

[COMMITTEE PRINT]

104th Congress  
1st Session

HOUSE OF REPRESENTATIVES

OVERSIGHT PLANS  
FOR ALL  
HOUSE COMMITTEES  
WITH ACCOMPANYING RECOMMENDATIONS  
BY THE  
COMMITTEE ON GOVERNMENT REFORM  
AND OVERSIGHT  
HOUSE OF REPRESENTATIVES  
(Required by Clause 2 of House Rule XI)



MARCH 1995

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Oversight

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WASHINGTON : 1995

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**LETTER OF TRANSMITTAL**

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HOUSE OF REPRESENTATIVES,  
*Washington, DC, March 31, 1995.*

Hon. NEWT GINGRICH,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER:

In accordance with Rule X(2)(d) 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.

WILLIAM F. CLINGER, Jr., *Chairman.*



**RECOMMENDATIONS OF THE  
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT  
Oversight Plans of the Committees of the House**

Collectively, the Committee oversight plans cover a wide array of federal programs and management issues. The challenges of dealing with the serious, pervasive problems that continue to impede effective management and efficient program delivery is formidable.

A major breakthrough in prospects for improving federal management, as well as Congressional oversight of federal programs, has been provided by two recent laws--the Chief Financial Officers Act and Government Performance and Results Act. Together, these acts provide a framework necessary to help achieve improved government accountability and stewardship and to lower costs by focusing on results. The Congress framed it this way: Set goals, operate programs, and measure results using reliable financial and management information.

While these acts are still in the process of being implemented, efforts already completed or underway in response to both acts offer committees a valuable source of information and insight into the management problems and issues. These include issues that impact individual programs, as well as those that cut across agency programs and organizational boundaries.

The committees of the House should: (1) conduct oversight to ensure that these statutes are being aggressively implemented, and (2) use the information produced by the implementation of these statutes and the General Accounting Office's (GAO) high risk list to assess the management weaknesses in the agencies within their jurisdiction.

**Chief Financial Officers Act**

One of the underlying historical impediments to better management of government programs has been the lack of reliable financial information. With passage of the CFO act, the Congress has said that this must change and change quickly. The long-needed fiscal accountability that the act is designed to bring about is essential to effective program management and congressional oversight.

Agencies, which represent organizations larger than the nation's largest private corporations, have typically not been able to perform even the most rudimentary bookkeeping functions. Agency financial management systems are badly deteriorated--OMB reports that most do not meet standards--and almost all agencies have been unable to pass the test of an independent financial statement audit.

A primary element of the Chief Financial Officers Act, as expanded by the Government Management Reform Act of 1994, is the requirement for all 24 major agencies to have audited financial statements. (The act also calls for governmentwide financial statements, audited by GAO, by fiscal year 1997.) Also, agencies must now have

- financial information that is linked with program and budget data for use in both management control and planning;
- reports on program cost trends and other performance indicators from which managers can make informed decisions on running government operations effectively and efficiently

Since passage of the initial legislation in 1990, the CFO Act has already provided:

- significantly more accurate information on the government's financial status and operations, as well as an understanding of how unreliable the financial information being provided to the Congress and program managers has been;
- a better understanding of the pervasiveness of management control problems; and
- substantial savings from recoveries and better use of funds.

Annual financial statement audits, which are done by the agency Inspectors General (IGs) or by GAO, continue to provide valuable information on the results of program operations and the current financial condition of agencies. This information can be of great use to committees in their oversight efforts. Audits, for example, have identified

- Despite over \$400 billion in adjustments needed to correct errors in Defense's financial data over the last 3 years, Defense is still unable to render an accurate accounting of its hundreds of billions of dollars in assets. This unreliable data has traditionally served as the basis for Defense's reports to the Congress.
- Duplicate, erroneous, and even fraudulent payments to Defense contractors totalling billions of dollars.
- Unneeded Defense inventories of almost \$40 billion.
- The IRS being unable to effectively collect or accurately account for \$1.25 in annual revenues; audits show that only a fraction of over \$100 billion in

recorded tax receivables was collectible.

GAO's ongoing financial audit work includes the IRS, the Bank Insurance Fund, the Resolution Trust Corporation, and the Pension Benefit Guaranty Corporation, all for fiscal year 1994, and the Department of the Navy for fiscal year 1995. IGs are conducting (in some instances with contracted assistance from accounting firms) fiscal year 1994 audits in the Departments of Education, HHS, Army, Air Force, NASA, Veterans Affairs, EPA, Labor, Agriculture, HUD, Interior, and other agencies. Results of fiscal year 1994 audits are scheduled to be available between April and July of this year.

### **Government Performance and Results Act**

Effective implementation of the Chief Financial Officers Act is also a vital element to the success of the Government Performance and Results Act (GPRA). GPRA seeks to change the focus of federal management and accountability from a preoccupation with inputs, such as the amount of program appropriations, to measured results and outcomes of federal programs. Successful implementation of the act will help address the question: What are the American people getting for their investment in the federal government? Information on performance in relation to agency goals can also be helpful to the Congress.

Experiences of state governments and foreign countries that are leaders in public management show that GPRA's three key elements--strategic planning, performance measurement, and public reporting and accountability--could influence the basic culture of the government so that is more results-oriented. Accurate results-oriented information will greatly assist the Congress in its efforts to oversee current programs and in making informed decisions for the future.

But making the major changes in the way federal agencies are managed and held accountable called for under GPRA will require agencies to develop the capacity to manage for results. This will not be accomplished quickly or easily. Therefore, the act's provisions are being phased in with a series of pilot projects over the next several years.

Already, 70 pilots have been designated ranging in size from small programs to entire agencies, including the IRS, SSA, and the Defense Logistics Agency. As agencies implement the act, oversight committees should have opportunities to work with agencies in improving performance by providing managers freedom to experiment and find innovative ways to improve program results, while increasing accountability for achieving those results.

GAO is required to report to the Congress on agencies' implementation of the act. Currently, it is monitoring governmentwide implementation, and is conducting more comprehensive assessments at selected agencies, including IRS and Justice. GAO plans a report on initial GPRA implementation efforts in early 1996, with a more comprehensive report on the act in 1997. These reports should provide useful information on progress agencies are making in efforts to change the way they manage.

### **GAO's High-Program**

Since 1990, GAO has conducted an effort to review and report on federal program areas it considered high-risk because they were especially vulnerable to waste, fraud, abuse and mismanagement. This effort, which has been strongly supported by this committee, has brought much needed focus to problems that were costing the government billions of dollars. All of these are covered in various committee oversight plans.

The added attention provided by GAO's special effort has had clear impact. Longstanding problems have been more fully defined and the root causes for many problem areas have now been identified. Actions taken to date by the agency and/or the Congress have resulted in progress in most areas remaining on GAO's high-risk list. Other needed actions also have been identified.

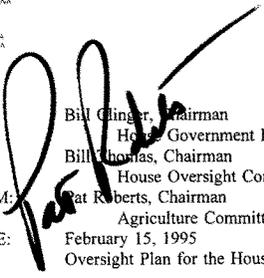
Last month, GAO issued a series of reports which updated the status of areas in its high risk program. Of the 18 areas on GAO's high-risk list, 5 areas were removed because of progress made. Also, 7 new areas were added to GAO's list, bringing to 20 the areas it is now focusing on (a listing of these 20 areas, which fall in 6 broad categories, is attached).

Additional information in this series of reports should be of help to committees planning oversight efforts. Also, GAO is available to brief any committee or subcommittee on any individual high-risk area.

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**Committee on Agriculture**  
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TO: Bill Clinger, Chairman  
 House Government Reform and Oversight Committee  
 Bill Thomas, Chairman  
 House Oversight Committee

FROM: Pat Roberts, Chairman  
 Agriculture Committee

DATE: February 15, 1995

RE: Oversight Plan for the House Committee on Agriculture in the 104th Congress

GARY R. MITCHELL  
 CLERK OF STAFF  
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**OVERSIGHT PLAN**  
**HOUSE COMMITTEE ON AGRICULTURE**  
**104th CONGRESS**

**1995 Farm Bill:**

The 1990 Food, Agriculture, Conservation, and Trade Act is comprised of 25 separate titles encompassing virtually all of the Committee's jurisdiction. The majority of the authorities prescribed in the 1990 act expire at the end of this year. Most of the 1995 Calendar will be consumed by Full Committee and subcommittee(s) review the Act in detail to determine which authorities need to be renewed, reformed, or eliminated. Oversight reviews will be comprised of both field and Washington hearings.

