public lands in Alaska. A majority of the United States' national wildlife refuge, national park, and wilderness area acreage is in Alaska, which also has the largest federal land base overall. The enormous mineral reserves in these areas, including petroleum, are of interest to the Committee. As the situation warrants, the Committee may hold one or more hearings on issues related to potential petroleum production in the Arctic National Wildlife Refuge and the National Petroleum Reserve-Alaska, the latter of which is the subject of planned leasing activities by the Administration pursuant to a completed integrated activity plan document and Environmental Impact Statement.

During this Congress, the Committee may also hold one or more oversight hearings on management of Alaska's public lands, including conservation system units, and on administration of access rights and guarantees under the Alaska National Interest Lands Conservation Act (ANILCA). ANILCA contains special provisions, such as access rights and guarantees, pertaining uniquely to conservation system units in Alaska.

The Committee will devote attention to issues involved in the land management planning process for the Chugach National Forest, which may warrant a hearing. Further, the access

problems experienced by the rural community of King Cove, which was of wide interest to Congress and the Administration in the 105th Congress, will continue to be of interest to the Committee.

Alaska Native Claims Settlement Act (ANCSA): Oversight hearings may be held on unresolved issues relating to the Alaska Native Claims Settlement Act (ANCSA). One example of an unresolved issue concerns undue delays in the conveyance of an easement for a road to which the Chugach Alaska Corporation is entitled under ANCSA. Other examples involve unforeseen land use conflicts between Native Corporations and the federal or state government, or other private land owners, which are often settled through administrative or legislated land exchanges.

Alaska Native Veterans Allotment Bill: Alaska Native veterans who served in the military during the Korean and Vietnam eras missed their deadline to apply for native allotment lands. The Department of the Interior (DOI) first supported opening an allotment application process for these veterans, then did an about face. In Public Law 104-42, Congress directed the DOI and the Department of Veterans Affairs to determine how many Alaska Native veterans missed out in this application process and which lands are available for possible selections. In the 105th Congress, Congress opened the native allotment process to Alaska natives; however, the full years of the Vietnam war were not used as an eligibility guideline. The Committee will have oversight hearings with input from the State of Alaska, Alaska Native veterans and DOI with regard to expanding the eligibility guidelines to include all the years of the Vietnam war.

Hazardous Waste Contaminants on Alaska Native Regional Corporation Lands: Public Law 104-42 directed DOI to conduct a study on hazardous wastes on lands transferred to Alaska Native Regional Corporations under the Alaska Native Claims Settlement Act (ANCSA). The deadline for the report was May 2, 1997. As of January 1999, DOI has yet to submit the report. The Committee will hold oversight hearings on the report when it is made available to examine liability issues, which is a major concern with cleanup efforts. Also, the Committee expects to move legislation to help Native Corporations clean up any contaminated lands previously owned/used by the federal government, then transferred to Native Corporations under ANCSA.

Alaska Federation of Natives Proposed Legislative Package: The Alaska Federation of Natives (AFN) is expected to submit new recommended ANCSA, Alaska National Interest Lands Conservation Act (ANILCA) and Native Commission amendments to Congress for review and enactment. Oversight hearings are expected on technical proposals of the AFN.

Alaska "Indian Country" Ruling: The Committee will closely monitor the effects of recent court rulings concerning the applicability of "Indian County" status within Alaska and the Committee may hold oversight hearings as needed.

Indian Child Welfare Act Amendments: An oversight hearing on the issues raised in the Indian Child Welfare Act Amendments (H.R. 3828 introduced in the 104th Congress) and

other aspects of the Indian Child Welfare Act may occur as needed before reintroduction of that bill.

Alaska Native Commission Report Follow-up: Based on a study that AFN is expected to complete by the end of this fiscal year, the Committee may conduct oversight on social problems of alcoholism, drug abuse, unemployment and domestic issues concerning Alaska Natives.

Interior Appropriations Requests for Alaska: Chairman Young receives annual Interior Appropriations requests from different Native entities in Alaska for the Bureau of Indian Affairs, Indian Health Service and other native programs. As needed, oversight hearings may be scheduled on matters related to authorizing language that form the basis for the appropriations requests.

National Park System Management in Alaska Near Native Lands: The Committee plans to hold hearings to understand the way the National Park System is managed in Alaska and elsewhere in the U.S. and the role of Native Alaskans in the National Park System. Hearings may examine alternatives to present management that involve Alaska Native Regional Corporations.

Indian Health Service Contract Support Costs: Oversight hearings on contract support costs within the Indian Health Services' annual budget will be held. The Administration has grossly underfunded the contract support costs each year and the Senate and House Interior Appropriators directed the Committee to find a permanent resolution to the problem.

NATIVE AMERICAN AFFAIRS

Budget Overview: The Committee will oversee that portion of the President's budget proposal which relates to Native Americans.

Indian Gaming: The Committee will continue in its ongoing effort to oversee the many gaming-related difficulties which have arisen since the implementation of the 1988 Indian Gaming Regulatory Act. The operation of the Indian Gaming Commission created pursuant to that Act will also receive Committee attention.

The Mismanagement of Indian Trust Accounts: The Committee will review remedial steps taken by the Department of the Interior relating to the mismanagement of Indian Trust Accounts. Funds which tribes and individual tribal members recover from land or water settlements, treaty provisions, oil or gas leases, hard rock mineral leases, timber sales, and so forth, are deposited in trust fund accounts managed by the Office of Trust Fund Management. Hundreds of thousands of these accounts have not been reconciled and are now the subject of litigation between account owners and the Department of the Interior.

Regulation Reform: The Committee will review the need for and advisability of reducing and eliminating those federal rules and regulations falling within its jurisdiction which relate to Native Americans.

INSULAR AFFAIRS

The fundamental issues for the Committee on Resources for the 106th Congress among the insular areas of the Pacific and Caribbean are:

- Support and development of self-government and self-determination;
- Economic development and self-sufficiency through the private sector;
- Accountability of federal funds;
- Enforcement of federal laws; and
- Management of limited land and water resources.

The Committee on Resources has jurisdiction for insular areas in the Pacific and Caribbean, including sixteen United States territories and three freely associated states. The five principal territories are: American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands. The three freely associated states are fully self-governing separate republics which emerged from the islands of the former United Nations Trust Territory of the Pacific Islands, which the U.S. administered. These are: the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

The U.S. and the Committee continue to have many residual responsibilities in the former Trust Territory even after the Trusteeship was finally terminated October 1, 1994. Ongoing issues principally involve the areas used for U.S. nuclear testing and federally-funded trust funds established for the resettlement and rehabilitation of four atolls in the Marshall Islands. The radiological rehabilitation and resettlement process has only begun and continued oversight of these federally-funded accounts are required. In addition, some latent Trust Territory administration responsibilities remain for prior service by former Trust Territory residents, as well as correction of certain infrastructure construction.

In the 106th Congress, federal law requires a review and renegotiation at the end of the first 15 years of the Compacts of Free Association with the Marshall Islands and the Federated States of Micronesia of certain economic components. The Clinton Administration is expected to negotiate future terms with the two freely associated states and to forward draft legislation to the Congress for action by the Committee on Resources and any other relevant committee.

The third freely associated state, Palau, will not be part of any renegotiation, as the Palau Compact only began in 1994 and has a 50-year term. However, the Palau Compact does require the construction of a major infrastructure road project on Palau's big island, which is considered critical to economic development of the new Republic. The road project is expected to be built according to federal safety and environmental standards, which represents a serious challenge to prevent degradation to the tropical environment.

Changes in federal law affecting the territories and freely associated states are often made based on requests from their respective governments. Prospective changes will most likely relate directly to increased self-government or self-sufficiency. Self-determination of the various communities in the territories will continue to be a priority and a right until a form of full self-government is achieved.

Economic development in the territories and the freely associated states will continue to be a major focus of both the islands and the federal government. All of the insular areas are striving for increased self-sufficiency to lessen the reliance on federal funds and to expand the role of the private sector. Certain areas have had greater success in diversifying their economies and reducing the percentage of revenues from the federal government versus locally generated income from the private sector. The development of dynamic economies in distant islands have reflected certain problems in the enforcement of federal laws and also, how to sustain self-sufficiency with full compliance of federal law in the islands.

SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS

NATIONAL PARK SERVICE (NPS)

Wilderness Designation in National Parks: Wilderness area designation within the boundaries of National Park units has recently become a concern. In fact, an important part of the Administration's January announcement on environmental initiatives (Lands Legacy Initiative) included permanent wilderness designation in 17 National Park units totaling five million acres. These are park units which have undergone wilderness surveys and which were passed on by the President to the Congress in the 1970s, but have undergone no Congressional review since then.

Of further interest, there are a number of other National Park units, not part of the announced Lands Legacy Initiative, which are currently undergoing proposed wilderness designation, primarily through the general management planning process. Two notable park units currently in this process are the Grand Canyon, which plans to designate 94 percent of the park's land area as wilderness, and Isle Royale (Michigan) which plans on demolishing readily used structures and limiting access in heretofore open public areas.

The Subcommittee will conduct oversight on the broad wilderness issue within the National Park System and focus on specific wilderness issues in specific parks.

Natural Resource Management Policy and Science Program: Because the National Park Service (NPS) has never had a very strong research program it was clear that major reforms are necessary and appropriate. In fact since 1963, 12 reports have called for the development of a stronger research program within the agency. The most recent major report, completed at the request of Congress in 1992 by the National Research Council, found the science program in need of substantial revision. Yet, two years after the release of that report, the NPS science program was abolished and relocated to the U.S. Geological Survey. The effects of the elimination of the research program place park resources at risk. In successive reports in recent years, the General Accounting Office has reported that the NPS has inadequate data on the condition of resources entrusted to its management. More than one-third of threats to park resources have yet to be scientifically evaluated. The lack of sound science within the agency may lead directly to policies which threaten the resources which the agency is charged to protect. This lack of a sound science program and basic data on park resources is of greater concern because Congress has been allocating over $210 million per year to NPS for resource stewardship.

As a result of these deficiencies, the 105th Congress passed S. 1693, a comprehensive National Parks package which was signed into law November 13, 1998 (Public Law 105-391). Title II of this package (National Park System Resource Inventory and Management) called for NPS to enhance management and protection of park resources by providing authority and

direction to conduct scientific studies along with a resource inventory and monitoring program. The Subcommittee intends to conduct oversight on the success of this new program.

Budget and Financial Management in the National Park Service: This is an ongoing issue, yet remains a high priority for the Subcommittee. The National Park Service's budget has increased far in excess of inflation in recent years (52 percent above inflation from 1980-1995), and the number of park personnel has increased (22 percent in the last decade), while visitation has remained flat. At the same time, visitor services are being curtailed and key park resources are allegedly at risk or deteriorating. There are repeated stories in the media and from the Administration about shortfalls in park funding. Furthermore, overspending on the construction of facilities by the Park Service has become legendary and tragically, laughable. The construction of the outhouse in Delaware Water Gap National Recreation Area is one such prime example.

The Congress has tried to address this concern, by enacting the Fee Demonstration Program to authorize the NPS to keep increased fees and also has examined other programs to raise funds for the agency. However, it is critical that the agency direct its current funding to the highest priority needs. The General Accounting Office (GAO) and Department of the Interior's Inspector General have both testified in the past that the NPS had no process in place to ensure that its funds are allocated to the highest priority needs.

Similarly, up until recently, the NPS has had no accurate idea of how large the shortfall is, and, therefore, had no plan in place to address the shortfall. For example, in 1993 when GAO visited 16 park areas to review their reported shortfalls in funding for housing, not a single park could justify the numbers submitted to the Washington office. In fact, NPS did not even have an accurate financial control system in place and had failed to balance its books for three years until this fact was exposed through Subcommittee oversight hearings a few years ago.

However, the NPS has worked hard to address this problem over the last year and is examining the results of ongoing work by the GAO about the NPS budget and priority-setting process. The refocusing of budget priorities is largely a function of agency adherence to and implementation of the Government Performance and Results Act.

The Subcommittee will be looking at how the NPS is setting priorities, spending money, and if the agency is accomplishing established goals.

Land and Water Conservation Fund: Implementation of the Land and Water Conservation Fund (LWCF) remains a high priority for the Subcommittee. It has become even more important recently in light of the Administration's Land Legacy Initiative announced by President Clinton on January 12, 1999. This initiative intends to spend over $1 billion on a number of programs such as "Saving America's Treasures", State and Community Greenspace Preservation, and Protecting Oceans and Coasts. As described by the Administration, much of the spending entails federal acquisition of significant acreages of land throughout the United States. This is of major concern to the Subcommittee.

Of further concern, the Clinton Administration had, for many years, requested no federal funding for the State-side Land and Water Conservation Fund program, in favor of dedicating all funds to federal land acquisition. At a time when the federal government already owns 30 percent of the land and cannot adequately manage the lands under its jurisdiction, we should be careful about acquisition of additional federal lands. Current law specifies that not less than 40 percent of the funds appropriated from the Land and Water Conservation Fund Act must be available for federal purposes; however, there is no cap on the amount which can be spent on federal land acquisition. We should ensure that state and local governments have greater input into land acquisition decisions.

The Subcommittee intends to keep a close watch on the LWCF programs and implementation, to focus attention on where the greatest need for outdoor recreation opportunities lie, and to examine whether the existing funding allocation is targeted toward meeting that need.

National Trails System: There are now over 35,000 miles of federally-designated trails in the country. National trails have proven to be popular designations, generally with little political opposition. However, there has been little consideration given to the long term consequences of these designations. For example, the federal government has spent about $2 million per mile to acquire the viewshed along the Appalachian Trail. Further, while most of these trails are presented largely as volunteer efforts, there is increasing support within the trail-user community for these trails to be designated as units of the park system, and to receive an annual appropriation.

In the 105th Congress, there was a proposal to add a new category to the national trail system, the American Discovery Trail (ADT). The ADT would designate 6,000 miles of trails stretching from Delaware to California. Notification and concerns of private property owners adjacent to the ADT remain primary concerns of the Subcommittee. The Subcommittee is committed to examine and understand the long term consequences of the current program and look at the impacts of expanding the scope of the national trails system.

Historic Preservation Fund: The Historic Preservation Act is the most comprehensive law on historic preservation. This Act sets forth the basic framework and processes for the preservation of historic and prehistoric buildings, sites, and objects and provides loans and grants to fulfill this purpose. Basic elements of the Act include establishment of the National Register of Historic Places, the state historic preservation programs, the Advisory Council on Historic Preservation, the Historic Preservation Fund, and a listing of procedural requirements for all federal agencies to protect historic resources. The Act is authorized at a $150 million annual level, but the actual annual appropriation has been in the $40-50 million range.

Section 106 of the Act requires federal agencies to consider the effects of their actions on historic properties and to consult with the Advisory Council on Historic Preservation in regard to such actions. This requirement, unfortunately, has been transformed by the Advisory Council into a myriad of consistency regulations. In fact, the Advisory Council attempted last year to

revise Section 106 and strengthen the requirements of federal agencies; however, the revisions were withdrawn after extensive concern with the new requirements were submitted.

Of particular importance, the authorization of the Historic Preservation Fund has expired. Efforts in the 105th Congress to extend this authorization were not successful, and the Fund technically remains unauthorized. The Subcommittee feels it is important that the Fund be reauthorized and will hold hearings on these issues.

Addition of New Park Units: Initially composed only of isolated scenic and natural areas, the National Park System has grown to comprise 377 areas containing natural, cultural, and recreational resources across the Nation. As directed by Congress in the General Authorities Act (16 U.S.C. 1a-5), the NPS studies areas to determine if they are nationally significant, and if so, whether they potentially could be added to the National Park System. New area studies may be initiated by the NPS or may be conducted in response to directives from Congress, and requests from other federal, state, or local agencies, or the private sector. Where new area studies are appropriate, the NPS establishes priorities and conducts studies as funds are available.

Last year, S. 1693 was signed into law (Public Law 105-391) which, among other things, established a procedure for NPS to follow in studying areas for potential addition to the National Park System. The new law ensures that new areas recommended for addition to the National Park System are appropriate for inclusion in the system. New area studies may be initiated by the NPS or may be conducted in response to resolutions from Congress, requests from other federal, state, or local agencies, or petitions from the private sector. Where new area studies are appropriate, the NPS establishes priorities and conducts studies as funds are available. In determining whether to recommend an area for inclusion in the National Park System, a potential area must: possess nationally significant natural, cultural or recreational resources; be a suitable and feasible addition to the National Park System; and require National Park Service management and administration instead of alternative protection by other agencies or the private sector. These criteria are designed to ensure that the National Park System includes only outstanding examples of the Nation's natural, cultural, and recreational resources. This law also directs the Secretary to develop annual lists for areas of possible inclusion into the park system. The Secretary will specify these areas in order of priority for addition into the National Park System.

Over the course of any particular Congressional session various bills are introduced which create new park units. Adding new areas to the National Park System takes Congressional authorization. The Subcommittee will track new area legislation and studies as they arise and check conformance with last year's enactment.

BUREAU OF LAND MANAGEMENT (BLM)

Wild Horse and Burro Act: It has been over 20 years since Congress passed the Wild Horse and Burros Act and yet several problems persist. For example, the Bureau of Land Management (BLM) still has not set appropriate management level (AML) numbers for several

herd management areas. Also, in several areas where BLM has an AML set, the agency has never come close to achieving AML. This leads to overgrazing, conflicts with endangered wildlife, conflicts with local grazing permit holders, health problems for horses and overall reduction in the quality of the range. The Subcommittee will hold oversight on the BLM's management of the Wild Horses and Burros Act. The Subcommittee also anticipates moving legislation to give the BLM greater management flexibility so that they may solve some of these problems.

Antiquities Act: Last Congress the Subcommittee held extensive oversight and released two reports on executive branch abuse of the Antiquities Act. This oversight alleged abuse of presidential authority and an attempt by the Administration to thwart Congressional authority over public lands. The House of Representatives also passed H.R. 1127, a bill that would have put a two-year expiration date on monuments over 50,000 acres in size, unless they received Congressional approval. The Senate failed to act on H.R. 1127.

Lately, the administration has threatened to start using the Antiquities Act again to create "quasi-national parks" without going through Congress. Department of the Interior Secretary Bruce Babbitt has offered to work with Congress initially, but has made it clear that he will recommend that the President use the Antiquities Act again if Congress fails to make "acceptable" progress on his proposals. If necessary, the Subcommittee will conduct extensive oversight to guard Congress's authority over the public lands and to ensure that the Administration follows the National Environmental Policy Act and other applicable laws. Also, the Subcommittee may again pursue amendment of the Antiquities Act to prevent continued abuse.

Land Exchanges: The federal land exchange process often involves numerous individuals from a wide range of perspectives. While a few exchanges proceed smoothly, the process is often inefficient, expensive, time-consuming and contentious.

In 1988 Congress passed the Federal Land Exchange Facilitation Act (FLEFA) in an attempt to make land exchanges easier to consummate. While FLEFA solved a few of the problems with land exchanges, several problems persist.

In the 105th Congress the Subcommittee held an oversight hearing to look at the issue of appraisals in the federal land exchange process. The Subcommittee discovered that one of the main problems with land exchanges is that there is often a huge disparity between appraised land values. For example, often a landowner will want to exchange land that contains valuable habitat for an endangered species. Because the land has such a high public interest value he believes his land is extremely valuable; however when the federal government appraises his land, the government actually lowers the estimated value of the land by saying that endangered species habitat severely curtails a person's ability to develop his land.