**Food Stamps (Welfare Reform):**

Both the Full Committee and the Department Operations, Nutrition, and Foreign Agriculture Subcommittee will be conducting extensive hearings on the Food Stamp Program relative to the federal budget, distribution of benefits, enforcement actions to

protect against fraud and abuse, and to consider reforms to ensure the program helps those truly in need while also ensuring the wisest use of taxpayers' contributions. In addition, the Committee and Subcommittee will be reviewing other domestic and foreign food assistance programs administered and/or funded by the Department of Agriculture.

**Property Rights on Agricultural Lands:**

The Resource Conservation, Research, and Forestry Subcommittee will be looking into the impact of federal regulations on the rights of owners to lawfully use legally acquired property. In addition, the Subcommittee expects to discuss the "takings" issue relative to its full range of meaning, from actual federal acquisition to regulatory actions that restrict or prohibit lawful commercial activities that affect the value of the property.

**Agricultural and Rural Tax Issues:**

The Commodities Subcommittee will conduct a hearing to review provisions of the Job Creation and Wage Enhancement Act as it relates to agricultural producers, specifically on family farming and ranching operations. The Subcommittee expects to focus on capital gains and estate tax issues that impact rural areas.

**Commodity Futures Trading Commission (CFTC):**

The Risk Management and Specialty Crops Subcommittee will conduct a hearing to review legislation to reauthorize the authorities and activities of the CFTC. Because of scope of the 1992 Futures Trading Practices Act, the Committee's intention is to move forward with the reauthorization as expeditiously as possible. Those issues raised during initial reauthorization hearings, as well as the ongoing review of the 1992 Act's reforms, will be the focus of additional oversight activities throughout the next two years.

**Meat and Poultry Food Safety Inspection:**

The Livestock, Dairy, and Poultry Subcommittee will be conducting general oversight reviews/investigations relative to the Food Safety Inspection Service's administration of the meat and poultry inspection acts, and the Food and Drug Administration's food inspection activities, including seafood and seafood products inspection. It is also expected that the Full Committee will be considering reform proposals -- coupled with the appropriate oversight -- relative to the statutes governing U.S. meat and poultry inspection, the relationship between state and federal inspection, and the interaction of U.S. food safety statutes relative to international trade.

In addition, the Committee expects to conduct oversight on the following general topics/issues. While Committee and Subcommittee leadership will be coordinating the oversight activities of these issues to make the best possible use of Committee resources, they are listed under auspices of the Full Committee.

**FACTORS AFFECTING THE AGRICULTURAL ECONOMY:**

- The federal budget and its impact on U.S. agriculture, federal farm programs, and future agricultural policies

- The agricultural economy in general.
- U.S. agricultural trade, including review of GATT, NAFTA, USDA Foreign Agriculture Service, export assistance/development programs, foreign agricultural assistance (P.L. 480, etc.), export credit programs, high value product exports, cargo preference shipping requirements.
- USDA Federal Crop Insurance Corporation (FCIC) and related programs. In 1994, Congress enacted major changes to FCIC insurance programs to ensure against ad hoc disaster legislation and improve delivery of protection against weather-related crop losses. FCIC also is impacted by USDA restructuring activities. Oversight is needed to ensure both program function and reliable delivery to farmers is maintained.
- Producer-funded Research and Promotion Programs (check-offs). These producer-funded programs have become increasingly popular as federal research, market development, and export promotion resources have been cut. Because the funding mechanism is mandated by law, and because the Secretary of Agriculture is the regulator of these programs, oversight is valuable and necessary to ensure their sanctity and viability.
- Commodity marketing systems, market prices (farm, wholesale, retail), and general agricultural economic factors. The Committee will conduct oversight on commodity marketing/pricing issues as anomalies in the retail price spread arise. One recent example occurred late in 1994 in the pork industry when the price differential between what hog producers and retailers were receiving for their products was substantially outside the norm, prompting a need to investigate.

**ENVIRONMENTAL STATUTES AND RELATED ISSUES:**

- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and related pesticide food safety issues.
- Coastal Zone Management Act as related to agriculture.
- Endangered Species Act as related to agriculture.
- Safe Drinking Water Act relative to regulation of agricultural and rural enterprise activities.
- Clean Water Act relative to regulation of agricultural and rural enterprise activities.
- USDA Forest Service's management of public lands under its jurisdiction, including reviews of grazing and other uses of these lands which require user to secure Forest Service permit. Current Forest Service administration of certain programs appears to be unduly penalizing those who depend on legitimate access to Forest Service holdings to ensure the economic viability of their enterprises.
- USDA Natural Resources and Conservation Service, including reviews of their reorganization efforts and the development of new "ecoregion" management plans.
- USDA agricultural research programs and projects, including a thorough review of research priorities, new research needs, and allocation of USDA research resources and funding.

**ADMINISTRATIVE AND REGULATORY ISSUES:**

- USDA reorganization of farm-related agencies, including field office closures, new county office structures and staffing, as well as review of authorities enacted in 1994 to

reorganize all aspects of the Department of Agriculture. The Committee is especially interested in reviewing plans for reorganizing the USDA Forest Service.

- USDA Consolidated Farm Service Agency. In addition to the broader restructuring reviews, concerns have been raised regarding administration of funds to cover salaries and expenses beyond the levels appropriated.
- USDA Food and Nutrition Service. In addition to food stamp issues, strong oversight is needed on related programs, including The Emergency Food Assistance Program, school lunch, WIC, and the policies governing those programs, as well as human nutrition policies in general.
- The Perishable Agricultural Commodities Act (PACA).
- Aquaculture and related production issues/concerns.
- Animal welfare and related statutes and issues.
- The Packers and Stockyards Act (PSA), the Packers and Stockyard Administration and related activities.
- The Agricultural Marketing Service, and related programs and activities.
- The Animal and Plant Health Inspection Service (APHIS), and related programs and activities.

**FARM CREDIT, RURAL DEVELOPMENT, AND RURAL ECONOMY:**

- The Farm Credit Administration, the statutes governing the FCA as regulator of the Farm Credit System, and reviews of both the FCA's and FCS' efforts to ensure System soundness relative to its use of risk management tools.
- USDA FmHA. Following last year's reorganization of the Department, FmHA programs and authorities were split between farm and rural programs. Oversight is needed to ensure that unnecessary duplication is avoided relative to administration of these programs, as well as reviews of the programs relative to need and function.
- The Federal Agricultural Mortgage Corporation (FarmerMac). A component of the 1987 farm credit reform package, FarmerMac was intended to provide a competitive secondary mortgage market for agriculture credit. Oversight is needed to determine if it is meeting its mission.
- The Rural Utilities Service, Rural Business and Cooperative Development Service, Rural Housing and Community Development Service. These services are charged with key rural development/maintenance authorities. Oversight is needed to ensure these authorities are being administered as intended.

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

[FULL COMMITTEE PRINT]

104TH CONGRESS  
*1st Session*

HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES

R E P O R T

OF

OVERSIGHT PLANS  
ONE HUNDRED FOURTH CONGRESS

PURSUANT TO CLAUSE 2(d)(1) OF RULE X



APPROVED FEBRUARY 10, 1995

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U.S. GOVERNMENT PRINTING OFFICE

**LETTER OF TRANSMITTAL**

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FEBRUARY 10, 1995.

Hon. WILLIAM CLINGER,  
*Chairman, Committee on Government Reform and Oversight,  
House of Representatives,  
Washington, DC.*

Hon. WILLIAM M. THOMAS,  
*Chairman, Committee on House Oversight,  
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 104th Congress. The Committee intends to have an active and productive year, reviewing both ongoing governmental activities and analyzing the pending Budget request 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,

BOB LIVINGSTON, *Chairman.*

REPORT OF OVERSIGHT PLANS OF THE HOUSE  
 COMMITTEE ON APPROPRIATIONS

APPROVED FEBRUARY 10, 1995

Mr. LIVINGSTON, from the Committee on Appropriations, submitted to the Committee on Government Reform and Oversight and the Committee on House Oversight the following

REPORT

OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON  
 APPROPRIATIONS

The 104th Congress adopted a new Rule that provides for each standing committee of the House to formally adopt oversight plans at the beginning of each year. 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 of the House shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plans for that Congress. Such plans shall be submitted simultaneously to the Committee on Government Reform and Oversight and to the Committee on House Oversight.”

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) The amount of new spending authority (as described in the Congressional Budget Act of 1974) which is to be effective for a fiscal year, including bills and resolutions (reported by

other committees) which provide new spending authority and are referred to the Committee under clause 4(a)."

The Committee shall include separate headings for "Rescissions" and "Transfers of Unexpended Balances" in any bill or resolution as reported from the Committee under its jurisdiction specified in subparagraph (2) or (3), with all proposed rescissions and proposed transfers listed therein; and shall include a separate section with respect to such rescissions or transfers in the accompanying Committee report. In addition to its jurisdiction under the preceding provisions of this paragraph, the Committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).

\* \* \* \* \*

#### GENERAL OVERSIGHT RESPONSIBILITIES

2. (a) In order to assist the House in—

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

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

the various standing committees shall have oversight responsibilities as provided in paragraph (b).

(b)(1) Each standing committee (other than the Committee on Appropriations and the Committee on the Budget) shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws or parts of laws, the subject matter of which is within the jurisdiction of that committee and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated.

\* \* \* \* \*

(3) 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 Government of the United States) as it may deem 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 thirty days after the transmittal of the budget to the 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 pursuant to 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) Hearings pursuant to 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 roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security: *Provided, however,* That 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 from Puerto Rico.

(D) Hearings pursuant to subdivision (A), or any part thereof, may be held before joint meetings of the Committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two Committees jointly may determine.

(2) Whenever any bill or resolution which provides new spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 is reported by a committee of the House and the amount of new budget authority which will be required for the fiscal year involved if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported as described in clause 4(h) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations with instructions to report it, with the Committee's recommendations and (if the Committee deems it desirable) with an amendment limiting the total amount of new spending authority provided in the bill or resolution, within 15 calendar days (not counting any day on which the House is not in session) beginning with the day following the day on which it is so referred. If the Committee on Appropriations fails to report the bill or resolution within such 15-day period, the Committee shall be automatically discharged from further consideration of the bill or resolution and the bill or 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 which (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.

\* \* \* \* \*

#### EXERCISE OF OVERSIGHT RESPONSIBILITIES

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 104th Congress the Committee intends to proceed in the following manner:

1. *Budget Overview Hearings.* Immediately upon receipt of the President's budget the Committee will conduct its annual budget overview hearing on the recommendations of the President. This hearing on the Fiscal Year 1996 Budget will take testimony from the Secretary of the Treasury, the Chairman of the President's Council of Economic Advisers, and the Director of the Office of Management and Budget.

2. *Subcommittee Hearings.* The Appropriations Committee has a long tradition of in-depth analysis of the President's pending budget as well as the effective use of previously appropriated resources. For example, during the 103d Congress the Committee on Appropriations held 548 days of hearings, took testimony from 9,955 witnesses, and published 180 volumes of hearings totaling 187,974 pages. This level of oversight and investigation will continue during this Congress.

3. *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, the Congressional Research Service, and the Office of Technology Assessment. In the previous Congress, the Committee received 87 Surveys and Investigations studies and 152 investigative reports from the GAO.

4. *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 and Control Act 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, 2, and 3, above and brought to the floor for consideration within all relevant budgetary constraints.

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**U.S. HOUSE OF REPRESENTATIVES**  
 COMMITTEE ON BANKING AND FINANCIAL SERVICES  
 ONE HUNDRED FOURTH CONGRESS  
 2129 RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515-6050

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February 9, 1995

The Honorable William F. Clinger, Jr.  
 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 104th Congress adopted today by the Committee on Banking and Financial Services, with an appendix which is the views presented by the Minority.

Sincerely,

  
 JAMES A. LEACH  
 Chairman

jal:dmd

Attachments

JAMES A. LEACH - IOWA - CHAIRMAN

BILL WOODLUM - FLORIDA  
 MARCO FEJERMANA - NEW JERSEY  
 DUDU BENEITER - NEBRASKA  
 TOBY ROTH - WISCONSIN  
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February 9, 1995

### COMMITTEE ON BANKING AND FINANCIAL SERVICES OVERSIGHT PLAN 104th Congress

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

The following agenda is the oversight plan of the Committee on Banking and Financial Services for the 104th 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 the need arises.

#### Full Committee

- 1. Foreign Exchange Intervention.** The Clinton Administration has recently used the Exchange Stabilization Fund in order to stabilize the value of the Mexican peso. The Federal Reserve's currency fund has also been used for this purpose. The Committee will hold hearings to review the Administration's use of these multi-billion funds. (Spring 1995)
- 2. Glass-Steagall Legislation.** The Committee will review the necessity of reforming or repealing the Glass-Steagall Act, legislation enacted in the 1930s separating commercial banking from investment banking. (Winter and Spring 1995)
- 3. Madison Guaranty Savings and Loan.** The Committee will continue its investigation of the failure and resolution of Madison Guaranty Savings and Loan. (Spring and Summer 1995)
- 4. Efforts of Organized Crime to Compromise Banking System.** In an era of electronic transfers and growing offshore banking, historical nation-state legal accountability is increasingly difficult to maintain. The Committee will review efforts of those associated with organized crime and others to gain access to and compromise the banking system.

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## Housing and Community Opportunity Subcommittee

### 1. Department of Housing and Urban Development.

#### A. HUD Organizational/Administrative Restructuring Activities

**HUD's Organizational Impact on Staffing and Resource Capacity.** The Subcommittee will review HUD's "Reinvention-National Performance Review" streamlining (November 1993) and "Reinvention Blueprint" (December 1994) efforts to determine the effectiveness of decentralizing department-wide authority. Hearings will highlight whether HUD lacks staffing and resource capacity to carry out its missions particularly in light of a new streamlined environment. (Winter/Spring 1995)

**HUD's Organizational Impact on Restructuring Multifamily Portfolio.** The Subcommittee will review the issue of whether HUD's staff has capacity to restructure its multifamily portfolio, where \$10 billion in loan-loss reserves is potentially at risk. (Winter 1995)

**Semi-annual Inspector General Reports.** The Subcommittee will review the semi-annual reports of the HUD Inspector General with relevant testimony from the IG and GAO. (Spring & Winter 1995 and 1996)

#### B. Public Housing

The 1937 National Housing Act is outdated and plagued with duplicative programs, many of which have no relation to housing activities. A comprehensive review of public and Indian housing activities could result in suggested legislative remedies to better meet the needs of those in public and Indian housing. Additionally, remedies and modifications may be proposed to correct past program abuses.

**Indian Housing Programs.** The Subcommittee will conduct a review of Indian housing programs to explore whether programs are utilized effectively and economically by Indian tribal governments and/or Indian housing authorities.

**Troubled Public Housing Authorities.** The Subcommittee will conduct a review of troubled Public Housing Authorities, as designated by HUD, to identify legislative and regulatory impediments to successful management. Hearings will highlight the monies expended over the life of each troubled development, PHA mismanagement, and statutory impediments. (Winter 1995)

**Public Housing Development/Modernization.** The Subcommittee will review public housing development and modernization pipelines where estimates of unspent Federal funds to implement construction or rehabilitation projects range from approximately \$2 billion to \$7 billion. Hearings will assess the relationship between public housing conditions and the ability of PHA management to manage existing and available resources. (Winter 1995)

**HUD Office of Troubled and Severely Distressed Public Housing.** The Subcommittee will review the HUD Office of Troubled and Severely Distressed Public Housing (created by Sec. 120 of the Housing and Community Development Act of 1992) to assess its effectiveness and role in revitalizing severely distressed public housing. Hearings will highlight the office's activities, since creation, and its ability to serve public housing developments. For example, the hearings will review why only \$1 million out of a FY 1994 \$778 million appropriation has been obligated for public housing revitalization. (Winter 1995)

**Mixed Populations.** The Subcommittee will review HUD's policies relating to disabled persons living in elderly-designated housing based on the Americans with Disabilities Act (ADA), Sec. 504 of the Rehabilitation Act, and the Fair Housing Act Amendments of 1988. Although the Committee amended the provisions regarding mixed populations in the 1992 Housing Act, complaints about the behavior of non-elderly residents, especially those involved in criminal or drug-related activities, continue to persist. During the 103rd Congress, the housing reauthorization bill was successfully amended by Rep. Peter Blute to prohibit housing developments for the elderly from being populated by individuals recovering from drug or alcohol addiction; the housing legislation was not enacted. Hearings will highlight the impact on the elderly, who may have been subjected to young, alcohol or former drug substance abusers designated disabled under ADA, to determine appropriate legislative action. (Winter 1995)

#### C. Multifamily/Assisted Housing

HUD IG testimony at a Government Operations Subcommittee hearing during the 103rd Congress revealed that "HUD's multifamily project-based assisted housing programs are in a state of crisis. Problem areas include: (1) renewing expiring Section 8 assistance contracts (cost estimated to be \$60 billion over the next five years); (2) preservation of existing multifamily housing (owner incentives to stay in the program are too generous); and, (3) improving HUD's capacity to be an asset manager.