The Subcommittee intends to continue to conduct oversight over the BLM land exchange process and pursue methods of making the BLM land exchange process easier to complete.

1964 Wilderness Act: In 1964 Congress passed the Wilderness Act. Under the Wilderness Act, Congress designates certain "untrammeled" parcels of at least 5,000 acres of land as wilderness. Wilderness areas have extreme access limitations designed to keep the land in a pristine state.

The Wilderness Act has successfully preserved millions of acres of land throughout the United States. There have, however, been several problems with its implementation. One example is the enormous disparity between wilderness designations in the West and in the East. Since 1964 over 95 percent of the Nation's wilderness has been designated in the West. Another problem with the Wilderness Act is non-flexibility. For example, in the California Desert Wilderness area there have been major problems with allowing wildlife management officials access into remote areas to check on and improve wildlife water facilities.

BLM wilderness in Utah has been a particularly heated issue. Congress has spent decades trying to make progress on designating BLM wilderness in Utah. Unfortunately, the problem has proved nearly impossible to resolve. It has been extremely difficult to reach consensus on even seemingly simple questions such as "what constitutes a 'road.'" Another issue that will arise this term is wilderness "reinventories." The Interior Department has been redoing the wilderness inventories that they completed in the 1980s. The Department has finished with the Utah and Colorado inventories and are now considering other states.

The Subcommittee conducted oversight last Congress on wilderness issues and intends to continue to do so. The Subcommittee intends to conduct oversight over management problems associated with wilderness areas and wilderness study areas.

SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS

Budget Review: The Subcommittee will hold an oversight hearing on the President's Fiscal Year 2000 budget recommendations for the U.S. Fish and Wildlife Service, the National Marine Fisheries Service (NMFS), and certain "wet" programs of the National Oceanic and Atmospheric Administration (NOAA). The Fish and Wildlife Service operates the National Wildlife Refuge System, 65 National Fish Hatcheries, and 38 Wetland Management and Waterfowl Production Areas. NOAA conducts hydrographic mapping and charting activities, tide and current prediction programs, and implements the Coastal Zone Management Act, the Magnuson-Stevens Fishery Conservation and Management Act, the National Marine Sanctuaries Act, the National Sea Grant College Program Act, and other U.S. fishing laws. Both agencies implement the Endangered Species Act.

U.S. FISH AND WILDLIFE SERVICE

Atlantic Striped Bass Conservation Act: This law, which was first enacted in 1984, requires that States implement conservation measures that are consistent with interstate fishery management plans adopted by the Atlantic States Marine Fisheries Commission. In the past 15 years, the resurgence of Atlantic striped bass has been a major fishery management success. Congress felt that the best way to ensure that striped bass remain abundant was to continue the regular and comprehensive population assessments and studies financed by the Act. The current authorization expires on September 30, 2000. The Subcommittee will consider legislation to further extend this law.

Coastal Barrier Resources System: The Coastal Barrier Resources Act of 1982 ended federal financial assistance on undeveloped coastal barriers included in the Coastal Barrier Resources System. Inclusion in the System does not prevent private development, but restricts the use of federal funds for flood insurance, highway construction, and water and sewer grants. During the 104th and 105th Congresses, legislation was enacted that removed certain coastal barrier lands in Florida, New York, and South Carolina that were incorrectly incorporated within the System. Legislation is likely to be introduced during the next two years to remove additional lands in Delaware, Florida, and South Carolina from the System. The Subcommittee will carefully examine, through public hearings, the merits of each of these proposals. The Subcommittee will also consider whether it is appropriate to reauthorize or amend the original underlying Act.

Marine Mammal Protection Act (MMPA): The MMPA was enacted in 1972 for the purpose of ensuring that marine mammals are maintained at, or in some cases restored to, healthy population levels. This Act governs a variety of subjects including public display, scientific research, subsistence use of marine mammals, and the incidental take of marine mammals during commercial fishing operations. Jurisdiction over marine mammals under the MMPA is divided between the U.S. Fish and Wildlife Service, which has responsibility for dugongs, manatees,

polar bears, sea otters, and walrus, and the National Marine Fisheries Service, which has responsibility for all other marine mammals. In 1994, Congress enacted the Marine Mammal Protection Act Amendments (Public Law 103-238). This law reauthorized federal funding for the MMPA until September 30, 1999, and made a number of significant changes in the Act. The Subcommittee will conduct oversight hearings during the 106th Congress on the effectiveness of the Marine Mammal Protection Act and will evaluate what additional changes should be enacted during this year's reauthorization.

Mid-Continent Light Goose Populations: On November 9, 1998, the U.S. Fish and Wildlife Service issued a proposed rule outlining the steps that should be taken to reduce the exploding population of Mid-Continent light geese. This geographic designation affects snow geese and Ross' geese. It has been estimated that the population of Mid-Continent light geese has increased from 800,000 birds in 1969 to more than 5 million geese today. As a result, the Arctic habitat in Canada that serves as a breeding ground for these birds is being systematically destroyed. The U.S. Fish and Wildlife Service has suggested that additional hunting methods and expanded harvest opportunities be established to reduce the population of Mid-Continent light geese to sustainable levels. The Subcommittee intends to conduct one or more oversight hearings on this troubling environmental issue that affects numerous species that depend upon the Arctic tundra for their survival.

Migratory Bird Treaty Act: On March 25, 1998, the U.S. Fish and Wildlife Service issued a proposed rule regarding migratory bird hunting. Specifically, the Service has proposed new regulatory language for: accidental scattering of agricultural crops or natural vegetation incidental to hunting, normal agricultural and soil stabilization practices, baited areas, baiting, manipulation, natural vegetation, and top-sowing of seeds. While the public comment period on the proposed rule closed on October 31, 1998, it is unclear when a final rule will be issued. The Subcommittee will conduct an oversight hearing on the final rule and its impact on migratory birds.

National Wildlife Refuge System: This System is comprised of federal lands that have been acquired for the conservation and enhancement of fish and wildlife. Totaling about 92 million acres, the System provides habitat for hundreds of fish and wildlife species, including more than 165 species listed as threatened or endangered under the Endangered Species Act. At present, the System is comprised of 514 refuges, which are located in all 50 States and the five Territories. During the last Congress, the landmark National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57) was enacted. This Act establishes for the first time an "organic statute" for our Refuge System, and it will ensure the wise use of these lands in the future. The Subcommittee intends to review the implementation of this new law and determine the status of efforts to complete a comprehensive conservation plan for each refuge.

National Wildlife Refuge System – Maintenance Backlog: During the previous two Congresses, the Subcommittee conducted oversight hearings on the maintenance backlog issue affecting our National Wildlife Refuge System. Based on those hearings, the Subcommittee learned that the backlog had risen to more than $400 million at visitor centers, picnic pavilions, observation towers, public use buildings, roads, bridges, dams, canals, and other water

management structures. In an effort to reduce the backlog, the leadership of the Committee, working with House and Senate appropriators, was able to make a significant down payment on the backlog in Fiscal Year 1998 and Fiscal Year 1999. The Subcommittee intends to conduct additional oversight hearings on ways to further reduce the backlog so that the System can be revitalized for the American people prior to the 100th birthday of the National Wildlife Refuge System in 2003.

National Fish and Wildlife Foundation Establishment Act of 1984: This Foundation, which was established as a nonprofit corporation, was created to encourage, accept, and administer private gifts of property for the benefit of the U.S. Fish and Wildlife Service and to conduct activities to further the conservation and management of the fish, wildlife, and plant resources of the United States. During the 105th Congress, the Subcommittee conducted a hearing on legislation to extend the authorization of appropriations for the Foundation beyond its expiration date of September 30, 1998. Since Congress did not take final action on a measure to extend this authorization date, the Subcommittee anticipates conducting oversight hearings on whether to extend the authorization of appropriations.

Sportsmen's Bill of Rights Act: During the 105th Congress, this legislation was introduced to provide a clear policy for federal agencies to follow in their administration and management of our federal public lands. The authors believe that this policy should stipulate that federal agencies, within the limits of the statutes they administer, should allow access to federal public lands for fishing and hunting. It is anticipated that this bill will be reintroduced, and the Subcommittee is likely to conduct a hearing on the issues raised by this legislation.

Trinity River Basin Fish and Wildlife Management Act of 1984: This Act implemented 11 actions recommended by a Federal/State Trinity River Basin Fish and Wildlife Task Force to restore the habitat of the watershed. These actions were necessary because 90 percent of the River's flow was diverted to the Central Valley of California for agricultural, municipal, and industrial uses. During the 104th Congress, legislation was enacted to extend the authorization of appropriations until September 30, 1998. The Subcommittee may conduct an oversight hearing on this issue and may reauthorize this Act.

NATIONAL MARINE FISHERIES SERVICE (NMFS)

Anadromous Fish Conservation Act: This Act has been primarily a federal grant program to the States to assist them in the management and conservation of various anadromous species, which are fish that migrate up rivers from the sea to reproduce in freshwater. Since in recent years there have been separate initiatives for several high profile anadromous species, such as salmon, steelhead, and Atlantic striped bass, the Subcommittee will examine the ongoing need for this program and whether its authorization should be extended beyond September 30, 2000.

Aquaculture: Each year, federal funds are appropriated to the National Marine Fisheries Service to promote the growth of the marine aquaculture industry. The Subcommittee will hold an oversight hearing to evaluate the effectiveness of this program and whether continued investment by the federal government is warranted.

Artificial Reefs: In recent years, there have been several proposals to allow National Defense Reserve Fleet surplus ships to be sold for scrap or used for artificial reefs. The Subcommittee may hold an oversight hearing on the effectiveness of artificial reefs in building new fish and shellfish habitats.

Atlantic Swordfish: The effective management of Atlantic highly migratory species and their habitat is one of the most complex challenges facing NMFS. While there has been significant fishing pressure on these species, the population of one of those species, North Atlantic swordfish, has declined by nearly 70 percent in the past 20 years. In fact, swordfish populations now stand at only 58 percent of the level needed to achieve the maximum sustainable yield. In recent months, NMFS has issued regulations to limit the harvest of highly migratory species, legislation was introduced to establish a limited entry program and to remove certain vessels from the fishery, and the International Convention for the Conservation of Atlantic Tunas met in November 1998 to formulate an international solution to the problems facing swordfish. The Subcommittee intends to conduct an in-depth oversight hearing on these issues.

Fishermen's Protective Act: Authorization for the Fishermen's Guaranty Fund expires on September 30, 1999. This Fund, which is voluntary and self-financed, compensates U.S. fishermen for the seizure of their boats and catch by a foreign country. The Subcommittee will examine the continued need for this program.

Interjurisdictional Fisheries Act of 1986: This conservation measure is designed to provide for the management of interjurisdictional fishery resources throughout their range, as well as encourage state participation in management efforts. This Act expires on September 30, 2000. The Subcommittee will examine the effectiveness of this law and whether it should be reauthorized in the future.

Magnuson-Stevens Fishery Conservation and Management Act: This Act provides a national program for the conservation and management of our Nation's marine fishery resources within our 200-mile Exclusive Economic Zone. The Act established eight Regional Fishery Management Councils that have primary responsibility for managing the fishery resources outside state waters. During the 104th Congress, legislation was enacted to improve and extend the authorization of appropriations for the Magnuson Act. This authorization expires on September 30, 1999. The Subcommittee is expected to conduct several public hearings on a range of issues addressed by Public Law 104-297 including: the definition of essential fish habitat, fishing vessel safety, the role of Regional Fishery Management Councils, state jurisdiction over the dungeness crab fishery, and size restrictions for fishing vessels.

Pacific Salmon Treaty: The United States and Canada signed the Pacific Salmon Treaty in 1985. Since then, the two countries have met numerous times to further negotiate outstanding issues related to the Treaty. While a series of yearly agreements have been successfully approved, a final resolution of these negotiations is still pending. The Subcommittee will hold an oversight hearing on these negotiations.

Saltonstall-Kennedy Program: The Saltonstall-Kennedy Grant Program is administered by the National Marine Fisheries Service and is used to provide grants for fisheries research and development projects. Funding is provided by the Department of Agriculture as a percentage of the gross receipts collected on imported fish and fish products. All grant projects undergo technical and industry review and are encouraged to have a cost-sharing component. The Subcommittee will review the amounts received and granted under this program.

Seafood Safety and Inspection Programs: Legislation to develop an expanded, mandatory national seafood safety program has been introduced and debated at length in previous Congresses. There is an ongoing debate over who should be the lead agency for seafood safety -- the Food and Drug Administration, NOAA, or the Agriculture Department. The Subcommittee will hold an oversight hearing on this subject.

Yukon River Salmon Act: This Act implements the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995. The agreement created a Yukon River Salmon Panel. The U.S. is represented on the Panel by six individuals: one federal government official, one State of Alaska official, and four knowledgeable and experienced persons. The Panel makes advisory management recommendations to the Departments of the Interior, Commerce, and State, the North Pacific Fishery Management Council, and other federal or state entities as appropriate. The Act authorized an annual appropriation of $4 million. The authorization for this Act expires on September 30, 1999. The Subcommittee will examine the effectiveness of this law.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)

Arctic Research: In 1997, the National Science Foundation issued a report entitled "United States Arctic Research Plan: 1998-2002". The United States has substantial economic, scientific, and environmental interest in the Arctic. This report examines various issues related to surface ships, submarines, and ice platforms; land-based and atmospheric facilities and platforms; coordination; and data facilities. The Subcommittee intends to conduct an oversight hearing on this report and other matters concerning Arctic research.

Coastal Zone Management Act (CZMA): Enacted in 1972, the CZMA encourages States to regulate land and water uses that affect their coastal zones. While the program is voluntary, States receive grant money to develop a plan which, when approved by NOAA, makes them eligible for further federal assistance to help manage their coastal programs. In 1996, the Congress enacted the Coastal Zone Protection Act of 1996 (Public Law 104-150), which reauthorized the CZMA funding programs until September 30, 1999. The Subcommittee intends to hold a hearing on issues associated with this landmark environmental law.

Coral Reefs: These are among the world's most biologically diverse and productive marine habitats, frequently described as the "tropical rainforests of the oceans". The world's coral reefs are subject to numerous natural and human-induced threats including: predatory damage, extreme weather, tourism, commercial harvest, destructive fishing techniques, vessel

damage, and nonpoint source pollution. During the 105th Congress, legislation passed the House to assist in the conservation of coral reefs. While this measure was not enacted into law, the Subcommittee intends to hold an oversight hearing on this issue.

Mapping and Charting Program: In the last 15 years, advances in computer technology have caused dramatic leaps forward in marine navigation technology. Satellite-based Differential Global Positioning Systems and the ability to monitor real-time and current data hold the promise of significant economic efficiencies. Unfortunately, we can only exploit these efficiencies if we have accurate, up-to-date nautical charts. Many of the charts we use today are based on data collected in the last century. The accuracy of this information is totally insufficient for today's larger ships and advanced navigation capabilities. At the prodding of the Committee, NOAA prepared a plan in 1996 on how it will update its charts and develop real-time tide and current information. The Subcommittee held an extensive oversight hearing on the plan in 1997. Congress enacted reauthorizing legislation for this program in 1998. An additional operation plan is due to Congress in 1999. The Subcommittee will hold an oversight hearing on implementation of the Act and the plan.

NOAA Fleet Modernization: As part of the NOAA Authorization Act of 1992, Congress approved a provision requiring NOAA to prepare and submit a fleet modernization plan for the agency's 16-research-vessel fleet. While NOAA has submitted its plan, fundamental questions remain about whether these vessels should be replaced or if these functions could be effectively contracted out to private sector vessels. The Subcommittee will conduct oversight hearings on the fleet.

National Marine Sanctuaries Program: The National Marine Sanctuaries Act of 1972 authorizes the Secretary of Commerce to designate areas of the marine environment with nationally significant aesthetic, ecological, historical, or recreational values as National Marine Sanctuaries. The primary objective of this law is to protect marine resources, such as coral reefs, sunken historical vessels, or unique habitats, while allowing all compatible public and private uses of these resources. In short, marine sanctuaries are our Nation's underwater parks. During the 104th Congress, legislation was approved, the National Marine Sanctuaries Preservation Act of 1996 (Public Law 104-283), to reauthorize this environmental law until September 30, 1999. During the 106th Congress, the Subcommittee will hold hearings to support legislation to extend this important environmental law in the future.

Oceans Act: Half of all Americans now live in a coastal region. This figure is expected to rise to 60 percent by 2010. This increases the value of coastal and ocean resources to the U.S. economy and increases the risks from natural and human-induced dangers such as hurricanes or harmful algal blooms. Last year was designated as the International Year of the Ocean. Furthermore, the Subcommittee approved legislation to establish a National Ocean Commission, a group comprised of independent nongovernmental experts who would take a fresh look at the problems facing our oceans and suggest potential solutions for the 21st Century. While this bill was not enacted into law, the Subcommittee expects to conduct hearings on matters relating to ocean policy.

SUBCOMMITTEE ON WATER AND POWER

Budget Overview: In the Spring of 1999 and 2000 the Subcommittee will review that portion of the President's budget proposal falling within its jurisdiction, such as the Bureau of Reclamation, the Power Marketing Administrations, and the Water Resources Division of the U.S. Geological Survey.

Year 2000: The Subcommittee will review the status of the Bureau of Reclamation, the Power Marketing Administrations, and the Water Resources Division of the U.S. Geological Survey activities in preparing for the Year 2000 computer problem.

BUREAU OF RECLAMATION

Central Valley Project Improvement Act Implementation: The Subcommittee will continue to review implementation of the Central Valley Project Improvement Act (CVPIA), enacted in 1992. Legislative proposals to amend the CVPIA will be considered.

Rural Water Projects: The Subcommittee will review the status of several rural water proposals relating to water supply management in North Dakota, South Dakota, and Montana. Oversight hearings will be held. Legislation, if necessary, will be considered by the Subcommittee thereafter.

California Bay-Delta Funding: The Subcommittee will examine the Administration's request for funds authorized in the 105th Congress to carry out restoration activities in California's Sacramento-San Joaquin Bay-Delta. The Subcommittee will also investigate how federal programs and expenditures are being coordinated among the federal agencies as well as between the federal and state agencies funding activities for the Bay-Delta area. State funding for such restoration activities and other water-related activities was approved by the California Legislature and by a voter referendum in 1996.

Central Arizona Project: The Subcommittee will review the status of the Central Arizona Project (CAP), and the financial and management practices of the Bureau of Reclamation as they relate to the CAP.

Bureau of Reclamation Project Transfers: The Subcommittee will review the status of the Administration's initiative to transfer Bureau of Reclamation facilities out of federal ownership. Specific attention will be directed to case studies where project beneficiaries are seeking such title transfers.

Oversight of Colorado River Operations: The Subcommittee will hold hearings on the operation of the entire Colorado River, and its impact on the states in both the Upper and Lower basins.

Oversight of the Salton Sea: The Subcommittee will continue to monitor proposals that are being developed to restore the Salton Sea, California.

Reclamation Reform Act Rules and Regulations: The Bureau of Reclamation recently promulgated additional rules and regulations to implement the 1982 Reclamation Reform Act on a West wide basis. The Subcommittee will continue to monitor the development and enforcement of these rules by the Bureau.