**Low-Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA).** The Subcommittee will review the preservation act which was originally intended to discourage eligible property owners from prepaying mortgages and leaving the FHA multifamily project-based program. Hearings will assess whether incentives provided by the legislation precluded more cost-effective private sector alternatives to affordable housing. (Winter/Spring 1995)

**Moving-to-Opportunity Sec. 8 Program.** The Subcommittee will review demonstration programs providing section 8 certificates or vouchers to low- and very low-income families to move outside poverty- and/or minority-concentrated neighborhoods. Hearings will highlight public criticism regarding alleged abuses of extraordinary subsidies for luxury rentals. (Winter/Spring 1995)

**D. Federal Housing Administration-Single Family/Affordable Housing**

**Future Mission of FHA-Single Family in Increasing Homeownership Opportunities.** The Subcommittee will review policy options addressing the mission of FHA in the single family mortgage insurance market. Hearings will assess FHA's ability to meet homeownership challenges of the 21st century. Additionally, homeownership trends, as well as regulatory and legislative barriers to homeownership will be reviewed. (Winter 1995)

**Annual Review of Actuarial Soundness of the Mutual Mortgage Insurance Fund (MMIF).** The Subcommittee will review safety and soundness issues surrounding the practices and activities the MMIF for the preceding fiscal year, including testimony from GAO, HUD-IG and the FHA Comptroller. (Spring 1995 and Spring 1996)

**E. Community Development**

**Empowerment Zones and Enterprise Communities.** The Subcommittee will review the program's selection criteria and assess the effectiveness of performance-based measures to determine EZ/EC success. (Spring 1996)

**Regulatory Barriers to CDBG and HOME.** The Subcommittee will review regulatory barriers with locally-based community development groups to identify and assess unnecessary burdens that impede the ability to implement private sector community and economic development initiatives. (Spring 1995)

**F. Fair Housing Act Enforcement**

HUD has been the focus of the Federal government's interest in combatting housing discrimination. On January 17, 1994, the President issued an executive order strengthening the coordination and implementation of federal fair housing policy. HUD announced its intention to issue new regulations on disparate impact, insurance redlining, and mortgage discrimination, and began implementing a reorganization plan on April 15, 1994 that gives greater authority to the Assistant Secretary for Fair Housing and Equal Opportunity in supervising the processing of complaints. During the 103rd Congress, critics argued that HUD efforts have been reactionary, uncoordinated, and legally questionable, particularly in light of First Amendment questions involving freedom of speech, association, and advertising.

**Fair Lending.** The Subcommittee will review HUD objectives and activities related to mortgage lending discrimination and property insurance redlining. Hearings will highlight HUD's newly created office for lending/insurance monitoring where \$2 million for salaries and expenses has been allocated. (Winter 1995)

**Fair Housing Enforcement.** The Subcommittee will review HUD's objectives and goals related to enforcement of the Fair Housing Act and whether other Federal agencies, particularly the Department of Justice, could provide more effective and consistent monitoring and enforcement. Hearings will assess HUD's enforcement activities. (Spring 1995)

**Fair Housing Assistance Program/Fair Housing Initiatives Program.** The Subcommittee will review the funding process for locally-based fair housing enforcement organizations to determine if any program abuses exist. (Spring 1995)

#### G. Homeless Assistance Programs

The Administration has proposed to consolidate seven McKinney Act homeless assistance programs, and increase funding by approximately \$300 million to \$1.2 billion for FY 95.

**Homeless Consolidation & HUD's Appropriate Role.** The Subcommittee will review consolidation proposals including a potential merger into either CDBG or HOME programs to create a comprehensive housing support mechanism. Hearings will also assess the "continuum of care" concept and determine whether HUD should provide social services beyond mere shelter. Additionally, locally-based homeless initiatives that refuse federal funds will be assessed to determine their efficacy and whether existing federal programs can be

modified to achieve a similar level of success. (Spring 1995)

**2. Rural Housing and Community Development Service.** The Rural Housing and Community Development Service (Service) under the Department of Agriculture oversees direct lending and loan guarantee homeownership programs, in addition to rental assistance for very low-income rural residents. During the 103rd Congress, the Appropriations Committee questioned several Service practices that appeared inefficient.

A. RHCDS Organizational/Administrative Restructuring Activities

**Semi-annual Inspector General Reports.** The Subcommittee will review semi-annual reports of the USDA Inspector General (for the Rural Housing and Community Development Service) with relevant testimony from the respective IG's and GAO. (Spring and Winter 1995 and 1996)

B. Multifamily

**Sec. 515 Rural Rental Housing (Multifamily).** The Subcommittee will review the rural rental housing program where previous investigations revealed fraudulent and abusive activities associated with the direct loan program. Hearings will follow up on previous investigatory reports conducted by the Appropriations Committee in the 103rd Congress and determine whether the Service implemented necessary corrective measures as recommended. Additionally, the point system that determines project selection will be assessed to determine whether the greatest rural housing needs are met. (Spring 1995)

**Service Activities to develop centralized and escrow servicing systems.** The Subcommittee will review the Service's escrow system development over the past six years, as well as an assessment of the cost benefit of converting direct loan servicing to either a Service centralized system or privatization. Hearings will follow up on previous reports issued by the Government Operations Committee in the 103rd Congress. (Winter 1995)

C. Single Family Homeownership

**Sec. 502 Single Family Direct Loan Program State Allocation.** The Subcommittee will review and assess whether direct loan distributions meet the greatest need in rural areas. Past GAO reports indicate a higher concentration of Service loans near metropolitan areas where it appears that housing needs could be met through other housing credit delivery systems. (Spring 1995)

**3. Resolution Trust Corporation.** The Subcommittee will review the GAO report entitled "Resolution Trust Corporation: Affordable Housing Disposition Program Achieving Mixed Results" (GAO/GGD-94-202). The hearing will assess cost efficient mechanisms to deliver affordable housing that may provide legislative ideas for other affordable housing or property disposition programs such as the FDIC Affordable Housing Program. The Subcommittee will review whether marketing costs can be reduced and revenues increased by merging or coordinating the Federal government asset disposition efforts. (Spring 1995)

**4. National Institute of Building Sciences.** The National Institute of Building Sciences (NIBS) was created by Sec. 809 of the Housing and Community Development Act of 1974. NIBS was conceived to serve as an interface between government and the private sector. Under the legislative framework NIBS would bring together all participants in the building process to improve the building regulatory environment to facilitate the introduction of new and existing products and technology in the building process, and to disseminate nationally recognized technical and regulatory information. The subcommittee will review its annual report to Congress, as required by Sec. 809 of the Housing and Community Development Act of 1974 and hearings to assess the effectiveness of NIBS in addressing community problems associated with building standards and practices will be conducted. (Winter 1995)

**5. Neighborhood Reinvestment Corporation.** The Subcommittee will review the annual report of the Neighborhood Reinvestment Corporation and a reevaluation of its mission and activities in light of a revised and downsized federal involvement in direct federal intervention in housing and community investment. (Winter 1995)

**6. Flood Insurance Program -- Federal Emergency Management Association.** The Subcommittee will assess the solvency of the National Flood Insurance Fund. Additionally, the Congress has recently enacted a sweeping reform of the National Flood Insurance Program and will review its implementation. (Spring 1996)

#### **Financial Institutions and Consumer Credit Subcommittee**

**1. Regulatory Burden.** The Subcommittee will evaluate new regulatory relief proposals, keeping safety and soundness as well as competitiveness concerns in mind, including a review of the burdens imposed on financial institutions under the Truth in Lending Act, the Truth in Savings Act, the Home Mortgage Disclosure Act, and the Community Reinvestment Act. (Spring 1995/Spring 1996)

**2. Administration's Implementation of the Community Reinvestment Act.**

In July 1993, the President asked the agencies to develop new CRA regulations and examination procedures in order to provide banks with more objective, performance-based assessment standards, thereby minimizing the regulatory burden of banks complying with CRA while attempting to improve banks' lending performance in their communities. The latest version of these regulations was published in October and would replace the current 12 assessment standards, which focus largely on process and paperwork, with more performance-oriented assessment standards. However, these regulations have several controversial elements which deserve review. The Subcommittee plans to review CRA generally and the proposed regulations. (Winter 1995)

**3. OCC Operating Subsidiary Regulations.** The OCC recently issued proposed regulations that would allow a bank to engage in activities in an operating subsidiary that are impermissible for national banks - presumably including "Section 20" underwriting of otherwise impermissible securities. If adopted in final form, these regulations could permit national banks to engage, through subsidiaries, in activities that currently are only permissible through holding companies. The Subcommittee will review the proposed regulations. (Summer 1995)