Bureau of Reclamation Contracting Policies: Water service contracts and operations and maintenance contracts between the Bureau of Reclamation and various water districts are coming up for renewal throughout the western United States. The Subcommittee will continue to monitor the Bureau's proposed terms to ensure that renewals are timely, appropriate, and recognize the states' primary role in the allocation of water rights.

Mission of the Bureau of Reclamation: For the last several years new initiatives have been initiated at the Bureau of Reclamation. Oversight hearings will focus on the role the Bureau of Reclamation plays in rural water projects, water recycling, and environmental restoration activities.

Proposals to Remove Dams in the Pacific Northwest: Several proposals have been made to remove dams in the Pacific Northwest in a belief that such actions would enhance juvenile salmon migration in the Columbia and Snake River system. The Subcommittee will examine the impact of these various proposals on hydropower production and will scrutinize the science on which these proposals are based.

Safety of Dams: The Bureau of Reclamation has its own standards for safety of dams under its jurisdiction, and does its own safety inspections. The catastrophic failure of a large spillway gate (42 feet by 52 feet) at Folsom Dam in the Summer of 1995 resulted in downstream flooding and the loss of over 400,000 acre-feet of water, and cost approximately $10 million to repair. This issue is tied to the issue of deferred maintenance at federal facilities. It has significant public health and safety implications and will be the subject of oversight by the Subcommittee.

States Rights in Water Allocation: The Subcommittee will continue to monitor and hold oversight hearings on federal actions, such as the reallocation of water for endangered fish species, and efforts to establish federal reserved water rights, that effectively reduce state supremacy in the allocation of water for beneficial use within Western States.

DEPARTMENT OF ENERGY - POWER MARKETING ADMINISTRATIONS (PMA)

Management of the Federal Power Marketing Administrations (PMAs): During 1998, at the request of Subcommittee Chairman John Doolittle (CA), the General Accounting Office completed a report on options for the PMAs in a changing electricity industry. The Subcommittee will conduct oversight on the management of the PMAs and their role in a restructured electric utility industry, examining the distribution of federal power in light of

industry restructuring and the potential application of the Federal Power Act (regulation and rate review by the Federal Energy Regulatory Commission) to the PMAs.

Oversight of Bonneville Power Administration: The final report of the Bonneville Power Administration cost review was published in March 1998. In December 1998, Bonneville released its subscription strategy for selling wholesale power in the next century. Issues raised by the cost review, the marketing strategy, the potential application of the Federal Power Act to Bonneville, and the upcoming rate case (implementing the marketing strategy) will be the subject of Subcommittee oversight.

Operation and Maintenance of Facilities by the Federal Power Marketing Administrations: During the 106th Congress, the Subcommittee expects to review proposals to ensure timely and responsible operation and maintenance of facilities that generate the power marketed by the PMAs.

U.S. GEOLOGICAL SURVEY - WATER RESOURCES DIVISION

Program Management Within the Water Resources Division of the U.S. Geological Service: The Subcommittee will review the programs within the Water Resources Division to determine if there are areas where better coordination can be encouraged with other federal and state agencies. The Subcommittee will also be reviewing areas where state or university entities can supplement U.S. Geological Survey activity.

National Water Quality Assessment Program: The Subcommittee will monitor the National Water Quality Assessment Program, which provides water quality baseline information for federal, state and local governments.

Stream Gauging: The Subcommittee will continue to oversee the Division's efforts concerning the national stream gauging system. This system continues to provide critical information for federal, state and local governments.

Water Planning: The Subcommittee will work with the U.S. Geological Service, the Bureau of Reclamation, and other agencies to facilitate the development of more comprehensive, long-term water planning activities by the states. There are growing problems with adequate water supplies. Better methods of precipitation/hydrology prediction are needed, more efficient use of existing water resources should be explored, and development of alternative water resources must be considered. Continuing investigation and oversight are expected in this area.

SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

Hardrock Mining Exploration and Development on the Public Lands: The Subcommittee plans an oversight hearing to be held in Washington, D.C. early in the first session to examine opportunities and obstacles to hardrock mineral development on our public lands, including strategic readiness issues, following up on a 104th Congress hearing on investment trends in the domestic industry, and testimony from environmental groups urging further curbs on mining. Then several field hearings in Western locales are contemplated for the remainder of the 106th Congress to examine means of increasing the return to the taxpayer from mining on public lands in a way which preserves the long-term viability of an important industry.

Furthermore, the Subcommittee will follow the progress of a National Academy of Science's study (due by July 31, 1999) on the spectrum of state and federal environmental statutes applicable to hard rock miners seeking permits under the Federal Land Management and Policy Act (FLPMA), and their incorporation into proposed regulations by the Bureau of Land Management.

FLPMA withdrawals of large areas of public land from the operation of the mining law have occurred under the Clinton Administration, including the December 1998 segregation of 650,000 acres in the Arizona Strip north of the Grand Canyon for possible national monument establishment. The Subcommittee will jointly (with the Subcommittee on National Parks and Public Lands) review the necessity for such executive branch actions and explore amending FLPMA to remove this now effectively unlimited authority of the Secretary of the Interior to withdraw lands without Congressional approval.

Agency Budget Oversight: The Subcommittee oversees three Interior Department agencies *in toto* and programs in two others: U.S. Geological Survey, Office of Surface Mining, Minerals Management Service, the energy and minerals program of the Bureau of Land Management, and the minerals and geology program of the Forest Service. The Subcommittee will examine these agencies' programs for privatization opportunities, contracting out work, and otherwise streamlining research programs. Particular attention will be paid to proposed funding of traditional earth sciences programs versus biological studies to be performed by the new Biological Research Division of the U.S. Geological Survey.

Coalbed Methane Extraction Versus Coal Mine Development: The Subcommittee may hold an oversight field hearing on issues surrounding the conflict between owners of the right to extract methane gas from coal seams versus lessees of the United States' coal interests where such rights are held separately, primarily on public lands in several western U.S. basins. Technological advances over the last decade has fueled a boom in the coalbed methane (CBM) industry which the Department of the Interior has not fully appreciated or addressed when awarding coal leases and/or oil and gas leases in certain situations. A recent Tenth Circuit Court of Appeals decision regarding coalbed methane ownership on certain private lands with reserved federal coal interests prompted Congress to legislate a partial solution to CBM ownership questions in 1998. Now conflicts are arising in the proposed mining plans of the coal miners

confronted with CBM rights holders which is imperiling logical and timely development of both resources.

Energy Policy: During the 104th Congress the Subcommittee held oversight hearings on energy policy from a public lands perspective (including the outer continental shelf), examining the economic and employment implications of declining U.S. oil and gas production, and reviewing the Nation's oil and gas resource base and federal initiatives for domestic oil and gas production. In the 105th Congress the Subcommittee held a field hearing to urge the Administration to eliminate administrative barriers impeding oil and gas development of the public lands. This Congress the Subcommittee will continue to pursue these issues because of an ever-increasing dependence upon foreign sources of crude oil and near-terminal conditions.

The Subcommittee will examine ideas to fill the Strategic Petroleum Reserve with royalty oil taken in-kind from Gulf of Mexico Outer Continental Shelf leases as a means to diminish the glut of crude oil supplies which has lowered oil prices so dramatically that independent oil producers are in a crisis and even the large integrated companies have sought merger opportunities (e.g. Exxon/Mobil) to remain profitable.

Onshore Federal Oil and Gas Initiatives: The Subcommittee will continue to investigate the Department of the Interior's progress on a proposal to transfer the Bureau of Land Management's (BLM) oil and gas inspection and enforcement functions to the states. The States have current programs which duplicate these functions and are anxious to assume these duties, given the proper funding scenario, because of their burden of paying a portion of the federal government's administrative costs under the net receipts sharing provisions of the Mineral Leasing Act. The Interstate Oil and Gas Compact Commission is working to facilitate some agreement with the BLM for interested States, but progress has been slow.

Royalty-in-Kind (R-I-K)/Valuation of Oil and Gas for Royalty Purposes: The Subcommittee will pursue oversight of the Minerals Management Service's (MMS) ability to collect royalties "in-kind" (R-I-K) as opposed to the cash value as is currently paid. The cumbersome and costly collection procedures associated with collecting the government's share of revenue from production on federal leases could be drastically reduced if MMS were to take (R-I-K). Using the R-I-K collection method would eliminate the controversial "valuation" issues surrounding the complicated oil and gas production and transportation systems, and for which Congress has twice barred MMS from finalizing a proposed valuation rule because of concerns that it would create an enormous uncertainty for lessees associated with shifting valuation far downstream from the wellhead. MMS is now conducting pilot R-I-K programs for crude oil in Wyoming and natural gas from the Section 8(g) Outer Continental Shelf leases off Texas as a follow-up to its 1995 Gulf of Mexico-wide natural gas pilot project. The Subcommittee will oversee the MMS' handling of these programs, urge establishment of an onshore natural gas pilot project, and seek to fill the Strategic Petroleum Reserve with R-I-K oil via administrative or legislative means.

SUBCOMMITTEE ON FORESTS AND FOREST HEALTH

Forest Health: In recent years, the health and condition of our federal forest lands has become an issue of great importance. For example, in the Northeast, the gypsy moth is the major pest affecting oak-pine and oak-hickory forests, and is spreading steadily south and west, defoliating millions of acres this decade. In the South, traditional pests include the southern pine beetle, fusiform rust and littleleaf disease. And in the West, there is increasing damage from wildfire, drought and pest epidemics.

While these threats are tangible and show immediate results, other threats are not so visible and their effects are far more reaching. For example, the federal agencies that administer our public forests have been forced to switch from managing forests to preserving them. Drastic drops in timber sales, plus an unwillingness to use professional forestry techniques, have resulted in the accumulation of dead and dying timber. These conditions have caused many of our public forest lands to resemble a long-neglected attic – in need of cleaning up to reduce the threat of fire. Unfortunately, along with the switch to preservation has come a quagmire of rules and regulations that make effective management to resolve immediate or future problems nearly impossible.

Oversight should support the development and enactment of legislation to remove barriers to and provide incentives for management of the national forests to improve forest health. For example the Subcommittee plans to:

- Review the status of the Interior Columbia Basin Ecosystem Management Project (ICBEMP). The ICBEMP was initiated in response to President Clinton's July 1993 direction, as part of his plan for forest management in the Pacific Northwest, to develop an ecosystem-based management strategy for forests in Oregon and Washington east of the Cascade Crest. The ICBEMP project area was expanded to include Idaho and portions of Montana, Wyoming and Nevada. It encompasses 144 million acres, including approximately 72 million acres administered by the Forest Service and Bureau of Land Management. The project has cost over $40 million to date, with projected implementation costs of $144 million per year. Due to the magnitude of this project, during the 105th Congress, the Subcommittee held three hearings, including a joint hearing with the Senate, and one field hearing in Idaho to review the status of the project and the public's many concerns with its scope and cost.

- Review implementation and status of the "Quincy Library Group Forest Recovery and Economic Stability Act of 1997." This legislation was included in the Omnibus Appropriations Bill and became Public Law 105-277 on October 21, 1998. It establishes a five-year pilot project on federal lands within the Plumas National Forest, Lassen National Forest, and the Sierraville Ranger District of the Tahoe National Forest in the State of California to maintain community stability and forest health. The pilot project is based on the Quincy Library Group Proposal of 1993, which was developed by a

coalition of representatives from the timber industry, environmental organizations, citizens, and local communities in Northern California.

- Review suggestions from the Committee of Scientists. In late 1997, Secretary of Agriculture Dan Glickman convened a Committee of Scientists (COS) to review and evaluate the Forest Service's land management planning process and identify changes that might be needed. The Secretary asked the COS to develop a framework for land and resource planning that could last at least a generation. The Subcommittee will review and evaluate the recommendations once they are released.

Forest Service Management: Congress established the Forest Service in 1905 to protect forests and to provide quality water and timber. The agency's responsibilities have only increased through the years as Congress has directed it to manage national forests for additional multiple uses and for sustained yield of renewable resources. Playing such an important role on behalf of our Nation's interests is a task of monumental proportions that, due in large part to the forest's ever-changing conditions and society's ever-changing needs, requires sophisticated management and foresight on the part of the Forest Service. It should therefore be a foregone conclusion that providing Congressional oversight and direction for such an important agency is a must. This is particularly important today considering a recent report from the Government Accounting Office (GAO) that states that the decision-making processes used by the Forest Service are basically ineffective and inefficient at every level. For example, in the last twenty years the agency has spent over $250 million developing multi-year plans for national forests. It is also projected to spend about $250 million annually for environmental studies to support individual projects in these public forests. However, by the time the agency has completed its decision-making process, it often finds that it is unable to achieve planned objectives or implement planned projects due to lawsuits and appeals or because data, events, funding levels and natural resource conditions have changed.

Oversight should support the development and enactment of public lands forest legislation that improves the fiscal and administrative accountability of the Forest Service, corrects the implementation of archaic and counterproductive environmental laws and regulations, exposes the efforts of the Administration to micro-manage forests for political gain, and returns forestry decisions back to local managers. The Subcommittee plans to:

- Review implementation of the Government Performance Review Act (Results Act) as it pertains to Forest Service programs. The purpose of the Results Act is to give Members of Congress a way to measure the effectiveness of federal programs and improve decision-making by providing objective information on achieving statutory objectives and on the relative efficiency of federal spending.

- Review the Forest Service Budget. According to the GAO, "Forgone revenue, inefficiency and waste, increased vulnerability to fraud and abuse, and lack of financial and performance accountability indicate to us that the American public is not receiving a fair return for its annual investment in the Forest Service. Unlike the management of national forests, compliance with the requirements for financial and performance

accountability cannot be left to choice, and strong leadership within the agency and sustained oversight by Congress will be needed to ensure corrective action."

- Review the Forest Service proposal to establish an 18-month moratorium on the construction of roads in roadless areas. On January 22, 1998, the Forest Service announced an initiative to place an 18-month moratorium on the construction of roads in roadless forest areas. Under the initiative, the Forest Service plans to place a moratorium on the building or reconstruction of roads in roadless areas and other "special areas" on the National Forests for 18 months. It will also revise the regulations concerning the management of the National Forest System transportation system to address changes in how the road system is developed, used, maintained, and funded. The Administration is expected to announce a rule implementing the moratorium in the near future, although it has basically been in effect since the original announcement.

DISSENTING VIEWS
Oversight Plan for the Committee on Resources
106th Congress

Hon. George Miller

First and foremost, it should be clear to all that this "plan" constitutes only the agenda of the ***Republican*** members of this Committee who prepared it. There was **no** consultation with Democratic members or staff in the development of this agenda, and that is disturbing.

Democratic members constitute 49 percent of the Members of the House of Representatives and of this Committee, which means we represent just about the same number of people in the nation as do our Republican colleagues. In fact, I believe the total number of votes cast for Democrats last November exceeded those for Republicans.

And yet there has been no effort whatsoever to accommodate the interests, concerns and legislation of the 49 percent of the Committee that happens to sit on this side. I do not think that exclusionary attitude comports with the efforts at bipartisanship that Speaker Hastert has embraced. I hope there is greater flexibility in setting an agenda for this Committee and for the Congress on the issues that lie under our jurisdiction than is suggested by the manner in which this agenda was developed.

This agenda is not one that can be enthusiastically embraced by those who are committed to environmental protection and reform of the manner in which we manage the nation's resources.

I am distressed to see the Republican majority again stressing such broadly unpopular and unsound concepts as mineral development in national parks, wildlife refuges and wilderness areas.

I am deeply concerned that, continuing a pattern of absolute indifference about the widely documented labor and human rights abuses in the U.S. Commonwealth of the Northern Mariana Islands. These abuses, which occur under the American flag and would not be tolerated in the district of any member of this Committee, continue without a word of concern from the majority, which has refused to conduct an oversight hearing on the CNMI for more than a year.

The Committee has failed to focus on chronic underpayment of royalties owed to the taxpayers of this nation from oil and gas companies producing on public lands – a scandal that costs taxpayers hundreds of millions of dollars. Does the Committee intend once again to remain silent on this scandal while allowing the Appropriations Committee to pass riders barring reforms that could end the abuses?

The same is true of mining reform, where the Report ignores the urgent need to update the Mining Act of 1872, which is several decades overdue for modernizing to assure taxpayers a fair return from mineral production and to require adequate environmental safeguards.

For months now, we on the Democratic side have sought hearings in the Fisheries subcommittee on the expanding Dead Zone in the Gulf of Mexico that threatens that regional economy and an important national ecosystem. As in the last Congress, this report gives no indication of a willingness by the Republican majority to conduct such a review. Instead, the majority plans to devote even more valuable time to reviewing World Heritage Sites and Biosphere Reserves based on the discredited assertion that these benign designations constitute "centralization of land use policy-making authority at the federal level." This is a waste of valuable resources.

And while there is much discussion once again of various forest policy reviews, I am very concerned there is nothing in the Oversight Report that speaks to the need to protect taxpayers from below cost timber sales, roadbuilding, and other Forest Service practices that cost us hundreds of millions of dollars a year while promoting unsound forest management techniques.

On behalf of Democratic members, I want to express a very strong willingness to work cooperatively with the majority on the oversight and legislative agenda of this Committee. We have been virtually excluded from a role in the Committee's extensive investigative initiatives over the past four years, often not even finding out about an inquiry or a subpoena until after they had been issued. Many of the investigations have had a hard, partisan edge to them and could have proven more productive had there been a degree of consultation and cooperation with the Democratic side of this Committee. We still request that the majority develop, with our input, the kind of protocol on investigations that was employed during my chairmanship and is used today by other Committees of the House.

Where an effort has been made to work cooperatively, as in last year's refuge bill and the prior Congress' Magnuson Act reauthorization, some important legislative progress was made. I would hope that the manner in which this report was developed, and its substance, do not reflect a level of partisanship and exclusion of nearly half of this Committee from any consideration in the creation of an agenda or the consideration of legislation.

DAVID DREIER, CALIFORNIA
CHAIRMAN

PORTER GOSS, FLORIDA
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ONE HUNDRED SIXTH CONGRESS

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February 11, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Dan:

I am enclosing a copy of the oversight plan adopted by the Rules Committee on February 9, 1999 pursuant to clause 2(d)(1) of rule X of the rules of the House.

Sincerely,

DAVID DREIER

cc: Chairman Bill Thomas

OVERSIGHT PLANS OF THE
HOUSE COMMITTEE ON RULES
FOR THE 106TH CONGRESS
ADOPTED
FEBRUARY 9, 1999

Committee Action: Pursuant to clause 2(d) of House Rule X, the Committee on Rules met in public session on February 9, 1999, and, with a quorum present, by a non-record vote, adopted the following oversight plan for the 106th Congress for submission to the Committee on House Administration and the Committee on Government Reform.

OBJECTIVES

Although the Rules Committee's primary role is to serve as legislative "gatekeeper" for the House, Rule X of House rules assigns to the Committee the general oversight duties pertaining to House rules, the internal structure and organization of the House, the Congressional budget process, and relations between the Congress and the Executive and Judicial branches of government.