**4. Condition of the Federal Deposit Insurance Funds.** The Subcommittee will review the condition of the FDIC's two deposit insurance funds (the Bank Insurance Fund and Savings Association Insurance Fund) to ensure that they are adequately capitalized and pose no threat to the taxpayer. It is expected that thrift industry representatives and the Administration may propose legislation to merge the BIF and SAIF, authorize taxpayer funds for the SAIF or payment of the FICO obligation now imposed on SAIF members, or a combination of the above to avoid having thrifts pay dramatically higher deposit insurance premiums than banks. (Winter 1995)

**5. Enforcement of Fair Lending Laws.** The Subcommittee will review the Clinton Administration's implementation of the fair lending laws. Recently, the Department of Justice (DOJ) charged a Washington area thrift with discrimination because it claimed the thrift did not market itself in minority neighborhoods. The case was settled out of court, but industry leaders have questioned whether fair lending prosecutions without specific cases of discrimination are legal and fair to lending institutions. Additionally, bankers are concerned that the DOJ may be implementing these laws differently than the primary regulators of banks and thrifts. (Fall 1995)

**6. Interest on Sterile Reserves.** The Federal Reserve Board requires banks that are members of the Federal Reserve System to maintain reserves at the Federal Reserve Banks. It has been argued that the Fed should pay interest on the reserves; however,

doing so would have an impact on the budget. The Subcommittee will review whether the Fed should pay interest on the reserves. (Summer 1996)

**7. Electronic Benefit Transfer.** The Electronic Benefit Transfer (EBT) system provides recipients access to benefits electronically through automated teller machines or point-of-sale terminals in grocery stores or other retail establishments. There are various outstanding issues with the implementation of this system, one of which is extending the liability provisions of Regulation E to EBT. Because of the expense involved in complying with the liability provisions, many governments have said they will not implement EBT systems or that existing EBT systems will eventually revert to paper. The Subcommittee will review the EBT System generally including the delivery of welfare benefits and its implications on state governments. (Spring 1995)

**8. Bank and Insurance Activities.** A federal appeals court in Florida recently held that a federal law allowing banks to sell insurance nationally from small towns did not preempt a state law prohibiting bank subsidiaries or bank holding companies from engaging in insurance activities. The decision came after the Supreme Court decision, the so-called VALIC case, where the court ruled that annuities are not insurance products and therefore banks are not violating certain state laws against bank insurance sales. The Subcommittee will review bank insurance activities. (Summer 1995)

**9. Regulatory Consolidation.** The Subcommittee will review legislative proposals to consolidate bank regulation and to merge the SEC with the CFTC. (Summer 1995)

**10. Fair Trade in Financial Services.** The Administration, securities industry and the banking industry all support legislation allowing the Executive Branch to impose sanctions against foreign financial institutions whose home countries discriminate against U.S. financial firms. The Subcommittee plans to review the Administration's efforts to open markets overseas for U.S. financial firms and the necessity of legislation to provide for national treatment. (Summer 1995)

**11. Federal Financial Institutions Regulatory Agencies Oversight.** The Subcommittee plans to review the supervision and regulation of financial institutions by the federal banking agencies. (Spring 1996)

**12. Implementation of the Community Development Banking Act.** The Subcommittee plans to review the implementation of the regulatory relief provisions of the Community Development Banking Act (Title III of the Act). (Spring 1996)

**13. Sales Practice Issues Related to Uninsured Investment Products.** In February 1994, the federal banking agencies issued sales practice guidelines concerning sales of nondeposit products to retail customers. These guidelines apply to products or services sold by a bank that are not insured deposits. The Subcommittee will review the sale of uninsured products by banks generally and also will review the sales practice guidelines. (Spring 1996)

**14. Review of Implementation of Interstate Banking and Branching.** The interstate banking provisions of the Riegle-Neal Interstate Banking and Branching Act will be effective in September 1995. The Subcommittee plans to review the implementation of the interstate banking provisions of the Act. (Winter and Spring 1996)

**15. Credit Unions.** The National Credit Union Administration has promulgated regulations concerning interlocking directors between corporate credit unions and credit union trade associations. The Credit Union National Association has brought suit against the NCUA regarding the regulations. Capitol Federal Corporate Credit Union has recently gone into conservatorship. The Subcommittee will review the credit union industry generally including corporate credit unions, its regulator (the NCUA), and the National Credit Union Share Insurance Fund. (Fall 1995)

**16. Anti-Money Laundering Efforts.** The Subcommittee will review legislation enacted in the 103rd Congress to streamline the federal government's anti-money laundering program by changing currency transaction reporting requirements. The review will include changes made in the currency transaction reporting requirements and on the government's ability to prevent illegally obtained funds from being laundered through the nation's financial industry. (Summer 1996)

#### **Domestic and International Monetary Policy Subcommittee**

**1. Federal Reserve's Conduct/Implementation of Monetary Policy.** The Subcommittee will hold hearings on the Federal Reserve'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. (Winter and Summer 1995 and 1996)

**2. Activities of the Bureau of the Mint and Bureau of Engraving and Printing.** The Subcommittee will oversee the activities of these Treasury bureaus as they relate to the printing and production of U.S. currency and coins. The financing and minting of commemorative coins will be studied. In addition, the cost benefits of replacing the one dollar bill with an one dollar coin will be reviewed. (Winter 1995)

**3. U.S. Participation in International Financial Institutions.** The Subcommittee will review U.S. participation in the International Monetary Fund, World Bank Group, Inter-American Development Bank, Asian Development Bank, African Development Bank, European Bank for Reconstruction and Development, and the North American Development Bank. The U.S. Treasury Department is requesting Congress to authorize a \$1.25 billion capital increase for the World Bank's International Development Association and an increase of \$66.6 million in paid-in-capital for the Asian Development Bank. (1995 and 1996)

**4. Export-Import Bank.** The authority for the Eximbank's "tied aid" warchest expires on September 30, 1995. The Subcommittee will review the merits of extending the warchest authorization and the Bank's other export financing programs. (Fall 1995)

**5. Counterfeiting.** The Subcommittee will review the Administration's efforts in detecting and combatting the counterfeiting of U.S. currency in the U.S. and abroad, including the Treasury Department's plans to redesign U.S. currency in order to deter counterfeiting. (Winter 1995)

**6. Trade in Financial Services.** The Subcommittee will review the implementation of international agreements to open overseas financial services markets to U.S. firms, and the need for legislation to encourage foreign countries to treat U.S. firms fairly. (Summer 1995)

**7. Defense Production Act.** The Subcommittee will consider the need to reauthorize the Defense Production Act, which expires in 1995. (Summer 1995)

**8. Development of Economic Opportunities.** The Subcommittee will review the economic development programs under the Banking Committee's jurisdiction, including those programs administered by the Appalachian Regional Commission and the Economic Development Administration. (Summer and Fall 1996)

#### **Capital Markets, Securities & Government Sponsored Enterprises Subcommittee**

**1. Capital Markets.** The Subcommittee will review how well capital markets are being served under the present legislative and regulatory structure. The review will include a study of the changes that have taken place over the past 60 years in the financial services market place and the banking industry's share of the lending market. In addition, the Subcommittee will study how banks can provide new sources of capital to the economy without threatening safety and soundness and the deposit insurance funds. (Spring 1995)

**2. Derivatives.** The Subcommittee will explore the need for additional legislative authority, as identified by the appropriate federal regulators, to ensure that end-users are properly aware of the risks posed by financial derivatives. Particular emphasis will be placed on the risk to insured depository institutions, as well as the risks to municipalities and state governments. (Spring 1995)

**3. Federal Home Loan Bank System.** The Subcommittee will review the need for reform of the Federal Home Loan Bank System. The Housing & Community Development Act of 1992 included the Government-Sponsored Enterprises Safety & Soundness Act which restated the mission and purpose of Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac), as well as established risk-based capital standards for the enterprises. An ancillary component of this legislation mandated several studies on the third housing GSE -- the Federal Home Loan Bank System. The studies (CBO, GAO, FHFB, Administration (HUD), and the stockholders) were due six months from the date of enactment.