In the past two Congresses, the Committee has been active in exercising its oversight responsibilities, and in addressing matters of original jurisdiction. A primary focus of the Committee has been to improve the legislative process and the internal workings of the House to promote effectiveness, efficiency and public involvement. Most recently, the Committee, in conjunction with the House Parliamentarian, completed a major review and recodification of House rules. This process resulted in a streamlined and simplified rules package that reduced the total number of rules from 51 to 28. On opening day of the 106th Congress, this new package was adopted by the House, including several modifications of the rules to continue the process of making the House work more smoothly. The fact that little substantive change was necessary in these modifications to the rules emphasizes the success in the process of modernization that has occurred over the last four years.

The statutes that fall within the Committee's oversight jurisdiction are the Congressional Budget and Impoundment Control Act of 1974, the process-related provisions found in Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990 (and amendments thereto). The Committee has been active in pursuing efforts to reform the Congressional budget process outlined in these laws and corresponding House rules. The Rules Committee also has jurisdiction over expedited procedures that may exist in current laws, such as the Trade Act of 1974, the Nuclear Waste Policy Act of 1982, and the Defense Base Closure and Realignment Act of 1990.

The Committee played a central role in the comprehensive restructuring and oversight of the rules and organization of the House that began in January of 1995. In addition, the Committee took a leading role in implementing the Unfunded Mandate Reform Act and the Line Item Veto. The Committee also initiated several important internal changes, including the establishment of the Corrections Calendar. The Committee conducted extensive oversight of those changes and developed further refinements of internal procedure that were put into place in the opening day rules packages of the 105th and 106th Congresses. The Committee also played a central role in the review of the congressional budget process, the examination of private sector

mandates, and the implementation of constructive changes to the ethics procedures of the House. All of these efforts have been undertaken to effectuate a more responsive, innovative, and flexible legislative process that enhances public participation as well as the ability of Congress to operate effectively in the information age.

The Committee sets for itself the ongoing goal of updating and refining the procedures by which the House operates whenever such change is necessary to further promote public interest and participation in the legislative process. The Committee will continue to rely on its two subcommittees -- Legislative and Budget Process and Rules and Organization of the House -- to generate and conduct proactive oversight activities.

In offering this Oversight plan as required by House rule X, the Committee outlines a broad range of areas on which it expects to focus during the 106th Congress. This plan should not, however, be construed to preclude consideration of additional matters should the need arise.

MANDATES INFORMATION ACT

In 1995, Congress passed the Unfunded Mandates Reform Act (UMRA), which requires the Congressional Budget Office to estimate the cost of unfunded mandates proposed to be placed on both local governments and the private sector. These cost estimates are required to be included in the committee's report that accompanies a bill reported to the House. UMRA also established a point of order mechanism for legislation that imposes an unfunded mandate on state and local governments in excess of $50 million.

On October 30, 1997, and March 27, 1998, the Committee on Rules held original jurisdiction hearings and reported legislation (H.R. 3534) to amend the UMRA in an effort to improve congressional deliberation on proposed Federal private sector mandates. This legislation, which passed the House, would establish a point of order against bills which contain mandates on the private sector in excess of $100 million.

In the 106th Congress, the Committee will continue to work to ensure the suitability of House procedures governing compliance with the Unfunded Mandates Reform Act of 1995. The Committee has already met to review and craft legislation to improve congressional deliberation on bills containing private sector mandates and examine the effectiveness of this potential measure in conjunction with UMRA. On February 2, 1999, the Committee reported H.R. 350, the Mandates Information Act, which was subsequently considered by the House.

BUDGET PROCESS REFORM

For many years, the Committee has worked to improve the Congressional budget process, which is nearly universally viewed as cumbersome, confusing and unnecessarily complex. There is general agreement that no process in and of itself can force the Congress and the President to commit to and meet the goals of fiscal responsibility, discipline in decision-making and public accountability. However, it is also generally agreed that the current process makes it more difficult to achieve those goals over the long term. Throughout the 104th and 105th Congresses, the Committee held briefings and hearings specifically to solicit the input of a broad

range of experts about what works in the current process, what does not work, and what proposals should be considered for change.

In conjunction with a task force of the House Budget Committee that was established specifically for the purpose of reviewing the budget process, a comprehensive legislative proposal for reform was crafted and introduced with bipartisan support as H.R. 4837 in the 105th Congress. This proposal was developed with an eye toward making significant, positive change in the current process by forcing early decisions, enhancing enforcement of budget constraints, boosting accountability, improving planning for the future, and recognizing the changed dynamic in the process caused by budget surpluses resulting from taxpayer overcharges.

In the 106th Congress, the Committee plans to move ahead with specific reform efforts, conducting additional hearings on the new proposals and attempting to bring a legislative package to the Floor for consideration by the full House. Given the momentum that now exists in the House and the Senate, the Committee sees a real opportunity to accomplish meaningful change.

Among the specific proposals that likely will be considered in this effort are:

- changing the current, concurrent budget resolution to a joint budget resolution that would require the President's signature and earlier involvement in the decision-making process;
- establishing a reserve fund for emergencies to enhance planning and ensure that true emergencies are addressed efficiently;
- implementing additional constraints and requirements in the Budget Act and House rules to strengthen enforcement of fiscal discipline and boost accountability for federal spending, including the application of points of order to unreported legislation;
- establishing a process for budgeting for unfunded liabilities and other long term obligations;
- addressing the baseline budget; creating a deficit-reduction lock-box; designing fail-safe mechanisms to prevent government shutdowns; and attempting to rationalize the House/Senate process (addressing the Byrd Rule); and
- modifying budget rules regarding PAYGO to reflect the era of budgetary surplus.

In addition, the Committee expects to continue its effort to monitor proposed budget process changes in the Senate, which has also signaled its interest in effectuating comprehensive budget process reform during the 106th Congress.

OVERSIGHT OF THE SELECT COMMITTEE ON U.S. NATIONAL SECURITY AND MILITARY/COMMERCIAL CONCERNS WITH THE PEOPLE'S REPUBLIC OF CHINA

In June 1998, the House passed H. Res. 463, establishing the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China. The Select Committee was deemed necessary to investigate disturbing reports regarding the impact of

technology transfers to China on U.S. national security. The Select Committee completed its investigatory work and final report prior to the conclusion of the 105th Congress, as had been envisioned by H.Res. 463. However, because of the highly sensitive nature of the material under investigation, the report remained classified and therefore could not be publicly disclosed upon its completion.

Given the public interest in this topic and the desire to have a public discussion of the Select Committee's findings and conclusions, all 9 members of the Select Committee asked the House to reconstitute the panel for a limited time at the outset of the 106th Congress for the specific purpose of declassification of the panel's report. On opening day of the 106th Congress, the House approved a resolution to reconstitute the Select Committee for this purpose, which is to be completed within three months (by the end of March, 1999).

Because of the complexity of the declassification task, and the magnitude of information involved, this is expected to be a difficult process. The Rules Committee, which has the responsibility to oversee the establishment and conduct of select committees, will monitor the progress of the Select Committee in meeting its deadline, and will be prepared should further Committee action become necessary.

THE RESCISSION PROCESS

The Rules Committee was a lead player in the enactment of the Line Item Veto Act, and actively exercised its oversight jurisdiction during the time the law was in effect. When the Supreme Court ruled that the law was unconstitutional, members of the Committee pledged to carefully review the Court's decision and renew their efforts to devise legislation that is constitutionally sound and that could achieve the goals of enhanced accountability and fiscal discipline over federal spending.

The Committee intends to pursue this commitment, reviewing the existing rescission process (title X of the Budget Act), and examining its strengths and weaknesses in achieving the goals of fiscal discipline and accountability for spending. The Committee will consider proposals to strengthen that process, including those that envision a system that has become known as "expedited rescission."

EXECUTIVE ORDERS

As part of its oversight responsibility for monitoring the relationship between the Congress and the Executive Branch, the Rules Committee will explore the issuance of Executive Orders by the President. There has been much public discussion about the process by which the President implements policy through Executive Order and the questions of whether and how such actions have impacted upon the prerogatives of the Congress. The Committee will explore this issue from an institutional perspective rather than a policy-specific one, considering the impact the issuance of Executive Orders has had on the duties and conduct of legislative business by Congressional committees and the Congress as a whole.

FAST TRACK PROCEDURES IN TRADE LEGISLATION

Section 151 of the Trade Act of 1974 establishes a "fast track" procedure for the consideration of legislation implementing trade agreements negotiated by the President. Section 1103(b) of the Omnibus Trade and Competitiveness Act of 1988 provided the last "broad" extension of trade negotiating authority with "fast track" procedures. This extension applied to implementing bills submitted with respect to trade agreements entered into before June 1, 1991, and was further extended until June 1, 1993, through operations of provisions of section 1103(b).

Following the expiration of "fast track" authority on June 1, 1993, Congress provided an additional extension of "fast track" procedures solely for an agreement concluding the Uruguay Round of multilateral trade negotiations through H.R. 1876 (P.L. 103-49). This "narrow" extension provided for "fast-track" consideration under Section 151 of the Trade Act of 1974 for a bill implementing the Uruguay Round of multilateral trade negotiations, if an agreement was reached by December 15, 1993. An agreement was reached within that time frame, and the Congress overwhelmingly enacted legislation implementing the Uruguay Round Agreements in December 1994. The Administration has been without "fast track" authority since December 15, 1993.

Fast track procedures limit the capacity of Congress to amend legislation implementing trade agreements. In order to offset this limit on congressional authority once implementing legislation is introduced, the Administration is directed by statute to undertake significant consultation and cooperation with Congress during trade negotiations.

In the 104th Congress, the Subcommittee on Rules and Organization of the House and the Ways and Means Subcommittee on Trade began a comprehensive review of Section 151 of the Trade Act of 1974. The subcommittees held public hearings focusing on the policies, conditions, and negotiating objectives of fast track, as well as on fast track procedures. The subcommittees also began examining Administration plans to undertake trade negotiations under a new grant of "fast track" authority, as well as the implementation of trade agreements recently enacted under "fast track" procedures, to determine if the "fast track" process has led to successful trade negotiations, and if "fast track" authority should be further granted to the Administration. While H.R. 2621 was considered on the House floor during the 105th Congress, this bill providing for "fast track" trade authority failed by a record vote of 180 to 243 on September 25, 1998.

In the 106th Congress, the Committee will continue to examine the prospects for either a broad extension of "fast track" or a narrow extension relating to specific trade negotiations either already underway or scheduled to begin in the coming two years.

CIVILITY IN THE HOUSE

On March 9-11, 1997, approximately 200 Members of the House of Representatives and their families attended a Bipartisan Congressional Retreat in Hershey, Pennsylvania. The purpose of the retreat was to develop better relationships among Members, reduce partisan rancor, and improve the productivity of the House. The retreat was paid for primarily from a grant to the Aspen Institute from the Pew Charitable Trusts.

Funds from the Pew grant were also given to the Annenberg School for Communication at the University of Pennsylvania to undertake a study by Professor Kathleen Hall Jamieson on the level of civility in the House of Representatives. Dr. Jamieson's findings were published in a report entitled "Civility in the House of Representatives," which was distributed to the participants of the Bipartisan Congressional Retreat. The report analyzed historical changes in the level of civility in the House, explained a number of internal and external factors that the author asserts contribute to an increase in incivility, and offered recommendations for improving civility in the institution.

Following the 1997 retreat, the Rules Committee examined the findings generated at the retreat and held a hearing on April 17, 1997, to review a number of issues raised by the Jamieson study.

A second bipartisan retreat is scheduled for March 19-21, 1999. Recent contentious national issues and testimony from the hearing in the 105th Congress regarding a decline in debate decorum in the House of Representatives indicate potential obstacles to productive legislative activity or an undesirable tone for political discussion. In the 106th Congress, the Committee may review the results of the second Congressional Bipartisan Retreat and work closely with the Bipartisan Retreat Planning Group to develop a long-term process of improving civility, the overall work environment in the House, and general discourse in American society, both public and private.

IMPACT OF NEW INFORMATION TECHNOLOGIES ON THE HOUSE

Since the beginning of the 104th Congress, the House of Representatives has made a remarkable transformation into the information age. Emerging technologies with congressional applicability such as the Internet, e-mail, video conferencing, databases, talk radio and digitized television have begun to have a dramatic impact on the customs, culture, procedures and operations of the House and Senate. This new medium of communication has already had a profound impact on our federal system of representative government.

The Committee on Rules became concerned during the course of the 104th Congress that the institution was moving rapidly toward the information age without having a full appreciation for how these new technologies might impact the legislative process. The Rules Committee began to examine how technology may transform the institution, and what it will mean for our representative government. In the 105th Congress, the Committee held hearings that examined the effects of information technology on the legislative process in state legislatures, reviewed the impact upon the decision-making process in the House of Representatives, and considered recommendations for change.

In the 106th Congress, the Rules Committee will continue to examine the impact of technology (i) on the role and responsibilities of committees; (ii) on the dissemination of information electronically; and (iii) on deliberation as the institution becomes more accessible to the public. The Committee may review how recent acquisitions of these new forms of technology may affect House and committee rules and decision-making in committees and on the House floor. The Committee also plans to continue to review how the Internet and other information technologies will affect the way Members of Congress communicate with

constituents and will continue to examine the advantages and disadvantages of providing immediate on-line access to various forms of congressional documents and information, particularly in light of the House rule requiring the electronic availability of committee publications.

GOVERNMENT PERFORMANCE AND RESULTS ACT

In 1993, Congress passed the Government Performance and Results Act (P.L. 103-62), which requires the federal government to develop measurable performance goals for its agencies and programs. When fully implemented, GPRA has the potential to transform government by changing the focus of fed. al programs from inputs (money) to outputs (results). Unfortunately, measuring agency and program performance is often difficult because the goals or objectives of a statute may be vague, imprecise, or so general in character that it is difficult for committees and others to assess whether an agency, program, or intergovernmental grant is working to achieve its intended purpose. GPRA requires Federal agencies to consult with congressional committees in developing their performance goals and other criteria.

In the 106th Congress, the Committee may monitor the implementation of GPRA not from a management process perspective, but from the perspective of its impact on the duties, jurisdictions, and oversight responsibilities of the standing committees of the House. The success of agency compliance with GPRA will depend heavily on the ability of committees to define Congressional intent with respect to the missions and goals of agencies and programs, particularly those subject to overlapping committee jurisdictions.

IMPROVING PUBLIC UNDERSTANDING

On January 6, 1999, as part of its opening day rules package, the House passed H. Res. 5, a recodification of House Rules to create a more logical, orderly and comprehensive set of House rules without substantive policy changes. The overwhelming majority of the changes provided for in this package were developed by a bipartisan task force of the Committee on Rules. The recodification was the first comprehensive revision of the structure of the rules of the House since the 1880s. The recodification effort was designed to alleviate concerns that some House rules had become obsolete, confusing, and poorly organized. Working extensively over the past two years, with the non-partisan Office of the Parliamentarian, the Recodification Task Force developed a more rational and orderly set of House rules.

Previously, the outdated and confusing nature of the rules made the House of Representatives difficult to understand for Members, staff and the American people. In a continuing effort to make the legislative process user friendly, and to improve public understanding of the institution, the Committee plans to build on the success of the recodification process by developing a comprehensive parliamentary training program for Members and staff, and by expanding the Committee's World Wide Web site to serve as a convenient source of parliamentary and legislative information for educational studies and political science programs, and for the general public.

RESOLVING JURISDICTIONAL DISPUTES

As part of its oversight responsibility for monitoring the internal operational and jurisdictional issues of the House, the Rules Committee is interested in cooperative legislative efforts of committees on matters of overlapping jurisdictions. The Rules Committee may review opportunities to resolve jurisdictional disputes and work around these problems within the parameters of the existing committees and subcommittees. For example, in the 106th Congress, the Committee may review Congressional procedures with respect to national drug abuse policy and hunger and humanitarian issues, including fragmented committee jurisdictions, differences in jurisdiction between House and Senate committees, the appropriations process, and the oversight process as they relate to such issues.

BICAMERAL COOPERATION

Despite their many differences, the House and Senate must cooperate if measures are to be enacted into law. Because they are constitutionally inter-connected and inter-locked entities, actions by one chamber trigger reactions by the other. The procedures and behaviors of each body are a significant force in shaping policy outcomes. Therefore, the Rules Committee may undertake a detailed examination of how each chamber affects or is affected by the other body.

Dissenting Views

We offer these dissenting views with regret. We hoped they would not be necessary. We were encouraged by the talk of a new bipartisan spirit in the 106th Congress and we were pleased that the majority listened to our comments on their oversight plans and incorporated many of them.

Unfortunately, there were two comments in the majority views that we agreed to disagree on and we felt compelled to explain our differences.

Recodification: Republicans note that the opening day rules package adopted this January included only a handful of substantive changes and conclude:

> "The fact that little substantive change was necessary in these modifications to the rules emphasizes the success in the process of modernization that has occurred over the last four years."

The sentence is ambiguous. If it means that the absence of substantive change in the recodification package suggests a consensus that no further changes are needed, the statement is simply not true. The charge to the recodification task force from the outset was ***not*** to make substantive changes. The task force did not even attempt to address whether such changes were necessary. This is made abundantly clear in the January 5, 1999 letter signed by Chairman Dreier and Ranking Member Moakley, presenting the recommendations of the task force to Speaker Hastert and Minority Leader Gephardt. The letter begins:

> "At the beginning of the 105th Congress, the Committee on Rules established a bipartisan ad hoc task force to develop a more rational and orderly set of House rules **without making substantive changes in the rules, procedures or precedents as they stand today.**"

The letter ends:

> "**While we continue to have substantive disagreements about the existing rules and appropriate changes to them**, the Task Force

> fully agrees that the proposal presents the rules in a more coherent format and makes their meaning more transparent **but is in no way intended to alter the interpretation or content of any rule.**" [emphases added]

If, instead, the Republican majority is looking at the content of the modest changes they adopted and claiming these changes suggest the success of their efforts in previous Congresses, we must strongly disagree. The changes adopted in this Congress continue the trend begun in the 105th Congress of rolling back the excesses of the rules change package adopted in the opening days of the 104th Congress. In the 105th Congress, Republicans repealed their rules change to allow committees to sit during the 5-minute rule, returned the House Oversight Committee to sole control over the Chief Administrative Officer, narrowed the application of their supermajority-vote-on-tax-rate-increases rule, and returned "Education" to the name of the Education and the Workforce Committee. In the 106th Congress, the Republicans repealed their oversight-plans point of order and restored the names of the Armed Services and House Administration Committees. This is not an expression of success but an honest recognition that they went too far and made a number of mistakes.

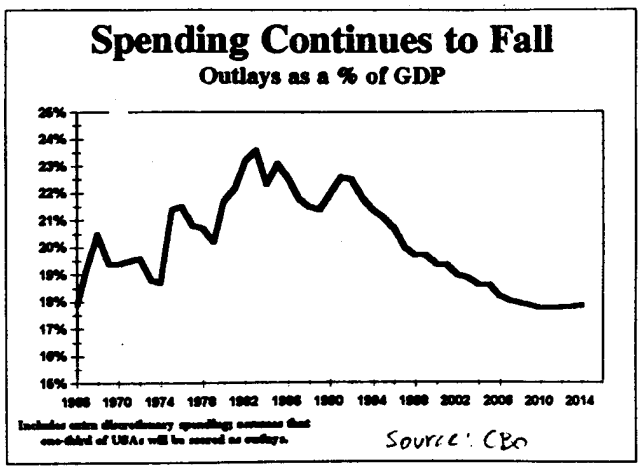
Budget surpluses: In the context of the Committee's plans to review the congressional budget process, the Republicans urge the Committee to recognize "the changed dynamic in the process caused by budget surpluses **resulting from taxpayer overcharges.**"

Of course we Democrats agree the Committee should explore how Congress can best respond to the pleasant fact of budget surpluses. But we object to the way the Republicans want to frame and limit that review.