The Subcommittee will conduct a brief series of oversight hearings on the FHLB System and report out a legislative proposal that is responsive to the statutorily-mandated studies and to the rapidly changing housing finance marketplace. The principal components of reform include equalizing membership rules; providing for permanent/minimum capital levels; and ensuring that the FHLB system meets a statutory mission while fulfilling the budgetary obligations of the REFCORP (Resolution Funding Corporation annual assessment of \$300 million). (Spring 1995)

**4. Fannie Mae and Freddie Mac.** The Subcommittee will review the implementation of the GSE Act in 1992 (as mentioned above) with regard to Fannie Mae and Freddie Mac. Principally, the Department of Housing and Urban Development and the Office of Federal Housing Enterprise Oversight ("OFHEO") are in the process of promulgating the regulations implementing the 1992 Act. OFHEO has not yet put out the safety and soundness regulation on risk-based capital. HUD has just recently published a proposed rule on the affordable housing goals, the Central Cities and Rural Communities requirements, and the new program approval process. The Subcommittee will review the process of the implementation of the 1992 Act. (Summer 1995)

The GAO is also scheduled to come out with a report on the privatization of Fannie Mae and Freddie Mac in April of 1995. The Subcommittee will hold hearings on the results of the report. (Winter 1996)

Finally, the Subcommittee will review the regulatory structure governing the GSEs -- the OFHEO. Some consideration may include exploring the independence of the agency and whether a structure

with a Board may be better suited for such an agency. (Summer 1996)

**5. Federal Agricultural Mortgage Association.** The Subcommittee will review the manner in which Farmer Mac accesses the Capital Markets. The present practice of utilizing servicers/poolers may represent an unnecessary impediment to the delivery of agriculture credit. (Summer 1996)

**6. SEC/CFTC Merger.** The Subcommittee will consider a proposal to consolidate the regulatory functions of the Securities & Exchange Commission and the Commodity Futures Trading Commission. (Spring 1995)

**7. Secondary Markets for Small Business and Commercial Real Estate Loans.** The 103rd Congress enacted legislation to facilitate the development of a secondary market for small business and commercial real estate loans. The Subcommittee will review whether this market is developing as expected, whether additional incentives are needed, whether any sectors of the country or geographic regions are being discriminated against as a result of the formation of this market, and whether the secondary market should be expanded to include medium-sized businesses and community development lending.

#### **General Oversight and Investigations Subcommittee**

**1. Thrift Depositor Protection Oversight Board.** Semi-annual statutorily required hearings will be held on previously filed and future RTC reports. The TDPOB was established to oversee and monitor the operations of the Resolution Trust Corporation and consists of the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve, the Director of the Office of Thrift Supervision, the Chairman of the Board of Directors of the Federal Deposit Insurance Corporation, the Chief Executive Officer of the RTC and two independent members appointed by the President and confirmed by the Senate. (Winter 1995, Summer 1995, Winter 1996)

**2. FDIC/RTC Transition.** The Subcommittee will review issues surrounding the transfer of RTC functions to the FDIC, which is to occur no later than December 31, 1995. Congress needs to look at the completion of the transition and monitor ongoing issues including transferred lawsuits, assets, personnel and funds. These hearings will include but not be limited to the FDIC/RTC Transition Task Force Reports to be filed with Congress by December 31, 1994, June 30, 1995 and December 31, 1995. (Winter/Spring 1995, Summer 1995, Winter 1996)

**3. Introductory Oversight Hearings with Agencies Under The Committee's Jurisdiction.** These hearings will include the head and key oversight officials of each agency. The hearings will

identify key areas of concern to the Congress and may be broad or very specific depending on issues in need of review. (Beginning Winter 1995, continuing as agency officials, direction, programs or implementation change.)

**4. Implementation and Enforcement of Laws Under the Committee's Jurisdiction.** These hearings will include a review of laws previously passed by the Congress and will identify obsolete laws, areas in need of refinement and implementation or enforcement inconsistent with Congress' intent. (Summer 1995 and ongoing)

**5. Inspector Generals' Reports or Other Investigative Reports and Hearings on Reports Requiring Further Investigation or Consideration.** These reports would include those received previously or in the future authored by the RTC, GAO, TDPOB, Treasury and its bureaus or related agencies including the multi-lateral development banks, FDIC, NCUA, Federal Reserve, OTS, FNMA, FHFB, Export-Import Bank of the U.S., OCC, SAIF, NASD, SEC, Commerce. (Beginning Winter 1995 and continuing through 1996 as reports are received.)

**6. FDIC/RTC Resolution of Failed Financial Institutions.** The Subcommittee will look at the resolution process from a general standpoint as well as a study of individual institutions, and how such resolutions affect the community and taxpayers. (Summer 1995 and ongoing)

**7. Agency Program Oversight.** This set of hearings will focus on ongoing programs developed at the agency level with the goal of identifying both successful and inefficient aspects of the programs, and identifying any needed modifications with an eye toward achieving budget savings and taxpayer approval. (Summer/Fall 1995 and ongoing)

**8. GAO Reports on Safety and Soundness Issues.** The Subcommittee will hold hearings on GAO reports and investigations concerning safety and soundness regulations and their impact on financial institutions. (Fall 1995 and ongoing)

APPENDIX

1

**Minority Views****Minority Recommendations of Issues to be included in Committee's Oversight Report**

The following are national issues within the jurisdiction and responsibility of the Committee on Banking and Financial Services which the Minority believes warrant significant Banking Committee oversight during the 104th Congress. These issues must be carefully studied in order to assess the adequacy and compliance with federal laws, as well as the efficient operation and administration of federal programs. In addition, hearings on these issues are essential for the Committee to be able to act responsibly on legislation. This is not intended to be a complete listing but an initial identification of issues that should be addressed by the Committee in the 104th Congress.

**Housing Issues.**

Review of previous efforts to restore integrity and professional management practices in the Department of Housing and Urban Development The Committee should review past efforts to reform the internal workings and staffing patterns and practices of the Department, including the handling of high profile improprieties involving a former Secretary and other high ranking HUD officials.

The effectiveness of existing HUD programs The Committee must continue our close oversight of current programs. Comprehensive hearings should be conducted on HUD programs affecting affordable housing generally and, specifically, on matters involving public housing, single and multifamily housing, elderly housing, and homelessness issues. In addition, there should be a complete study of rural housing and community development issues to be administered by the new Rural Housing and Community Development Service of the Department of Agriculture.

Proposals for radical changes The Committee must fully investigate any programmatic changes which may be proposed as part of the effort to restructure the Department of Housing and Urban Development. Any proposal to authorize new block grants must be studied to establish their effectiveness and to measure the ability of the states and localities to responsibly operate cost efficient and effective housing programs for many of our nation's vulnerable low and moderate income families.

### **Housing Finance Issues.**

The Role of the Federal Housing Administration. The failure of the previous Congress to authorize FHA reforms reinforces the Committee's need to monitor the practices of that agency. Recent suggestions that the FHA be privatized and its mission radically shifted should be carefully studied should this proposal be advanced before the Committee.

Oversight of housing GSEs. Recently released guidelines that will govern the federal government's review of the safety and soundness practices of the housing GSE's regular and affordable housing goals and programs warrant careful review. This regulatory supervision of the secondary market's operations will mark the first time the federal government has acted to protect its interests in the various housing government sponsored entities.

Restructuring of the Federal Home Loan Bank System. In light of last year's comprehensive review of the System, it is expected that a complex proposal for the modernization of the Home Loan Bank System will soon be before the Committee. The Committee must fully examine all aspects of the proposed changes to insure that the Affordable Housing Program and the Community Improvement Program, which have been very effective, are safeguarded and, if possible, enhanced. The Committee must also make sure the REFCORP payment obligations of the Home Loan Bank System do not revert to the U.S. taxpayer.

### **Financial Services**

Modernization of the financial services industry. Numerous proposals are on the table to reform and modernize the delivery of financial services in the market place. Comprehensive hearings must be held, focusing on the safety and soundness implications of any new powers which may be considered for federally insured depository institutions or their affiliates, as well as issues regarding concentration, competition and benefits for consumers.

Fair and equal access to financial services. The Committee should make sure that insured financial institutions carry out their charter obligations and provide a full range of reasonably priced services to all residents of their communities. In addition, the Committee must thoroughly review the availability of credit provided by lending institutions, particularly for commercial and residential mortgage purposes to ensure that there are reasonable credit opportunities for qualified borrowers in all regions of the nation.

Effective delivery of financial services. The Committee should continue to review the process through which the consumer interacts with the financial service industry. In particular, the Committee should review the increased use of electronic banking. As part of the effort to reform various public support programs, the Committee must fully study the implications of electronic benefit transfer systems and the application of Regulation E to these systems. Further, the Committee should continue its substantial efforts over the past several Congresses to significantly amend the Fair Credit Reporting Act for the purpose of insuring a responsive, efficient and accurate credit reporting apparatus. Full hearings on the sale of mutual funds and other uninsured instruments by depository institutions are a timely and important Committee concern.

Regulatory agency restructuring. To provide for adequate supervision and oversight of a modern financial services industry, the Committee must conduct a full review of the ability of the bank regulatory structure to fulfill its responsibilities. The Committee must carefully review all proposals for reorganization, mindful that the federal financial regulatory structure must consolidate its resources to meet new challenges and must retain qualified individuals experienced in regulating and supervising a viable federally insured financial industry. Additionally, the Committee must work to ensure the independence of federal regulatory agencies, such as the FDIC, from unnecessary and unreasonable interference from the Office of Management and Budget or any other federal agency.

The analysis of a changing financial horizon. The Committee must vigorously carry out its responsibility to oversee an ever changing financial services industry and the increasing use of new and exotic financial instruments. Particularly, the Committee must monitor the use of derivative financial instruments and evaluate the potential threat these instruments pose to the stability of the U.S. financial system, particularly to the deposit insurance funds.

Maintenance of a viable deposit insurance system. Recently announced BIF premium reductions create a significant disparity between BIF and SAIF premium payments schedules. The Committee must study the full implications of the differential, including the ability of thrifts to remain competitive and to maintain their FICO obligation. The Committee must also study the implementation of the risk-based insurance premium system to ensure that banks engaged in riskier activities are assessed premiums commensurate with those activities.

Implementation of interstate banking. The newly enacted interstate banking statute warrants vigilant oversight to ensure that the new law is being implemented as the Congress intended, and to monitor its effects.

A review of corporate credit union activities. The Committee should continue the work of the 103rd Congress in reviewing the function of the centralized credit union structure. Recent examinations of corporate credit unions by the NCUA indicate a need for Congressional oversight of the overall credit union organization.

### **Economic Development Issues**

Development of economic opportunities. The Committee's jurisdiction over programs of the Economic Development Administration and the Appalachian Regional Commission presents a real opportunity for oversight activities designed to ensure that various economic revitalization efforts are properly focused. The Committee should exercise strong control over the federal government's loan and loan guarantee programs within the jurisdiction of the Banking Committee and should thoroughly investigate the need of small- and medium-sized businesses for credit, and whether the Administration's proposed EDA loan guarantee program would create jobs by addressing unmet credit needs.

The economic condition of U.S. cities. Many of our nation's largest cities face dire economic futures. From Orange County, California, to our Nation's Capital, metropolitan areas may seek federal assistance. Oversight hearings are needed to permit a complete understanding of the economic plight of the cities, especially because the Banking Committee will be acting on legislation that will affect our cities.

Oversight of secondary market for small business and commercial real estate loans. The 103rd Congress enacted major legislation to facilitate the development of a secondary market for small business and commercial real estate loans. The Committee must review whether this market is developing as expected, whether additional incentives are needed, whether any sectors of the country or geographic regions are being discriminated against as a result of the formation of this market, and whether the secondary market should be expanded to include medium-sized businesses and community development lending.

Review of agricultural lending. To the extent practical within the limits of the Committee's jurisdiction, the Committee should examine the effectiveness of the secondary market for agricultural loans with the goal of assuring that credit opportunities are available to the agricultural sector and that the activities of the secondary market conform to acceptable safety and soundness practices for a Government Sponsored Entity..

### **Oversight of the Federal Reserve System**

Oversight and review of the role of the Federal Reserve. In addition to the statutorily mandated Humphrey-Hawkins reports, the Committee should continue its strong oversight of the Federal Reserve's operation. The Federal Reserve must continue recent efforts to achieve new levels of openness, accountability and more diversity, particularly through the hiring of women and minority professional staff. These efforts should continue and be strengthened. Further, hearings should be held on legislation providing for additional reforms.

### **International Financial Issues**

International financial stability. Recent international financial turmoil centered in Mexico raises significant issues regarding the appropriate role of the Congress and the U.S. in dealing with these economic situations. The Committee must carefully follow the implementation of international financial relief plans in place and take the actions necessary to protect the interests of the American taxpayer. Further, hearings should be held as soon as practical to clearly identify appropriate and cost effective directives for the implementation of U.S. policy in similar future situations.

Monitoring the activities of multinational lending institutions Significant efforts to support emerging economies within new democratic nations enhance the need for strong Committee oversight of the activities of multinational lending institutions, such as the IMF.

Export credit agencies. In addition, the Committee must focus oversight hearings on the activities of the Export-Import Bank and be especially concerned about the Bank's economic support for ventures within the former Soviet Union.

### **The Resolution Trust Corporation.**

A full review of ongoing RTC activities. Of all of the agencies and programs within the jurisdiction of the Banking Committee, none suggest more vigorous oversight than the RTC. As the agency enters the final days of its mission, the Committee must not back away from its resolve to review the RTC's asset disposition practices and other key activities. The successes of important programs, such as the women and minority opportunity program, should be used in other federal agencies' asset disposition programs.

Orderly transition of RTC into the FDIC. The Committee must soon begin an extensive review of the transition plans and policies that will provide for the absorption of the RTC into the FDIC organization. It is the obligation of our Committee to ensure that the transition continues the important functions of the RTC without costly and unreasonable hardship or delay.

#### **Other Issues**

Review of federal insurance programs. The Congress has recently enacted a sweeping reform of the National Flood Insurance Program and must aggressively review the implementation of the newly reformed federal program.

Anti-money laundering efforts. In the 103rd Congress, the Banking Committee, in an effort to streamline and concentrate the federal government's anti-money laundering program, enacted broad changes in the CTR reporting system. Oversight hearings must be held to determine the effectiveness of the new system and to ensure that every reasonable effort is made to keep illegally obtained funds from being laundered through our nation's financial industry.

Defense Production Act reauthorization. The Committee must reauthorize the Defense Production Act in 1995. This Act has historically been an important part of the Banking Committee's jurisdiction and extensive oversight hearings on the need to retain and revitalize our national defense industrial base are absolutely necessary.

Anti-counterfeiting programs. New currency designs are but one aspect of a serious effort which must soon be undertaken to catch up with the modern techniques of sophisticated counterfeiters. Oversight hearings should be scheduled as soon as possible to maintain the important task of protecting the integrity of U.S. currency.

Review of federal asset disposition efforts. A myriad of federal agencies are now engaged in asset disposition. The Committee needs to review whether marketing costs can be reduced and revenues increased by merging or coordinating these asset disposition efforts.

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February 15, 1995

The Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Clinger:

Pursuant to clause 2(d)(1) of House Rule XI, I submit the Oversight Plan of the Committee on the Budget for the 104th Congress. The Oversight plan was adopted in open session on January 14, 1995.

Sincerely,

John R. Kasich  
Chairman  
Committee on the Budget

Enclosure

**HOUSE COMMITTEE ON THE BUDGET**  
**OVERSIGHT PLAN**

On November 8, 1994, the American people sent a clear message that they want Congress to rein in the federal budget; to bring some order to a budget that is perceived to be uncontrollable.

To fulfill its obligation to the American people, the House Committee on the Budget, which has been given the responsibility by the House of Representatives to oversee the federal budget and the process by which the budget is adopted, has an aggressive oversight plan for the historic 104th Congress.

- To fulfill its responsibility to develop an annual concurrent budget resolution, the Committee will hold hearings and receive testimony from Members of Congress, cabinet-level officials, state and local officials, and expert witnesses to review the federal budget in general, as well as the budgets and spending histories of specific Departments. The Committee also will hold a series of field hearings to receive testimony from the general public on innovative ways to reduce and control the federal budget.
- The Committee will review the activities of the Congressional Budget Office. During 1995 the Committee also will recommend to the Speaker who to appoint as the new Director of the Congressional Budget Office.
- The Committee will study proposals designed to improve the congressional budget process.
- The Committee will coordinate its oversight activities with other Committees, including, but not limited to, considering other Committee's Views and Estimates when developing the annual concurrent budget resolution.
- The Committee will study provisions of law which exempt federal agencies or any of their activities or outlays from inclusion in the Budget of the United States Government, and make recommendations for terminating or modifying such provisions.
- The Committee will study the effect of existing and proposed legislation, as well as government regulation, on government spending.
- The Committee will request and evaluate continuing studies of tax expenditures, and ways to improve coordination between tax incentives and direct spending.
- The Committee will study monetary policy and its effect on the federal budget.