Republicans say the budget surplus has come sooner than expected because of taxpayer overcharges. Do they contend Americans' tax burden is rising?

We Democrats instead give credit to the economy that has outperformed every expectation and to legislative efforts to cut back spending. It's the economy, not taxes. The tax burden on ordinary Americans has been falling, not rising.

Three simple facts explain the surplus: (1) we would not have a surplus without the Social Security trust fund, (2) our economy has enjoyed robust growth and job creation, along with low unemployment and the lowest inflation since the early 1960's; and (3) Congress and the President have agreed on laws so that federal spending relative to GDP has fallen significantly and steadily since enactment of the FY 1993 Omnibus Reconciliation Act, as the chart below shows:



We think it is necessary to comment here in the Committee's oversight plan for two reasons. First, if Republicans plan to present their own peculiar view about the source of budget surpluses, we want to signal our intention to engage in the debate without rehearsing all the arguments now. Second, if Republicans intend to limit the committee's review of budget surpluses so as to preclude any discussion of Democratic proposals to save Social Security first and the President's tax cut proposals, we must vigorously protest.

JOHN JOSEPH MOAKLEY.
MARTIN FROST.
TONY HALL.
LOUISE SLAUGHTER.

House Committee on Science

OVERSIGHT AGENDA

106TH CONGRESS

COMMITTEE	BASIC RESEARCH	ENERGY & ENVIRONMENT	SPACE & AERONAUTICS	TECHNOLOGY
Remote Sensing Data Storage and Retrieval Policy Issues. Examination of data management, transition and distribution involving NASA, NOAA, DOE and EPA	NSF Antarctica Research Program	Climate Change: Aftermath of Conference of Parties (Kyoto Meeting)-4, run-up to Conference of Parties-5, IPCC process, Climate Change Technology Initiative (Administration programs re: Emissions)	Space Transportation – range operations, Evolved Expendable Launch Vehicle, Shuttle upgrades, existing Expendable Launch Vehicles, Reusable Launch Vehicles, and implementation of Commercial Space Act by Office of Commercial Space Trans, and DoD and NASA	Difficulties facing agencies in developing and acquiring technology
Science behind the federal rule making process of Ephedrine	High Performance Computing follow-up hearing on PITAC.	Status of NWS Modernization (including satellites).	Earth Science – schedule delays and performance issues; (some of this will be part of full committee oversight topic)	Privacy and the Web
Atmospheric Research Programs—how much is enough?	Management issues involving administrative systems	Role of EPA R&D in regulation development	Aeronautics – interaction between NASA and FAA on aeronautics safety initiative	Aeronautics—interaction between NASA and FAA on aeronautics safety initiative
Government Performance and Results Act, and Chief Financial Officers Act	Internet Issues: -DNS to private sector -stability of Internet -NSF/NRC study	EPA Laboratories	Potential Tech Transfer in Space Station	Advanced Technology Program
Peer Review	"Enabling" Technologies	DOE labs and external regulations	Space policy in decision-making in Executive Branch	Review of commercialization policy
Science and Math Education • Science and Math Education and cognitive research • Middle School SMET • Distance learning and research through Universities	Emergency Response to Terrorist Training vs. Fire Administration	Status of Air Transport Models	Launch quota extensions for U.S. satellites on foreign rockets	Standards and International Competitiveness
International Space Station	US Fire Administration	Bottoms-up review of existing energy legislation: Apply Results Act principles to assess what is obsolete, outdated, how much was spent and what was accomplished	Evaluations of safety issues throughout organization	Technology to Fight Crime
Review of laws to determine need for update	Review of laws to determine need for update	Review of laws to determine need for update	Review of laws to determine need for update	Review of laws to determine need for update
International Science & Technology		Energy Lab mission creep		Y2K Continuing Oversight
Review of programs which stimulate commercialization		Risk Assessment		Technology Transfer and including cooperative research agreement
Science Policy Study follow-up		Electricity Dereg/Energy R&D		External regulatory factors such as tax, trademark, patent and copyright policy
		PNGV Status		Barriers to the development of information technology
		Large Hadron collidor		Computer security
		Fusion (ITER closeout/post ITER)		Biomedical technology development
		Future Science Facility Needs (New/upgraded neutron sources, synchrotrons, HEP/NP plans, etc.)		

JAMES M. TALENT, MISSOURI
CHAIRMAN

NYDIA M. VELÁZQUEZ, NEW YORK

Congress of the United States
House of Representatives
106th Congress
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6315

February 10, 1999

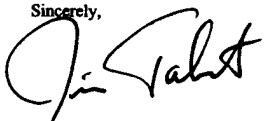
Hon. Dan Burton
Chairman
Committee on Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Committee on Small Business, with a quorum present, approved its Oversight Plan for the 106th Congress on January 7, 1999.

In accordance with Rule X, clause 2(d)(1), of the Rules of the House, I am hereby transmitting our Oversight Plan to the Committee on Government Reform.

Sincerely,



James M. Talent
Chairman

JAMES M. TALENT, MISSOURI
CHAIRMAN

NYDIA M. VELÁZQUEZ, NEW YORK

Congress of the United States
House of Representatives
105th Congress
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6315

OVERSIGHT PLAN FOR THE COMMITTEE ON SMALL BUSINESS
106TH CONGRESS
U.S. HOUSE OF REPRESENTATIVES
JAMES M. TALENT, CHAIRMAN

Rule X, clause 2(d)(1), of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Government Reform and Oversight and House Oversight not later than February 15 of the first session of the Congress.

The oversight plan of the Committee on Small Business includes areas in which the Committee expects to conduct oversight activity during the 106th Congress. However, this plan does not preclude oversight or investigation of additional matters as the need arises.

OVERSIGHT OF THE SMALL BUSINESS ADMINISTRATION

The Committee will conduct hearings on all the major programs of the Small Business Administration to determine their effectiveness and possible options for improvements.

FINANCIAL AND MANAGEMENT/TECHNICAL ASSISTANCE PROGRAMS

The Committee will conduct hearings on the effectiveness and efficiency of the SBA's major programs. Particular emphasis will be placed on improving the economic efficiency of these programs. A number of the SBA's key programs will be the subject of oversight hearings by the Committee. These include:

7(a) General Business Loan Programs (Spring, 1999)

Certified Development Company Program (Spring, 1999)

SBIC Program (Winter, 1999)

Microloan Program (Winter, 1999)

SBDC (Spring, 1999)

Disaster Loan (Winter, 1999)

ADVOCACY

The Office of Advocacy was created to provide small business with an effective voice inside the Federal government. The Committee will conduct hearings on how to strengthen this voice and make sure that the Office of Advocacy continues to effectively represent the interests of small business. (Summer, 1999)

TECHNOLOGY AND RESEARCH ASSISTANCE

Small Business Innovation Research

The Small Business Innovation Research (SBIR) program aids small businesses in obtaining federal research and development funding for new technologies. (Summer, 1999)

Small Business Technology Transfer

Committee oversight will focus on the program's success at helping small business access technologies developed at federal laboratories and put that knowledge to work. (Summer, 1999)

* * *

FEDERAL PROCUREMENT

The Committee will examine needed changes in federal procurement. The Committee will investigate the implementation of recent legislation dealing with "bundling" and the effect it is having on small businesses involved in government contracting. (Ongoing)

GOVERNMENT & NON-PROFIT COMPETITION

The Committee will examine the extent to which non-profit organizations and the federal government itself compete with small business. Our focus will include activities in both the private sector and government procurement. (Winter, 2000)

* * *

REGULATORY FLEXIBILITY

The Committee will continue its oversight of agency compliance with the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. (Ongoing)

SBREFA

The Committee will be conducting oversight hearings on agency implementation of the Small Business Regulatory Enforcement Fairness Act (SBREFA), which was enacted during the second session of the 104th Congress. (Ongoing)

PAPERWORK REDUCTION

The Committee will continue its oversight of agency implementation of the Paperwork Reduction Act, as amended. (Ongoing)

GOVERNMENT REGULATION

The Committee will continue to examine the regulatory activities of various federal agencies and assess the impact of regulations on the small business community. (Ongoing)

TAXATION

The Committee will continue to conduct oversight hearings into ways to reduce the tax burden on small business. These hearings will include not only the fiscal but the paperwork burden of the federal tax system and federal enforcement efforts. (Ongoing)

ELECTRIC UTILITY DEREGULATION

The Committee will conduct oversight hearings on the potential effects of electric utility deregulation on small business. (Summer, 1999)

GOVERNMENT PERFORMANCE AND RESULTS ACT

The Committee will continue consultations with the SBA regarding the preparation and implementation of strategic plans and performance plans as required by the Government Performance and Results Act. (Ongoing)

EMPOWERMENT

The Committee will conduct oversight hearings on regulations and licensing policies that impact small businesses located in high risk communities. The Committee will also examine the promotion of business growth and opportunities in economically depressed areas, and will examine programs targeted towards relief for low income communities. (Ongoing)

JAMES V. HANSEN, UTAH
CHAIRMAN

LAMAR SMITH, TEXAS
JOEL HEFLEY, COLORADO
BOB GOODLATTE, VIRGINIA
JOE KNOLLENBERG, MICHIGAN

THEODORE J. VAN DER MEID,
CHIEF COUNSEL/STAFF DIRECTOR

BARI L. SCHWARTZ
COUNSEL TO THE RANKING
MINORITY MEMBER

ONE HUNDRED FIFTH CONGRESS

U.S. House of Representatives

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

Washington, DC 20515–6328

HOWARD L. BERMAN, CALIFORNIA
RANKING MINORITY MEMBER

MARTIN OLAV SABO, MINNESOTA
ED PASTOR, ARIZONA
CHAKA FATTAH, PENNSYLVANIA
ZOE LOFGREN, CALIFORNIA

SUITE HT-2, THE CAPITOL
(202) 225-7103

February 9, 1999

The Honorable Dan Burton
Chairman
Government Reform and Oversight Committee
2157 Rayburn House Office Building
Washington, D. C. 20515

Dear Mr. Chairman:

Pursuant to House Rule, I am enclosing the Committee's Oversight Plan for the 106th Congress.

Sincerely,

Lamar Smith

Lamar Smith
Chairman

Enclosure

JAMES V. HANSEN, UTAH
CHAIRMAN
LAMAR SMITH, TEXAS
JOEL HEFLEY, COLORADO
BOB GOODLATTE, VIRGINIA
JOE KNOLLENBERG, MICHIGAN
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COMMITTEE ON STANDARDS OF
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(202) 225-7103

OVERSIGHT ACTIVITY REPORT

106TH CONGRESS

Feb. 12, 1999

Pursuant to clause 1 (p) of House Rule X, the Committee on Standards of Official Conduct has jurisdiction over measures relating to the Code of Official Conduct (House Rule XXIV). In addition under clause 3(a) (1) of House Rule XI, the Committee may recommend to the House administrative actions to establish or enforce standards of official conduct for Members, officers and employees.

The Committee also has oversight jurisdiction with respect to the following matters as applicable to Members officers, and employees of the House, as well as certain Legislative Branch agencies: (1) the financial disclosure statements filed pursuant to Title I of the Ethics in Government Act (the Committee's jurisdiction on this matter also includes financial disclosure statements filed by candidates for the House); (2) the outside earned income limitation and the limitations on outside employment set forth in Title V of that Act, as well as in clauses 1-4 of House Rule XXVI; (3) the prohibition on gift to superiors set forth in 5 U.S.C. § 7351; (4) the prohibition on soliciting things of value and accepting gifts set forth in 5 U.S.C. § 7353; and (5) the Foreign Gifts and Decorations Act (5 U.S.C. § 7342). In addition, the Committee provides Members, officers and employees with advice on the post-employment restrictions set forth in 18 U.S.C. § 207.

The Committee provides informal advice and issues formal advisory opinions to assist Members, officers and employees in complying with the Code of Conduct, as well as other laws, rules and standards applicable to their conduct in the performance of their duties. The Committee also investigates and acts upon allegations of improper conduct of Members.

The Committee will continue to exercise its oversight jurisdiction of clause 5 of House Rule XXVI, the gift rule, as provided in clause 5(f) of that rule

Lamar Smith
Chairman

Howard L. Berman
Ranking Minority Member

Committee on Transportation and Infrastructure

Congress of the United States
House of Representatives
Washington, DC 20515

Bud Shuster
Chairman

Jack Schenendorf, Chief of Staff
Michael Stracke, Deputy Chief of Staff

James L. Oberstar
Ranking Democratic Member

David Heymsfeld, Democratic Chief of Staff

February 12, 1999

Honorable Dan Burton, Chairman
Committee on Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to Rule X, 2(d)(1) of the Rules of the House of Representatives, I am submitting the Oversight Plan for the Committee on Transportation and Infrastructure that was approved by the Full Committee on Thursday, February 11, 1999.

If you should need any further information, please don't hesitate to contact me.

With warm regards, I am

Sincerely,

Bud Shuster

BUD SHUSTER
Chairman

Enclosure

(202) 225–9446 Room 2165, Rayburn House Office Building http://www.house.gov/transportation/

OVERSIGHT PLAN
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
106TH CONGRESS
February 11, 1999

Rule X, clause 2(d)(1) of the Rules of the House require each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Government Reform and House Administration not later than February 15 of the first session of Congress.

This is the oversight plan of the Committee on Transportation and Infrastructure for the 106th Congress. It includes the areas in which the Committee expects to conduct oversight during this Congress, but does not preclude oversight or investigation of additional matters as the need arises.

FULL COMMITTEE

1. Budgetary Treatment of Transportation Trust Funds

A top priority of the Committee will be to bring spending integrity to all user-financed transportation trust funds. In the 104th Congress the House passed H.R. 842, the Truth in Budgeting Act, which took off-budget for transportation trust funds Highway, Aviation, Harbor Maintenance, and Inland Waterways. This legislation was necessary because all four trust funds hold significant cash balances, representing dedicated user fees collected (but not spent) on urgently needed infrastructure investments. The Senate did not act on H.R. 842; the bill was reintroduced as H.R. 4 in the 105th Congress.

TEA-21 incorporates the principles of H.R. 4 by creating highway and transit budgetary firewalls that provide a guarantee that Highway Trust Fund taxes are spent for their intended purposes. This Congress, the Committee will work to extend budgetary integrity and reform to the remaining three transportation trust funds.

Every member of the Committee has already cosponsored H.R. 111, the Truth in Budgeting Act, which takes off-budget the Aviation, Harbor Maintenance, and Inland Waterway trust funds. The Committee will actively push this legislation, as well as opportunities to address trust fund budget integrity on appropriate authorization bills.

2. Government Performance and Results Act

The Government Performance and Results Act (GPRA) requires each agency of the federal government to measure its performance and report on the results. Specifically, each agency must develop five-year strategic plans, prepare annual performance plans that set out the agency's

performance goals, and report annually on actual performance. The Committee plans to do comprehensive oversight of the implementation of GPRA at each of the agencies under the Committee's jurisdiction.

AVIATION SUBCOMMITTEE

1. Funding of the Federal Aviation Administration

Taxes that fund the FAA were increased in 1997. A legislatively mandated commission recommended that FAA's funding and financing system receive a budget treatment ensuring that revenues from aviation users and spending on aviation services be directly linked and shielded from discretionary budget caps. The Subcommittee is concerned that the current on-budget status of the Trust Fund provides no assurance that the user taxes that aviation users pay are actually returned to them in the form of aviation infrastructure improvements as required by law. Hearings will examine the benefits of unlocking the Trust Fund and overall FAA funding needs. (Winter 1999).

2. Safety Programs

The Subcommittee has held several safety hearings and will continue its oversight in the new Congress. Issues to be addressed include the need for collision avoidance systems on cargo aircraft, the need for improved medical kits on passenger aircraft, improved fire prevention including issues involving aircraft wiring and insulation, the regulation of hazardous materials on aircraft, and the training and allocation of FAA's inspector workforce. (Throughout the year)

3. FAA Organization

Some reforms of the FAA were made in the 104th Congress. Most notable were the changes in the agency's personnel and procurement systems and the creation of a Management Advisory Council. Oversight of the implementation of these reforms is planned and additional reforms will be considered. (Winter 1999)

4. Evaluation of FAA's facilities and equipment program

Since the early 1980's, the FAA has been trying to modernize the computers, radars, and navigation systems that make up the air traffic control system. This effort has been behind schedule and over budget. The Committee will examine the FAA's air traffic control facilities and equipment program known as the Capital Investment Plan with a focus on air traffic control modernization, the Global Positioning System (GPS), and free flight. (Summer 1999)

5. Oversight of Office of the Secretary

The Office of the Secretary within DOT inherited several aviation functions when the Civil Aeronautics Board was abolished. The hearings will evaluate various DOT programs affecting aviation including slots and international air service. (1999)

6. Oversight of the National Transportation Safety Board

Authorization for the NTSB expires at the end of this year. The Rand Corporation is conducting a study of NTSB focusing on their system for aircraft accident investigations. In addition, questions have been raised about the handling of the crash of TWA 800. The subcommittee will examine these and other issues in reauthorization hearings. (Spring 1999)

7. Passenger service

There seems to be growing concern about airline service. A recent incident in Detroit where passengers were held on the tarmac for more than eight hours received a great deal of attention. In addition, airline handling of unaccompanied minors has raised concerns. These and other consumer issues will be examined. (Winter 1999)

COAST GUARD AND MARITIME TRANSPORTATION SUBCOMMITTEE

1. The Future of the U.S. Maritime Transportation System

During the 105th Congress, the Subcommittee on Coast Guard and Maritime Transportation conducted a hearing on the needs of the U.S. maritime transportation system, focusing on the Department of Transportation's initiative to develop a unified strategy to enhance the competitiveness of U.S. ports and waterways. The Subcommittee will continue hearings on this matter during the 106th Congress, including hearings to clarify the increased demands that will be placed on U.S. ports and waterways early in the next century, and the adequacy of the maritime system's infrastructure to respond to the increased demands.

2. Major Coast Guard Vessel and Aircraft Acquisition Project—Deepwater

The Coast Guard is currently engaged in a major vessel and aircraft acquisition project to replace its aging fleet typically employed more than 50 miles from U.S. shores. This project, the Deepwater Capability Replacement Project, involves replacing or modernizing many of the Coast Guard's 92 ships and 209 airplanes and helicopters. The Subcommittee will review the current Coast Guard "Deepwater" acquisition process, the particular assets to be acquired, the overall cost of the project, and the concerns expressed by the General Accounting Office, and others, related to the project.

3. Implementation of the Ocean Shipping Reform Act of 1998

The Ocean Shipping Reform Act of 1998, Public Law 105-258, contains major amendments to the Shipping Act of 1984 to increase competition in international ocean shipping and spur U.S. exports. The Federal Maritime Commission (FMC) is required to implement the amendments made by the Ocean Shipping Reform Act by May 1, 1999. Currently, the FMC is working to

finalize six rulemakings to implement the Act concerning foreign practices/controlled carriers; agreements; marine terminal operators; tariffs; ocean transportation intermediaries; and service contracts. The Subcommittee will review these rulemakings and other issues that arise under the Ocean Shipping Reform Act to ensure that the Reform Act is properly implemented.

4. Oil Pollution Act of 1990

The Oil Pollution Act of 1990 (OPA '90), Public Law 101-380, was enacted on August 18, 1990, in response to the EXXON VALDEZ oil spill in Prince William Sound, Alaska. OPA '90 provides a comprehensive system of oil spill prevention, response, compensation, and punishment. The Subcommittee will hold hearings to review the developments under OPA' 90 during the last nine years, and assess OPA '90's effectiveness in combating oil pollution in U.S. waters.

5. Coast Guard Drug Interdiction Program

During the 104th and 105th Congresses, the Subcommittee held hearings to examine the effectiveness of the President's National Drug Control Strategy and the Coast Guard's Drug Interdiction Mission in controlling the importation and use of illegal drugs in this country. During this Congress, the Subcommittee will continue to assess the effectiveness of the Coast Guard's drug interdiction mission in light of the recent increases in drug interdiction funding.

6. Coast Guard Fisheries Law Enforcement Mission

The Subcommittee will conduct hearings assessing the effectiveness of the Coast Guard's Fisheries Law Enforcement Program, focusing in particular on enforcement of the Magnuson Act, the major Federal law governing fisheries management.

7. Navy/Coast Guard/Maritime Administration Vessel Compliance

The Subcommittee will conduct hearings to assess the effectiveness of the Federal Government (Navy, Coast Guard, and Maritime Administration) in preventing and responding to oil spills from its own vessels. The Subcommittee will focus on the circumstances surrounding oil spills from Navy vessels in West Coast ports.

8. Oversight of the Coast Guard's Roles and Missions

During the 104th and 105th Congresses, the Subcommittee held hearings to review the effectiveness of certain Coast Guard missions, including maritime law enforcement, search and rescue, boating safety, aids to navigation, ice breaking, and military readiness. During this Congress, the Subcommittee will continue to consider the management and effectiveness of these Coast Guard programs and others, within the context of the statutorily mandated Coast Guard Roles and Missions Study.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, HAZARDOUS MATERIALS AND PIPELINE TRANSPORTATION

1. Review of the Architect of the Capitol facilities program

Recently there have been a number of adverse reports regarding the facilities under the jurisdiction of the Architect of the Capitol. The latest report, released December 18, 1998 by the House of Representatives Inspector General, identified a number of weaknesses in the fire protection systems in the Capitol complex. It concluded fire protection systems are incomplete, inadequate, or absent. While the IG report recommended the House Administration Committee designate a House entity to monitor the Architect's development and implementation of a comprehensive fire protection program for the House complex, the EDPBHM&PT Subcommittee could take the lead in oversight and development of legislation designed to correct these defects. The Subcommittee will also review the plans for a Capitol Visitors Center, which received funding in last year's omnibus appropriations bill.

2. Review of GSA's Prospectuses for Construction and Repair of Federal Facilities, and Rental of Space for Federal Agencies

The General Services Administration commenced a broad review of prospectuses, and the information contained in these documents. There is concern that these documents are lacking in material information, are inconsistent, and Congressional Committees, and Members offices oftentimes seek clarification, and additional information during the review process of these requests. In December 1998, PBS convened a national conference that focused on improving the consistency and content of prospectuses. With continued oversight and input by the EDPBHM&PT Subcommittee, prospectuses should become more understandable and functional. The Subcommittee will closely review the prospectuses for the FY 2000 GSA Capital Improvement Program, and recommend approval only after the Subcommittee is satisfied that the requests are cost effective.

3. Review of GSA issues

There are several issues relating to the operation and policies at GSA that deserve the Subcommittee's attention. GSA has taken the lead in developing child-care centers in Federal facilities, yet there has been no oversight on this program. To date GSA has over 100 child- care centers operating in GSA controlled buildings. Some of these facilities cost in excess of $1 million to build and equip, paid for by funds from the Federal Building Fund. Secondly, GSA spends over $270 million annually on purchasing energy for federal buildings. All federal agencies are under a mandate to reduce energy consumption. GSA's performance in this area deserves review. GSA is also investing in green buildings, where there is a concerted effort to invest in building materials that are recycled, or can be recycled. There is, however, a cost premium to this effort. Without Subcommittee oversight, these GSA programs could be draining GSA of valuable resources. Furthermore, it is unclear whether these activities are cost effective.

4. Review of the Courts five-year priority plan

Even though the Administration is not requesting funding in FY 2000 for court-related projects, the Subcommittee will continue its review of courthouse construction, and the five- year plan as proposed by the Administrative Office of the Courts. This effort will be in conjunction with the AOC's internal review of the comprehensive plan.

5. Review of Planning, Design and Construction of the Garage Expansion, and Roadway Circulation Study of the Kennedy Center

During the 105th Congress, legislation was enacted authorizing the Kennedy Center to expand its underground parking garage, using tax-free revenue bonds. Additionally, the reauthorization of the highway program (TEA-21) contained funding for a study of the highway circulation patterns around the Kennedy Center. Each of these activities is in the planning process, and will require oversight by the Subcommittee. Oversight of these projects has already begun with Kennedy Center officials, officials from DOT, and the National Park Service.

6. Hazardous Materials Transportation

The Committee intends to enact reauthorization legislation of the hazardous materials transportation program administered by the Research and Special Programs Administration of the U.S. Department of Transportation. In support of this action, the Subcommittee intends to hold hearings on reauthorization, as well as conduct oversight hearings of its implementation following enactment.

7. Pipeline Safety

The Accountable Pipeline Safety and Partnership Act of 1996 reauthorized the pipeline safety program through fiscal year 2000. In preparation of reauthorizing the program in 2000, the Subcommittee staff intends to hold oversight hearings in 1999. The hearings will focus on reviewing the risk-assessment provisions of the 1996 Act, which have not previously been reviewed since enactment, and issues concerning reauthorization and the "one-call" notification incentive grant program which was created under TEA-21.

8. Economic Development

As both the Economic Development Administration and the Appalachian Regional Commission were reauthorized in 1998, the Subcommittee intends to hold a number of oversight hearings to review implementation of the reforms enacted in the reauthorization measure.

SUBCOMMITTEE ON GROUND TRANSPORTATION

1. Federal Highway Administration, Federal Transit Administration, National Highway Traffic Safety Administration, and Federal Railroad Administration

Oversight of TEA 21 Implementation:
The Subcommittee will review and may hold hearings on the Department of Transportation's implementation of highway, transit, motor carrier, rail, and safety programs authorized in the Transportation Equity Act for the 21st Century. The implementation subjects to be monitored by the subcommittee include: environmental streamlining; safety programs; the criteria used in awarding discretionary grants; the transit program; innovative financing, including State infrastructure banks and the Transportation Infrastructure Finance and Innovation Act (TIFIA); and the Title V rail loan program.

Motor Carrier Safety:
The Subcommittee will examine motor carrier safety issues, including the implementation of the motor carrier safety grant program.

Highway Trust Fund Revenues:
The Subcommittee will examine the accuracy of the methods used by the States in reporting the gasoline tax revenues to the Highway Trust Fund attributable to each State, because the amount of tax payments attributable to highway users in each State is an apportionment factor for several Federal-aid highway program funding categories.

The Subcommittee will also examine the impact of alternative fuels, electric vehicles, and advances in fuel efficiency on revenues into the Highway Trust Fund, and an examination of alternative methods of assessing fees for highway improvements on highway users.

The Subcommittee will review the effectiveness of fuel tax evasion countermeasures in increasing revenues into the Highway Trust Fund.

2. DOT Fiscal Year 2000 and 2001 Budgets

The Subcommittee will review and evaluate the fiscal year 2000 and fiscal year 2001 budget proposals for the Federal Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Federal Railroad Administration, and the Surface Transportation Board in light of TEA 21's budgetary treatment of the highway, transit, and rail programs. (Spring 1999 and Spring 2000)

3. Reauthorization of the Surface Transportation Board

The Surface Transportation Board (STB) was established on January 1, 1996, by the Interstate Commerce Commission Termination Act of 1995 (P.L. 105-88) to administer residual functions of the Interstate Commerce Commission. The STB is a decisionally independent, three-member agency within the Department of Transportation. In preparation for the reauthorization of the Surface Transportation Board, the Subcommittee will conduct oversight to examine the functioning of the new Board, and its relationship with the Department of Transportation. (Spring/Summer 1999)

4. Reauthorization of the Federal Railroad Administration's Safety Program

The authorization for the federal railroad safety laws expired in 1998. In preparation for the reauthorization of the rail safety program in 1999, the Subcommittee will conduct oversight on FRA's enforcement and rulemaking activities, as well as on the laws that govern railroad safety activities. (Spring/Summer 1999)

5. Implementation of Motor Carrier Provisions of the ICC Termination Act

The Subcommittee will review the implementation of the motor carrier provisions of the ICC Termination Act, which eliminated or streamlined certain motor carrier functions and transferred the remaining functions to the Surface Transportation Board and the Federal Highway Administration's Office of Motor Carriers. Several studies that were directed to be completed in the Act, such as recommendations for revisions to current law regarding cargo loss and damage claims and the consolidation of registration and filing requirements, will also be evaluated by the Subcommittee. (Spring/Summer 1999).

SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS, AND EMERGENCY MANAGEMENT

1. In General

The Subcommittee will review the administration, execution, and effectiveness of the laws within the jurisdiction of the Committee, and the organization and operation of the Federal agencies which have responsibility for the execution of such laws, in order to determine whether such laws are being carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or otherwise modified.

2. Spending on Mitigation

The Federal Emergency Management Agency has been promoting increased spending on mitigation. The Subcommittee will examine whether funding is being spent in the most effective manner.

3. Disaster Relief Fund

Certain federal agencies have recently criticized FEMA for poor accounting of the Disaster Relief Fund (used for funding disaster assistance grants to families, governments, and businesses). The Subcommittee will examine the administration of this fund.

4. FEMA Preparedness Grants

State and local governments receive approximately $100 M a year in funding for emergency preparedness and training. The Subcommittee will monitor the effectiveness of these programs.

WATER RESOURCES AND ENVIRONMENT SUBCOMMITTEE

1. Army Corps of Engineers (Corps) -- Water Resources Program

The plan includes a review of efforts to improve the efficiency and effectiveness of the organization, management and mission of the water resources program; financing of harbor and inland waterways infrastructure; and efforts to improve the efficiency, effectiveness and fairness of the agency's regulatory program, especially in the area of wetlands (the general and individual permitting programs) and dredging activities.

2. Environmental Protection Agency (EPA) -- Clean Water Act and Water Infrastructure Programs

The plan includes a review of wastewater treatment and water pollution control funding issues; market-based, watershed-based, and performance-based approaches to regulation with emphasis on economic incentives and innovative alternatives; and particular efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution. The plan also includes a review of water infrastructure provisions and programs contained in the Safe Drinking Water Act Amendments of 1996.

3. Corps/EPA/National Oceanic Atmospheric Administration (NOAA)—Ocean and Coastal Programs and Policies

The plan includes a review of dredged material management and disposal under the Ocean Dumping Act, Water Resources Development Acts, and Clean Water Act, and various ocean and coastal water quality and shoreline protection issues under the Clean Water Act, Coastal Zone Management Act, Coastal Zone Act Reauthorization Amendments, and Water Resources Development Acts.

4. EPA -- Superfund/CERCLA

The plan includes a review of efforts to improve the efficiency, effectiveness and fairness of the contaminated site cleanup process; a review of the liability and financing mechanisms under the current Superfund program; a review of the cleanup provisions under the current Superfund program; and a review of the relationships among the States, EPA, and other Federal entities, in implementing the Superfund program.

5. Tennessee Valley Authority (TVA)

The plan includes a review of TVA programs funded by Congressional appropriations (such as Land Between the Lakes), TVA's energy program and operations in a less regulated marketplace, and the impact of TVA debt on its ratepayers and the nation.

6. Saint Lawrence Seaway Development Corporation (SLSDC)

The plan includes a review of the efficiency and effectiveness of SLSDC's current operations and structure and its relation to the St. Lawrence Seaway Authority – its Canadian counterpart.

7. EPA and Coast Guard -- Oil Pollution Act (OPA)

The plan includes a review of the oil spill liability provisions under OPA and a review of oil spill technologies and planning and response mechanisms under OPA and the Clean Water Act.

8. Coast Guard/EPA/Corps -- National Invasive Species Act

The plan includes a review of efforts by various agencies to implement the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996, and the effectiveness of those efforts

9. Corps and EPA -- Regional Water Quality and Supply Issues

The plan includes a review of regional and local controversies involving water quality, water supply, environmental protection and flood control. Examples could include implementation of the California Bay-Delta accord, the interstate compacts involving river systems in Georgia, Alabama, and Florida, and revisions to the Central and Southern Florida project and other initiatives involving South Florida and the Everglades.

10. Natural Resources Conservation Service (NRCS) -- Small Watershed Program

The plan includes a review of the Small Watershed Program, authorized under P.L. 83-566, and conducted by the U.S. Department of Agriculture's NRCS.

11. Agency Innovation and Compliance with the Government Performance and Results Act

The plan includes a review of various agency efforts to implement the Government Performance and Results Act. Particular attention will also be given to efforts of agencies, such as EPA and the Corps, to improve environmental results by encouraging regulatory innovation through market-based approaches and other approaches undertaken by State and local governments.

U.S. House of Representatives
COMMITTEE ON VETERANS' AFFAIRS
BOB STUMP
CHAIRMAN
ONE HUNDRED SIXTH CONGRESS
335 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
http://www.house.gov/va

February 3, 1999

Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn HOB
Washington, DC 20515-6143

Dear Dan:

On behalf of the Committee on Veterans' Affairs, I herewith submit to the Committee on Government Reform the Oversight Plan of the Committee on Veterans' Affairs for the 106th Congress.

Sincerely,

BOB STUMP
Chairman

BS/kkm

U.S. HOUSE OF REPRESENTATIVES
Committee on Veterans' Affairs

OVERSIGHT PLAN FOR 106th CONGRESS

In accordance with clause 2(d)(1) of Rule X of the House of Representatives, the Committee on Veterans' Affairs has adopted by resolution of February 3, 1999, its oversight plan for the 106th Congress.

This oversight plan is directed at those matters most in need of oversight within the next two years. The Committee is cognizant of the requirement that it conduct oversight on all significant laws, programs, or agencies within its jurisdiction at least every ten years. To ensure coordination and cooperation with the other House committees having jurisdiction over the same or related laws affecting veterans, the Committee will consult as necessary with the Committee on Armed Services, the Committee on Education and the Workforce, and the Committee on Government Reform.

Oversight will be accomplished through Committee and subcommittee hearings, field and site visits by members and staff, and meetings and correspondence with interested parties. Methods of oversight will include existing and requested reports, studies, estimates, investigations and audits by the Congressional Research Service, the Congressional Budget Office, the General Accounting Office, and the Offices of the Inspectors General of the Departments of Veterans Affairs and Labor.

The Committee will seek the views of veterans' service organizations, military associations, other interest groups and private citizens. The Committee also welcomes communications from any individuals and organizations desiring to bring matters to its attention. A series of joint hearings is scheduled with the Senate Committee on Veterans' Affairs at which veterans' service organizations and military associations will present to the committees their national resolutions and agendas for veterans.

While this oversight plan describes the foreseeable areas in which the Committee expects to conduct oversight during the 106th Congress, the Committee and its subcommittees will undertake additional oversight activities as the need arises. Because the Committee generally conducts oversight through its subcommittees, the plan is organized by subcommittee.

Subcommittee on Health

1. **Veterans Health Administration (VHA) Budget**. The operation of the VA health care system, the largest integrated health care provider in the country, represents the most visible expression of the nation's commitment to America's veterans. With a medical care budget exceeding $17 billion, VA provides care to some three million veterans annually. Through focused analyses and hearings, VHA spending choices will undergo careful scrutiny. Winter 1999 and Winter 2000.

2. **Capital Asset Planning**. The VA health care system encompasses an extensive facility infrastructure including thousands of buildings, some over 100 years old. Its extensive complex infrastructure requires substantial maintenance and repair. Its need for major and minor construction and renovation has outstripped available funding. The subcommittee will examine the adequacy of VA's capital asset planning and the manner in which the Department establishes its construction priorities and associated funding plans. Winter 1999.

3. **Hospital Consolidation and Missions Changes**. Sweeping changes in health care delivery practice and hospital utilization have led hospitals in the private and public sectors to close beds and in some instances to cease operating. The VA health care system has closed thousands of operating beds and reduced its hospital workforce while increasing its ambulatory care capacity. As a decentralized system, the VA has employed different strategies across the country to improve operating efficiency. While hospital "merger" has been a widely used strategy, there exists no apparent national strategy to align infrastructure with patient need. In this seeming vacuum, a few networks have initiated more far-reaching steps, to include major medical center mission changes which range from ceasing to provide inpatient surgery programs to ceasing to provide acute hospital care directly. The subcommittee will review management "solutions" and the need for a national policy and appropriate realignment mechanisms. Spring 1999 and Spring 2000.

4. **Eligibility Reform Implementation**. Congress enacted an "eligibility reform" law (Public Law 104-262) to eliminate statutory barriers in VA to providing veterans needed ambulatory care. In expanding access to medical care, the law called for the establishment of an enrollment system to ensure that veterans with a high priority to care would be afforded treatment. The law left VA with discretion as to the categories of veterans to be served and the specific benefits to be furnished. The subcommittee will review the VA's decisions in implementing that law. Spring and Summer 1999.

5. **Resource Allocation**. VA has implemented, and subsequently refined, a methodology for distributing funds so as to provide veterans similar access to care regardless of the region in which they live. The subcommittee will continue to review the extent to which the methodology meets its stated objectives. Summer 1999 and Spring 2000.

6. **Quality Management**. "Quality of Care" has long been invoked as central to VA's obligation and commitment to veterans' care. Medicine, however, has yet to develop and refine reliable, comprehensive indicators for assessing the quality of care-delivery. While VA has long had organizational structures, process requirements, and policies in place designed to assure good quality care, quality management remains an ongoing challenge for any institution. The subcommittee will continue to review the record of compliance with such policies, and the risk that budget-driven decision-making could compromise quality management efforts. Summer 1999 and Summer 2000.

7. **VA Role in Long-term Care**. The VA, in response to longstanding concerns about the manner in which it would meet the needs of aging veterans, established an advisory committee on long-term care. That committee's report calls on VA to maintain, invigorate and reengineer VA-provided long-term care while expanding noninstitutional community-based care services. Through focused analysis and a hearing, the subcommittee will review the status of VA's nursing home and long-term care programs, and will study the advisory committee's findings and recommendations, as well as the many important questions its report raises. The subcommittee will also review the state home program, the role that program can play in meeting veterans' long-term care needs, and the need for any legislative changes to the program. Spring 1999 and Summer 2000.

8. **VA Specialized Medical Programs**. Public Law 104-262 requires VA to maintain its capacity to provide for the specialized needs of disabled veterans through such clinical programs as post-traumatic stress disorder care, prosthetics, and spinal cord injury care and rehabilitation. As a follow-up to the subcommittee's oversight into VA's adherence to this provision, Congress in Public Law 105-368 required VA to institute performance requirements for network directors to ensure compliance with the specialized program capacity law. The subcommittee will carry out further oversight regarding these programs, VA's establishment of such performance requirements, and their impact. Fall 1999 and Fall 2000.

9. **VA Pharmaceutical Procurement and Management.** With growing drug utilization in the VA, increasing numbers of VA patients, and high-cost breakthrough drugs coming to market, the Department's pharmaceutical spending is estimated to increase to $2 billion this fiscal year. As such, pharmaceuticals represent VA's largest single cost item other than personnel. Accordingly, the subcommittee will review issues associated with pharmaceutical procurement and benefits management. This will include the role of VA's pharmacy benefit in VA health care utilization, VA's drug formulary, opportunities for joint procurement with the Department of Defense, and VA's vulnerability to further price increases through efforts to expand access to the Federal Supply Schedule. Summer 1999 and Summer 2000.

10. **Infectious Disease Programs.** By virtue of its size and the number of at-risk patients who rely on VA medical care services, the VA has become an important source of care for some of the major infectious disease problems affecting the nation, including AIDS and tuberculosis. Based on prevalence studies at selected VA medical centers, Department officials have cited Hepatitis C as also having particular importance for the VA health care system. The subcommittee will assess what is known about the incidence and prevalence of this disease among VA patients, likely medical consequences, the Department's response, research efforts underway on this disease, and emerging treatments. Fall 1999.

11. **Effectiveness of VA Health Care Delivery for Persian Gulf Veterans.** In response to statute, VA is conducting two important clinical trials to determine effective health care treatments for the symptoms many Persian Gulf veterans have manifested that appear to be similar to chronic fatigue syndrome or fibromyalgia which occur in the general population. The first is assessing the benefits of antibiotic therapy; the second will determine the beneficial effects of exercise and cognitive behavioral therapy for this population. The subcommittee will review the results of these trials and ensure VA continues to identify effective strategies for improving health care delivery to Persian Gulf veterans. Summer 2000.

12. **Contracting for Medical Services.** With VA's downsizing of its hospital bed capacity and ongoing efforts to establish new points of health care access, the system has increased its reliance on contracting as a means of service-delivery. The subcommittee will review the extent of such contracting, the extent to which such arrangements employ good business practices and sound quality controls, and the impact of contracting-out care. Summer 2000.

13. **Status of VA/DoD Sharing of Health Resources**. Although provisions of law specifically encourage coordination and sharing of health care resources between VA and DoD health care facilities, there appear to be opportunities for greater collaboration, including those identified by the Report of the Congressional Commission on Servicemembers and Veterans Transition Assistance. The subcommittee will review the extent of VA/DoD sharing, opportunities for further expansion, and factors that have encouraged or impeded such initiatives. Summer 1999.

14. **VA Research Program**. The VA research program complements the Department's medical care mission. As a national research program aimed at improving the medical care and health of veterans, the program supports medical research, outcomes and health systems research, and prosthetics research and development. The subcommittee will review the program's contributions and goals, examine the appropriateness and balance among its component elements, assess the effectiveness of its peer review and patient safety mechanisms, and review the role of VA research corporations to enhance the program. Summer 2000.

Subcommittee on Benefits

1. **Veterans Benefits Administration Services to Veterans**. The Veterans Benefits Administration (VBA) administers programs for compensation and pension, vocational rehabilitation, education and training, home loan, survivors, and life insurance. About 3 million veterans and dependents actively use these programs annually. Funding for such programs and administration comprises over one-half of VA's total budget. Myriad challenges exist with respect to poor quality of claims decisions, a declining workforce, a declining workforce skill level, and an outdated benefits delivery process. A hearing will examine progress in addressing such challenges. Winter 1999 and Winter 2000.

2. **Veterans Employment: Military Occupational Specialties Requiring Civilian Licensing, Certification or Apprenticeship**. The civilian employment sector increasingly relies on various forms of credentialing to regulate entry into an occupation and to promote accountability for performance and public safety. More than one-third of enlisted military separatees work in military occupations that have civilian equivalents with credentialing requirements. A hearing will examine the role of the Departments of Veterans Affairs, Labor, and Defense in helping separating servicemembers and veterans meet credentialing requirements. Spring 1999.

3. **Veterans' Claims Adjudication Commission and National Academy of Public Administration Reports.** The Commission's December 1996 and the Academy's April 1997 reports to Congress made recommendations for improving veterans' benefits claims processing. A hearing will review VA's implementation of Commission and Academy recommendations through testimony from VA, veterans' service organizations, and other interested parties. Summer 1999.

4. **Veterans' Appeals of Benefit Claims.** The Board of Veterans' Appeals is the first forum for a veteran to appeal a VA decision on a claim for benefits. Although the Board is making demonstrable progress in its productivity, major issues still exist with respect to applying U.S. Court of Appeals for Veterans Claims precedents, current law, and VA regulations in appellate decisions. In addition, on average VA regional offices require 558 days to act on BVA-remanded cases. The subcommittee will review Board and regional office appellate operations, as informed by Government Performance and Results Act principles and customer service standards. Fall 1999.

5. **Memorial Affairs.** VA's department-wide strategic plan covers only a 5-year period – through the year 2003. The National Cemetery Administration (NCA) projects annual interments will increase over 40 percent between 1995 and 2010, and VA has not clearly articulated how it will meet the demand for burials through 2010. The subcommittee will review NCA plans to ensure that the Department is well prepared to meet the increasing workload which will result from the declining veteran population. Summer 1999.

6. **Veterans Entrepreneurship Opportunities.** Veterans should be accorded a full opportunity to participate in the economic system that their service sustains. The November 1998 report of the SBA Veterans' Affairs Task Force for Entrepreneurship and the Congressional Commission on Servicemembers and Veterans Transition Assistance each made numerous recommendations for improvements in both SBA and VA services to current and prospective veteran small business owners. The subcommittee will review SBA and VA implementations of Task Force and Commission recommendations. Spring 2000.

7. **Long-Term Residuals of Mustard Gas and Lewisite Exposure.** During World War II, the U.S. government used 60,000 U.S. servicemen as human subjects in secret tests to develop better methods of protecting U.S. forces against the use of mustard gas by our adversaries. Some testing was conducted in full-body gas chambers and focused on the development of protective clothing, which could prevent or lessen the severe blistering effects of mustard agents and Lewisite (an arsenic-containing agent). The subcommittee will examine implementation of Department of Defense and VA policy

to identify such individuals. It will further examine implementation of VA policy to assess their health status and award them disability compensation for long-term residuals on VA's presumptive list. Summer 2000.

8. **Ionizing Radiation**. VA provides medical treatment and compensation benefits to veterans suffering from exposure to ionizing radiation. The subcommittee plans to review the problems facing this category of veterans. Summer 2000.

9. **Persian Gulf War Veterans Benefits**. In the 105th Congress, two public laws identified plans to determine conditions and diseases that should be presumed service-connected for purposes of compensation. Some provisions of the two laws are contradictory and the bills have been referred to the Department of Justice for resolution. The subcommittee will monitor the Department of Justice guidance to the VA, the VA's external study into conditions for which service-connected compensation for veterans may be warranted, and how VA addresses other matters described in these laws. Winter 2000.

10. **Commission on Servicemembers and Veterans Transition Assistance**. In January 1999, the Commission released its findings and recommendations on the adequacy and effectiveness of benefits and programs for servicemembers and veterans in their transition and adjustment to civilian life. The Commission's review of benefits and services is the most comprehensive since the Omar Bradley Commission in 1955. A hearing will review implementation of Commission recommendations by the Departments of Veterans Affairs, Labor, and Defense, Small Business Administration, Office of Personnel Management, and state approving agencies. Summer 2000.

11. **Air Force Health Study (Ranch Hand)**. The study is a 20-year prospective epidemiological study of veterans of Operation Ranch Hand, the unit responsible for the aerial spraying of Agent Orange and other herbicides in Vietnam from 1961 to 1971. Study investigators report their progress and results annually to Congress and results are further reviewed and summarized bi-annually by the National Academy of Sciences. Congress has used previous study findings as a basis to provide compensation for spina bifida in children of Vietnam veterans. A hearing will review the study's annual submission and results to date, as presented by AFHS epidemiologists. Fall 1999.

12. **"Roadmap to Excellence"**. This May 1998 document is the Veterans Benefits Administration's plan for reforming itself, so as to regain its focus and accomplish its

mission. The plan expresses VBA's commitment to important changes in its organizational structure, workflow, job design, and relationship with veterans and their representatives. The subcommittee will determine VBA's progress, as measured against VBA's published activities and milestones. Summer 2000.

Subcommittee on Oversight and Investigations

1. **Facilities Management**. The VA health care system, with its 172 hospitals, 439 outpatient clinics, 131 nursing homes and 40 domiciliaries, operates a multitude of support services for its facilities and the veterans they serve. The subcommittee will examine how efficiently and effectively the VA provides services, including the following areas: food service, institutional laundries, staff housing, biomedical equipment repair, engineering, energy savings performance contracting, janitorial services, waste management, fire protection, security and training. Summer 2000.

2. **Medical Resources Contracts**. The Veterans Health Administration (VHA) is authorized under Public Law 104-262 to non-competitively contract with affiliated medical schools for medical services such as radiological imaging, laboratory services, nursing support services, scarce medical specialty care, medical examinations and consultations. The subcommittee will review the Department's efforts to ensure that such contracts follow recently adopted pricing guidelines. Summer 1999.

3. **Realignment of the VA Health Care System**. The subcommittee in conjunction with the Subcommittee on Health will review VA's long-term strategy to reorganize and restructure its health care delivery system. The subcommittee will also examine opportunities for the Departments of Defense and VA to partner in delivering health care to the men and women who serve or have served in uniform. Spring 2000.

4. **Patient Safety**. The VA health care system continues to operate without a centralized or regional reporting system to track "sentinel" events in patient care. Reports of patient deaths and serious lapses in quality health care delivery raise concerns about the adequacy of quality assurance and quality management programs to correct, reduce or prevent potentially serious incidents. The subcommittee will continue its review of the investigation and forensic laboratory work of the Federal Bureau of Investigation concerning the 1992 veteran deaths that occurred at the Harry S Truman VA Medical Center, Columbia, MO. The subcommittee will also review VHA's practices regarding autopsies. Winter 1999.

5. **Information Technology**. VA's information technology programs will spend over $1 billion on software, hardware and contractor support in 1999. The subcommittee will review VA's information technology programs and VA's progress in its computer-based Decision Support System and Master Veteran Record, VETSNET, Year 2000 preparations and other computer modernization. Summer 1999.

6. **Whistleblowing in the VA**. The subcommittee will examine the VA's policies and protections for employees who have claimed or been granted whistleblower status as well as for employees who have filed various types of complaints or claims against the Department. The subcommittee will investigate allegations of retaliation and violations of confidentiality by the Department. Winter 1999.

7. **Central Alabama Veterans Health Care System and Accountability within VHA**. The subcommittee will continue to follow-up the Department's actions to implement corrections and hold responsible officials accountable regarding the VA Office of Inspector General's findings of serious health care deficiencies, mismanagement, misconduct and prohibited personnel practices in the Central Alabama Veterans Health Care System. The subcommittee will also review accountability of management within VHA generally. The subcommittee will continue to monitor the integration of the Montgomery and Tuskegee VA Medical Centers, and VA medical facility mergers nationwide. Spring 1999 and Fall 1999.

8. **Office of Resolution Management**. The subcommittee will examine the effectiveness of the VA's EEO complaint resolution system administered by the newly established Office of Resolution Management. The subcommittee will review the new system for timeliness, fairness, integrity, trust and independence from VA management in handling claims and appeals. Spring 1999 and Spring 2000.

9. **Civilian Health and Medical Programs of the Department of Veterans Affairs**. There are approximately 80,000 beneficiaries of the CHAMPVA program who generate over 800,000 medical claims. Current annual program expenditures are in excess of $93 million and claims total $85.1 million. The subcommittee will review the effectiveness of program management controls for duplicate claims payments, eligibility verification, and recovery of fraudulent claims payments. Spring 1999.

10. **Office of Inspector General**. The subcommittee will review the five-year strategic plan of the Office of the Inspector General (OIG). The review will include organizational structure, staffing, investigative protocols, responsiveness to congressional inquiries and management of hotline inquiries. Summer 1999.

11. **Procurement Management**. The subcommittee will review VA's overall procurement process. The review will include: efficiencies of the National Acquisition Center; initiatives in electronic commerce; centralized acquisitions; pharmaceutical, medical and surgical supply procurement; performance based contracting; and other acquisition streamlining. Further, the subcommittee will review instances of vendor overcharges and contractor fraud, and departmental measures instituted to deter future incidents. The subcommittee will also review the backlog of capital medical equipment and VA's acquisition strategy for reducing the backlog. Winter 2000.

12. **Medical Care Collections Fund**. VA collects over $500 million per year from third party insurers for medical care provided to veterans with health care insurance. The subcommittee will review the efficiency and effectiveness of the VA's collection process. The review will focus on collection procedures, cost of collections and the adequacy of billing rates based on the quantity and cost of care provided to veterans. Spring 1999.

13. **Workers Compensation Claims by VA Employees**. In 1995, a pilot program was initiated by OIG and VHA to identify VA employees who were fraudulently receiving workers compensation benefits. Because of the success of the pilot program, OIG and VHA expanded their investigative and audit efforts. The subcommittee will review the incidence of such fraudulent claims at VA as well as the efforts to detect and deter their occurrence. Spring 1999.

14. **Inappropriate Benefits Payments.** Based on results of OIG audits, the Veterans Benefits Administration should develop and implement effective methods to identify inappropriate compensation and pension benefit payments. For example, VBA should improve procedures for offsetting disability compensation payments to active military reservists. The subcommittee will review VBA's efforts to implement procedures to timely identify deceased beneficiaries and terminate their compensation and pension benefits in order to reduce overpayments. Spring 1999.

15. **Government Performance and Results Act.** The Government Performance and Results Act (Results Act) requires federal agencies to report performance outcomes annually to Congress. VA has numerous automated data collection systems in order to report the Results Act's objectives. Prior OIG audits have found unreliable data in VA's financial and management systems. The subcommittee will continue its oversight of the VA's compliance with the Results Act, including program evaluations, performance plans and strategic planning department-wide. Fall 1999 and Fall 2000.

16. **Veterans' Vocational Rehabilitation Benefits and Employment.** Subcommittee oversight activity will include review of the following programs: Transition Assistance Programs, Disabled Transition Assistance Programs, vocational rehabilitation programs at VA and veterans' employment and training programs at the Department of Labor. The extent of coordination among these programs will be part of the oversight review. Pertinent recommendations of the Commission on Servicemembers and Veterans Transition Assistance will be considered. Spring 2000.

17. **VBA Business Process Reengineering**. Subcommittee oversight will include review of VBA's business process reengineering efforts for improving claims and appeals processing, and quality management. Government Performance and Results Act requirements, and recommendations of both the National Academy on Public Administration Analysis of Claims Processing and the Veterans' Claims Adjudication Commission will be considered. Winter 2000.

18. **Arlington National Cemetery Burial Waivers**. The subcommittee will complete the investigation of burial waivers for Ambassador M. Larry Lawrence and Dr. C. Everett Koop which were begun in the previous Congress, and will examine administrative and eligibility issues regarding the cemetery. Spring 1999.

19. **Case Narratives on Persian Gulf War Veterans**. The Department of Defense Office of the Special Assistant on Gulf War Illnesses (OSAGWI) has developed a series of case narratives to ascertain the likelihood of certain biochemical and environmental exposures in the Persian Gulf. In only one of the many cases reviewed has the office deemed an exposure "likely." The subcommittee will continue to review the standards and protocols OSAGWI has implemented for these case narratives to ensure that the process is thorough and fair to veterans who may have been exposed to hazardous materials during their service in Southwest Asia. Summer 1999.

20. **Departmental Travel and Videoconferencing**. The subcommittee will review the VA's travel requests and expenditures for recent budget cycles, including whether the VA has adequate internal controls for approval of official travel. The subcommittee will also examine the VA's use of videoconferencing for hearings, conferencing and training. Winter 1999 and Fall 1999.

ONE HUNDRED SIXTH CONGRESS
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COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515–6348

February 11, 1999

The Honorable Dan Burton
Chairman
Committee on Government Reform
2157 Rayburn HOB
Washington, D.C. 20515

The Honorable William M. Thomas
Chairman
Committee on House Administration
1309 Longworth HOB
Washington, D.C. 20515

Dear Chairman Burton and Chairman Thomas:

In accordance with the requirements of Clause 2 of Rule X of the rules of the House of Representatives, the following is a list of oversight hearings and other oversight-related activities which the Committee on Ways and Means and its subcommittees plan to conduct during the 106th Congress. The list has been broken down by Subcommittee, and follows an order in which the listed activities are likely to occur. This list is not intended to be exclusive; the Committee anticipates that additional oversight activities will be scheduled as issues arise and/or as time permits.

Full Committee

1. Social Security Trust Fund solvency issues. The Committee will continue to hold hearings to examine various issues affecting the well-being of individual recipients and the long-term solvency of the Social Security Trust Funds.

2. Tax Proposals in Administration's Fiscal Year 2000 Budget. The Full Committee will hold a series of hearings beginning February 14, 1999, to examine the tax proposals in the Administration's Fiscal Year 2000 budget.

3. Fundamental Tax Reform. The Full Committee will continue to examine the impact of replacing the current income tax system with a broad-based consumption tax.

4. Y2K Computer Conversion Efforts. The Full Committee will hold a hearing on February 24, 1999, to review the Y2K conversion efforts and contingency plans of

agencies within the jurisdiction of the Committee. The goal of the hearing is to determine whether the agencies have adequate financial and personnel resources and are taking appropriate measures to ensure (1) services to program beneficiaries, and (2) that taxpayers will not be disrupted in the new year.

Subcommittee on Oversight

1. Taxpayer Advocate Report. The Subcommittee held a hearing on February 10, 1999, to examine the third annual report of the Internal Revenue Service (IRS) Taxpayer Advocate to the tax-writing committees. In this report, which was mandated by the Taxpayer Bill of Rights 2 ("TBOR2"), the Taxpayer Advocate identifies initiatives undertaken to improve taxpayer services and IRS responsiveness and provides recommendations from the Problem Resolution Officers in IRS District Offices as to how to resolve problems which taxpayers experience in their dealings with the IRS.

2. Y2K Computer Conversion Efforts. The Subcommittee held two hearings in the 105th Congress and issued a report to review the Y2K conversion efforts and contingency plans of agencies within the jurisdiction of the Committee. Following a Full Committee hearing in February of this year, additional hearings in the Oversight Subcommittee may be scheduled as needed.

3. Steel Trade. In consultation with the Trade Subcommittee, the Oversight Subcommittee will review the President's January 1999 *Report to the Congress on a Comprehensive Plan for Responding to the Increase in Steel Imports*, and determine whether existing tax and trade laws (and relief for workers) are adequate in light of the recent increase in steel imports.

4. Domestic Oil and Gas Industry. The Subcommittee will review the impact of current tax and trade policies on the domestic oil and gas industry, with an emphasis on the impact of world oil prices on small, independent producers.

5. Tax Code Compliance Burden. The Subcommittee held a hearing in the 105th Congress on the compliance burden of the Internal Revenue Code for individual taxpayers and small businesses. The Subcommittee will continue this review of individual tax simplification issues such as the alternative minimum tax, family credits, and the capital gains tax, as well as small business issues such as expensing limits.

6. IRS Fiscal Year 2000 Budget/1999 Tax Return Filing Season. The Subcommittee will hold a hearing in March or April to review the Administration's request for the IRS FY 2000 budget and the status of the 1999 tax return filing season. Among other things,

the Subcommittee will review how the IRS is improving customer service, how it is implementing recent changes in the tax law, and how it is progressing to modernize its computer systems to handle a growing workload as well as the century date change. Information developed at the hearing will be used as background for preparing the full Committee's recommendations to the Appropriations Committee regarding funding priorities for the IRS for FY 2000.

7. Structured Settlements. The Subcommittee will hold a hearing on the tax rules that govern the use of structured settlements and the recent growth in transactions in which the recipients of structured settlements sell off future payments to factoring companies in exchange for discounted lump sum payments.

8. Pension Policy. The Subcommittee will continue to review the pension tax law and explore ways in which it might be simplified and improved. The Subcommittee will examine employer coverage and employee participation issues, particularly for low-income and part-time workers, women and others who may not be adequately served by current law. The Subcommittee will also explore ways to remove burdensome regulatory requirements, improve the level of benefits that workers may accrue toward their retirement, and improve the portability of pension benefits by removing artificial barriers which prevent workers from rolling over their benefits among pension plans.

9. Most Serious Management Problems. The Subcommittee will hold a hearing to receive testimony from the U.S. General Accounting Office (GAO) and the Inspectors General regarding high risk programs (i.e., programs vulnerable to waste, fraud, or abuse) within the Committee's jurisdiction. The information obtained at this hearing about high risk programs (e.g., security of information systems, and implementation of a variety of Medicare cost-saving improvements; Medicare claims fraud, IRS Accounts Receivable, Social Security Administration overpayments) will lay the groundwork for additional oversight activities in the 106th Congress.

10. Oversight of the U.S. Customs Service. In consultation with the Trade Subcommittee, the Oversight Subcommittee will review the Customs Service's operations, including efforts to upgrade computer systems, interdict illegal narcotics at the southern and northern borders, comply with the Customs Modernization Act, and implement the Results Act.

11. International Tax Law. The Subcommittee will hold a hearing to review the complexity of provisions of international tax law which have widespread application, with a focus on the need for simplification.

12. Implementation of IRS Restructuring and Reform. The 105th Congress passed the landmark IRS Restructuring and Reform Act of 1998, which contains numerous taxpayer protections, as part of its Taxpayer Bill of Rights 3 title. The Act also includes significant IRS organizational changes. The Subcommittee will review the implementation of the new law, as well as the "tax gap," focusing on the major categories of noncompliant filers, and consider ways to improve compliance where noncompliance rates and revenue losses are the greatest.

13. Public - Private Worker Training Partnerships. The Subcommittee will review whether current law tax incentives are adequate for providing worker retraining, basic and high-tech training, and educational opportunities, including an assessment of successful programs and areas where the tax rules might be strengthened.

14. Internet Commerce. The Subcommittee will examine tax issues related to commerce over the Internet.

15. Urban Revitalization and Land Use. The Subcommittee will continue its review of the impact of tax rules on urban problems and land use, including effectiveness of the Low Income Housing Tax Credit, the Work Opportunity Tax Credit, and EZ/EC programs, Brownfields, as well as urban sprawl issues.

16. Global Warming. The Subcommittee will review the adequacy of current law tax incentives in encouraging global climate change research to follow up on the full Committee's hearing on the fiscal year 2000 budget.

17. Penalty and Interest Reform. The latest comprehensive revision of the overall penalty structure in the Internal Revenue Code was enacted as part of the Omnibus Reconciliation Act of 1989. The IRS Restructuring and Reform Act of 1998 requires the Joint Committee on Taxation and the Treasury Department to conduct separate studies, due no later than July 22, 1999, reviewing the interest and penalty provisions of the Code and making recommendations for administrative and legislative changes. The Subcommittee will review the studies and assess the recommendations.

18. Taxpayer Information Privacy. The Internal Revenue Code prohibits disclosure of tax returns and taxpayer information, except as specifically authorized by the Code. These provisions have been amended in a piecemeal fashion since a major revision in 1976. The IRS Restructuring and Reform Act of 1998 requires the Joint Committee on Taxation and the Treasury Department to conduct separate studies, due no later than January 22, 2000, on provisions regarding taxpayer confidentiality. The Subcommittee will review the reports when they are issued.

19. Field Investigations and Hearings. The Subcommittee will conduct such field investigations and hearings as Committee staffing and budget resources permit, and as are necessary for purposes of evaluating the effectiveness of and compliance with the programs and laws under the jurisdiction of the Committee on Ways and Means.

Subcommittee on Trade

1. African Growth and Opportunity Act. The Subcommittee will hold a hearing on February 3 to consider the U.S. trade relationship with Africa and legislation recently introduced by Chairman Crane, Mr. Rangel, and Mr. McDermott.

2. Bilateral, Regional, and Multilateral Trade Negotiations. The Subcommittee will hold a series of hearings, beginning in February, concerning the content and strategy of trade negotiations in which the United States is participating, including the World Trade Organization Ministerial Meeting to be held in Seattle, the Asia Pacific Economic Cooperation Forum, and the negotiations on the Free Trade of the Americas Agreement. In addition, the Subcommittee will examine the prospects for further bilateral trade negotiations, including Europe, Chile, New Zealand, Australia, Singapore, and others. The Subcommittee will address the identification of U.S. priority negotiating objectives for these negotiations. The Subcommittee also intends to analyze the relationship of such negotiations to trade negotiating authority ("fast track"), particularly whether the United States is disadvantaged in these negotiations without having such authority in place. Finally, the Subcommittee will study the impact that trade agreements have on U.S. companies, farmers, workers, and others.

3. Steel Trade. The Subcommittee, with the participation of interested members of the Oversight Subcommittee, will hold a hearing in early March to address the recent increase in imports of steel including its causes and its effects on U.S. companies and workers. In addition, the Subcommittee will examine legislative and other proposals regarding steel in order to determine their consistency with the letter and spirit of the WTO, their impact on trade practices of U.S. trading partners, and their effect on the U.S. steel industry, its workers, U.S. consumers, U.S. exporters, and U.S. industrial users.

4. Authorizations for USTR, Customs, and the International Trade Commission. In March, the Subcommittee will hold a hearing to consider biannual authorizations of these agencies, as provided by statute; the Subcommittee also reviews annually the parts of the budgets of other agencies that have functions within Ways and Means oversight jurisdiction, such as the Commerce Department, State Department (payments to international organizations), etc.

5. Customs Automation and the International Trade Data System (ITDS). In March, in cooperation with the Oversight Subcommittee, the Subcommittee will hold a hearing both on Customs automation efforts and on the ITDS, a program that the Administration is proposing to serve as a single point of interaction between the U.S. Government and the trade community for the collection of revenue, including duties, related to international trade activities and information required by U.S. trade laws.

6. Trade Remedies. The Subcommittee will hold a hearing in the spring to review the application of the new Commerce antidumping and countervailing duty regulations and to review application of "sunset" procedures. In addition, the Subcommittee will focus on how the antidumping, countervailing duty, and safeguard laws benefit particular industries and will address the consistency of remedies with WTO obligations. Finally, the Subcommittee will also continue to review the effect of antidumping orders on downstream users, especially the lack of availability to users of products subject to these orders.

7. The World Trade Organization (WTO). Between now and November, the Subcommittee intends to hold a hearing and a series of consultations with the Administration on U.S. objectives for the WTO Ministerial meeting, which will be hosted by the United States. The Subcommittee and Committee expect to develop a U.S. agenda for the Ministerial together with the Administration through the process of consultations noted. Particular focus will be paid to areas in which the WTO needs to be deepened, broadened or improved, including with respect to next steps in agricultural trade, services trade, industrial tariffs, TRIPS, and addressing informal barriers to trade. The Subcommittee will also continually review ongoing trade negotiations within the WTO, including negotiations of accessions (particularly China and Russia). The Subcommittee will also examine the WTO dispute resolution system in order to assess the formal WTO review of the system and issues relating to the operation of the system in cases of interest to the United States. Finally, the Subcommittee will focus on the operation of key agreements in areas of greatest interest to the United States.

8. Unilateral Trade Sanctions. The Subcommittee intends to continue its review of the use of unilateral trade sanctions to enforce non-trade goals and whether a process should be established with guidelines for the use of such sanctions.

9. Trade Deficit Review Commission. The Subcommittee will review the findings of the Trade Deficit Review Commission and study the impact of the current account deficit on the U.S. economy.

10. Caribbean Basin Trade Security Act. Particularly in light of the severe devastation and economic dislocation wrought on Central America as a result of recent hurricanes, the Subcommittee intends to continue its oversight concerning efforts to achieve NAFTA parity for the nations of the Caribbean Basin.

11. Customs drug interdiction efforts. In cooperation with the Oversight Subcommittee, the Subcommittee will review Customs' current drug interdiction efforts to analyze their effectiveness and impact on business facilitation functions; determine whether additional authorizations are appropriate for drug interdiction efforts; study whether rotation policy should be changed to improve interdiction efforts; examine the impact of collective bargaining agreements and union grievances on drug interdiction efforts.

12. Extension of the GSP program. The current program of tariff assistance to developing countries will expire on July 1, 1999. The Subcommittee will likely consider whether it should be renewed for short time periods (and paid for under the budget rules) or for a longer duration.

13. China's normal trade relations (NTR) status. The annual renewal process of China's NTR status under the Jackson-Vanik provisions of law begin each June with a Presidential determination of what the status should be for the upcoming year. The Subcommittee will examine the President's determinations in 1999 and 2000.

14. Trade relations with Europe. The Subcommittee will review implementation by Europe of WTO panel rulings (bananas and beef hormones); review negotiations with Europe as part of the Transatlantic Economic Partnership and the Transatlantic Business Dialogue.

15. Trade Relations with Japan. The Subcommittee will continue its oversight of U.S.-Japan trade relations, including: (1) operation of sectoral bilateral agreements (in particular, the U.S.-Japan bilateral agreement on insurance); (2) U.S.-Japan trade relations under the Uruguay Round agreements; (3) ability of WTO rules and dispute procedures to address opaque forms of protection still operating in Japan's market; and (4) importance of deregulation and market access in Japan to hastening recovery of Asia from its financial crisis.

16. Normal Trade Relations with the Kyrgyz Republic. The Subcommittee will examine whether to authorize the President to determine that the Jackson-Vanik amendment to title IV of the Trade Act of 1974 should no longer apply to the Kyrgyz Republic and to extend unconditional normal trade relations to that country.

17. Normal Trade Relations with the Lao People's Democratic Republic. The Subcommittee will consider whether to extend normal trade relations to the Lao People's Democratic Republic upon publication of a Federal Register notice that a bilateral commercial agreement between the United States and the Lao People's Democratic Republic has entered into force.

18. Jackson-Vanik Waiver for Vietnam. The annual review process of Vietnam's Jackson-Vanik waiver will begin in June with a Presidential determination of what that country's status should be for the upcoming year. If a resolution of disapproval is introduced with respect to the President's determination, the Subcommittee will consider that issue. In addition, the Subcommittee will review the status of the ongoing bilateral commercial agreement negotiations with Vietnam, which must be concluded and the results approved by Congress before an extension of normal trade relations to Vietnam can take place.

19. Trade Adjustment Assistance (TAA). The Subcommittee will consider whether an extension of the general TAA programs for workers and firms, as well as the NAFTA-related TAA programs, is appropriate beyond the current expiration on June 30, 1999. In this context, the Subcommittee may also consider ways in which trade adjustment assistance programs can be improved to ensure that they are as effective as possible in enabling workers and firms to adjust rapidly to dynamic economic changes that occur as a result of the increasing importance of trade to the U.S. economy.

20. Rules of origin and country of origin marking. The Subcommittee will review and continue to consult with the Administration and the trade community on the status of the rules of origin negotiations underway in the World Customs Organization; updating rules of origin and country of origin marking to implement those negotiations so they reflect current business production, sales, and distribution practices; review whether U.S. law and practices are effective in preventing unlawful transhipment; review labeling requirements of U.S. trading partners with respect to meat and fresh produce.

21. Miscellaneous reforms of U.S. Customs laws and practices. In cooperation with the Oversight Subcommittee, the Subcommittee will continue its oversight and review of customs laws, regulations and practices to ensure that they are not creating an unnecessary burden and cost to U.S. users (including turn-around time for ruling letter and decisions relating to detained and seized merchandise); reform overtime and premium pay for Customs inspectors; verification of Customs operational enhancement; review the relationship of the Customs user fee and the actual cost to Customs of the services provided; and conduct oversight hearings of Customs on various issues including Customs progress in implementing regulations and Customs practices under the Customs Modernization Act. In addition, the Subcommittee will work closely with the Senate Committee on Finance in its oversight efforts.

Subcommittee on Health

1. Management of the Health Care Financing Administration. The Subcommittee will hold a hearing on February 11th to examine and evaluate the management of the Health Care Financing Administration (HCFA).

2. MedPAC Report and Recommendations. The Subcommittee will hold a hearing on the Medicare Payment Advisory Committee's (MedPAC's) 1999 recommendations to Congress regarding Medicare policies. Each year, MedPAC's panel of health care experts provides recommendations to Congress and its Committees with jurisdiction over the program.

3. Medicare+Choice Program. The Subcommittee will hold a hearing in March to examine the Administration's implementation of the Medicare+Choice program. In particular, the Subcommittee will examine the risk adjuster, the payment rates, the timing of the plans applications, and the impact of the regulations on plan participation.

4. Health Care Costs and the Uninsured. The Subcommittee will hold a hearing in March to examine health care costs and the uninsured. In particular, the hearing will examine the factors affecting health care cost growth and the impact of the rising costs on premiums and the number of uninsured.

5. Health Care Quality. The Subcommittee will hold a hearing in early Spring to examine health care quality issues. The hearing will examine changes in the health care marketplace reflecting consumer concerns.

6. Graduate Medical Education and Other Special Payments. The Subcommittee will hold a hearing during the late Spring on Medicare Graduate Medical Education payments, Disproportionate Share hospital adjustments and other special payments.

7. Development of Prospective Payment Systems. The Subcommittee will hold a hearing during late Spring to examine the Administration's development of several prospective payment systems. The Balanced Budget Act required the Secretary of Health and Human Services to move from cost-based reimbursement to prospective payment systems. The hearing will take a close look at the progress on these systems.

8. Other Issues. Further hearings will be scheduled as time permits to examine certain additional aspects of Medicare program management.

Subcommittee on Human Resources

1. Welfare Reform. The Subcommittee will conduct a series of hearings to examine the impacts of the 1996 welfare reform law. The Subcommittee intends to examine the impacts of reform on female labor force participation, especially among never-married mothers, as well as the impacts on poverty among all children and among inner-city children in particular. The Subcommittee will also examine the coordination between the welfare-to-work programs being mounted by states and the labor market services provided by both the U.S. Employment Service and the various work programs associated with the Workforce Investment Act passed by Congress in 1998.

2. Child Care. Given the dramatic movement of welfare mothers into the work force, child care has become an important issue in the States. The 1996 welfare reform law substantially reformed child care, primarily by terminating many disparate programs and combining most federal requirements into one simplified child care program. Total federal funding to States was increased by about $4 billion over 6 years. The Subcommittee will examine whether States are experiencing problems with the availability, cost, or quality of child care, focusing especially on whether States are using all the federal funds available to them for child care.

3. Child Support Enforcement. One of the most important provisions of the 1996 welfare reform law was the reform of the nation's child support enforcement program. Many of these reforms have now been implemented by States; the Subcommittee will examine the impacts of these reforms in a series of hearings. The major reforms under review will be the effects of the new hire tracking system, the effectiveness of the State Disbursement Units that handle payments, and the impacts of the new enforcement tools provided to states. In addition, the Subcommittee will explore issues of interstate child support enforcement and the possibility of more involvement of the private sector in collecting child support.

4. Supplemental Security Income (SSI). For the past several years, the General Accounting Office has kept the SSI program on its list of programs at high risk of waste, fraud, and abuse. The Subcommittee expects to report legislation on this topic shortly.

5. Child Protection. In November of last year, the Administration published regulations that outlined a proposed system of federal oversight of state child protection programs. The Subcommittee will conduct a hearing on these regulations and may introduce legislation aimed at strengthening the regulations. In addition, the Subcommittee will hold hearings to examine how state child protection programs are financed, with special attention to whether federal funds provide states with adequate flexibility. Finally, the Subcommittee will conduct a hearing on the problems faced by adolescents who are aging out of foster care. Several studies have suggested that these children are at increased risk of unemployment, poverty, homelessness, and welfare dependency. The Subcommittee will explore whether States and local governments have developed good programs to address these problems.

6. Unemployment Insurance. Following up on a hearing conducted last year, the Subcommittee will conduct a series of hearings on the nation's unemployment insurance system. Several issues, including comprehensive reform proposals that would increase state flexibility in designing and administering the unemployment insurance program, will be examined in these hearings.

7. Nonmarital Births. A major goal of the 1996 welfare reform law was to reduce the incidence of nonmarital births. The Subcommittee will conduct one or more hearings to study progress toward the goal of reducing births outside marriage, especially among teenagers. The Subcommittee will focus special attention on explanations for the reduction in nonmarital births in recent years, the first decline in a generation.

Subcommittee on Social Security

1. Social Security Trust Fund solvency issues. The Subcommittee will hold a series of hearings beginning in February 1999 to examine various issues affecting the well-being of individual recipients and the long-term solvency of the Social Security Trust Funds. In addition, the Subcommittee will examine specific Social Security reform proposals and the experiences of other countries in making reforms to their retirement insurance programs.

2. Disability program reform and oversight. The Subcommittee will hold an early hearing on the Social Security Disability Insurance (DI) program reforms designed to assist individuals with disabilities in returning to the workforce. In addition, the Subcommittee will conduct several hearings related to the solvency of the DI program, which is projected to become insolvent in 2019. The Subcommittee will focus oversight hearings on: the disability appeals process; SSA progress in redesigning the disability determination claims process to cut costs and improve public service; and a comprehensive review of the purpose, effectiveness, and progressivity of the disability program as it enters the 21st century.

3. Social Security Administration (SSA) management of information technology. The Subcommittee will conduct an oversight hearing on SSA's year-2000 information systems readiness, and the status of SSA's efforts to implement its new modernized information systems infrastructure, to improve its software development process, and to deliver service over the Internet.

4. Waste, fraud, and abuse in Social Security programs. The Subcommittee will conduct oversight to assess the degree of waste, fraud, and abuse in Social Security programs and to explore legislative remedies.

5. Use of the Social Security number. The Subcommittee will examine the use of the Social Security number as an identifier, including the extent of its use by government and private entities, and the impact of restricting its use in keeping with privacy and other concerns.

6. Service delivery. The Subcommittee will continue its ongoing oversight of SSA's service delivery with particular focus on plans to address the service needs of aging baby boomers.

Sincerely,

Bill Archer
Chairman