**PROPOSED OVERSIGHT SCHEDULE**1995

Winter 1995	Hearing on methodology of CBO scoring -- Chairman of the Federal Reserve
Winter 1995	Field hearing on the federal budget in Columbus, Ohio
Winter 1995	Field hearing on the federal budget in Prescott, Arizona
Winter 1995	Hearing on CBO's Economic and Budget Outlook -- Director of CBO
Winter 1995	Field hearing on the federal budget in Columbia, South Carolina
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Director of OMB
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Chair of the President's Council of Economic Advisors
Winter 1995	Field hearing on the federal budget in Manville, New Jersey
Winter 1995	Meeting to make recommendation to the Speaker for the next Director of the Congressional Budget Office
Winter 1995	Field hearing on the federal budget in Billings, Montana
Winter 1995	Receive Views and Estimates from other Committees to coordinate in developing the annual concurrent budget resolution
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretary of HHS and expert witnesses
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretary of Defense and expert witnesses
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretaries of Education and Labor and expert witnesses
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretaries of HUD and Transportation and expert witnesses

Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretary of Commerce and expert witnesses
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Secretary of Veterans Affairs and expert witnesses
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Members of Congress
Winter 1995	Hearing on the President's Fiscal Year 1996 Budget -- Public Witnesses
Summer 1995	Hearing on monetary policy and its effects on the federal budget -- Chairman of the Federal Reserve Board
Summer 1995	Hearing on mid-session review of Federal budget -- Directors of OMB and CBO
Summer 1995	Hearing to review the congressional budget process -- Members of Congress, Administration witness, public witnesses
Summer 1995	Hearing to review provisions of law which exempt items from inclusion in the Federal Budget and ways to terminate or modify such provisions -- Members of Congress, Administration witness, public witnesses
Summer 1995	Hearing to review tax incentives, and ways to improve coordination between tax incentives and direct spending -- Members of Congress, Administration witness, public witnesses
Fall 1995	Hearing: the budget year-end review and preview of coming budget year -- Directors of OMB and CBO

1996

Winter 1996	Hearing on CBO's Economic and Budget Outlook -- Director of CBO
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretary of Treasury and Chair of the President's Council of Economic Advisors
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Director of OMB
Winter 1996	Receive Views and Estimates from other Committees to coordinate in developing the annual concurrent budget resolution

Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretary of HHS and expert witnesses
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretary of Defense and expert witnesses
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretaries of Education and Labor and expert witnesses
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretaries of HUD and Transportation and expert witnesses
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretary of Commerce and expert witnesses
Winter 1996	Hearing on the President's Fiscal Year 1997 Budget -- Secretary of Veterans Affairs and expert witnesses
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Fall 1996	Hearing: the budget year-end review and preview of coming budget year -- Directors of OMB and CBO

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

Adopted on February 14, 1995 by the House Budget Committee in an open meeting with a quorum present, and submitted to the Committee on Government Reform and Oversight and to the Committee on House Oversight pursuant to House Rule X, clause 2.

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**U.S. House of Representatives**  
**Committee on Commerce**  
 Room 2125, Rayburn House Office Building  
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**COMMITTEE ON COMMERCE**  
**OVERSIGHT PLAN**  
**U.S. House of Representatives**  
**104th Congress**  
**Congressman Thomas J. Biley, Jr.**  
**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 Oversight and House Oversight not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Commerce for the 104th Congress. It includes the areas in which the Committee expects to conduct oversight during the 104th Congress, but does not preclude oversight or investigation of additional matters as the need arises. Indeed, the need to include other matters may well arise after a full examination of investigations pending at the end of the 103rd Congress is completed.

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**ENERGY AND POWER ISSUES**

**I. Oversight Activities within Committee on Commerce**

1. Nuclear Waste Policy Act of 1982 - Since 1982 the Department of Energy (DOE) collected approximately \$8 billion from nuclear utilities in order to characterize and build a permanent high level nuclear waste repository. The Act mandates DOE to accept spent commercial reactor fuel beginning in 1998. As of today, DOE has spent approximately \$4 billion of that money and is yet to accept the waste. Even so, DOE requests more money for this program. This Committee will evaluate the program, the reasons behind the delay in opening the facility and methods to expedite placement of waste in the repository. (Summer 1995).

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2. Waste Isolation Pilot Plant (WIPP) - WIPP is DOE's proposed permanent repository for transuranic waste (high level nuclear weapons waste from plutonium processing operations). Originally proposed to be opened by 1998, DOE's current timeline will not allow for an opening before 2000. Fully constructed and fully staffed, the plant is merely awaiting final testing before operations may begin. More than \$1.8 billion has been spent on the facility but no nuclear waste has been transferred to the site yet. The Committee will explore reasons behind the delay in opening the facility and methods to expedite placement of waste in the repository. (Spring 1995).

3. Energy Policy Act (EPAcT)

a) *Electricity Provisions* - In 1992, EPAcT began the process of enhancing competition in the electricity sector. Since then, some segments of the industry are of the opinion further reforms are necessary to make it completely competitive. This Committee will explore what is happening in the electricity industry, if EPAcT is being implemented properly, and if further legislation is needed. (Fall 1995).

b) *Alternative Fuels Provisions* - The Clean Air Act and the Energy Policy Act (Acts) contain both private and public sector alternative fuel programs. Many questions have been raised about the implementation. Hearings will address the costs of the programs, the regulations being promulgated by the agencies to comply with the Acts, and other burdens the Acts place on the private sector. Also being addressed is how DOE chooses and ranks alternative fuels. (Summer 1995).

c) *Energy Efficiency Standards* - EPAcT also directs DOE to set national energy efficiency standards for a variety of products. The appliance manufacturing industry requested one Federal standard for consistency throughout the 50 states. However, in implementing these provisions, DOE set standards which exclude certain types of products from the marketplace. For example, DOE's proposed standard for televisions would prevent the introduction of high definition television in the United States. This Committee will consider whether DOE interfered with the free operation of the market by setting overly-stringent appliance standards. (Summer 1995).

d) *Uranium Enrichment Corporation* - The Energy Policy Act of 1992 established the United States Enrichment Corporation (USEC) and authorized the transfer of DOE's uranium enrichment program to the new government corporation. DOE transferred to USEC assets worth \$2.2 billion, including uranium inventories and equipment, and utilities contracts for the supply of uranium fuel for commercial reactors. USEC and DOE investigated the possibility of privatization of USEC. While no reason exists for government control of uranium fuel production, the low prevailing uranium world-wide prices make it difficult to find a buyer willing to pay USEC's "book" value. This Committee will examine USEC's solvability. (February 1995).

4. Resource Conservation and Recovery Act (RCRA/Bevill Wastes) - EPA recently indicated it will regulate cement kiln dust as a hazardous material under RCRA despite the fact a recent EPA study determined the risk posed by cement kiln dust is small. The Committee will explore the propriety of EPA's proposed cement kiln dust regulations in light of its own findings (Spring 1995).

5. Federal Facilities Compliance Act - DOE intends to reduce its budget by \$10.6 billion over the next five years. Most of the savings are expected to come from DOE's environmental restoration budget. This Committee will review whether DOE can continue to meet legally binding cleanup obligations under its budget proposals. (Fall 1995)

6. Public Utility Holding Company Act/Public Utility Regulatory Policies Act (PUHCA/PURPA) - Since the enactment of the EPAct, certain segments of the electric utility industry argue PUHCA/PURPA are inconsistent with the new competitive environment in which utilities operate. This Committee will explore how best to enhance competition in the electricity sector so consumers can receive reliable service at the lowest possible rates. (Fall 1996)

7. Public Utility Holding Company Act (Telecommunications Reform) - The gas and electric utility industries recognize the telecommunications field as an area for future business investment. Utilities which are not registered holding companies under PUHCA freely invest in the telecommunications sector with approval from their State public service commissions. PUHCA, however, prevents registered holding companies from making similar investments. This Committee will explore whether this ban on investment should be lifted and how lifting the ban would affect the utilities' traditional customers. (Fall 1995).

8. DOE FY '96 Budget - DOE released its budget on February 6, 1995. The approximately \$18 billion annual budget includes significant spending cuts in the areas of renewable and fossil energy research and environmental cleanup. The Committee is most concerned about the Administration's proposal to amend the Federal Facilities Compliance Act to relieve it from some of its cleanup responsibilities at various sites across the country. This Committee will closely examine all aspects of DOE's budget to verify that it is complying with all applicable laws and spending the taxpayer money allotted to it in the most cost-effective manner. (Spring 1995)

9. Global Climate Change - The United States signed the Framework Convention on Climate Change (Rio Treaty) in Rio de Janeiro in June 1992. It was ratified by the Senate and entered into force on March 21, 1994. In the next three months, two significant international meetings on climate change will occur. At those meetings, the Administration is expected to seek a Declaration by the signatories of the treaty to begin negotiating the "next step," i.e. greater commitments by developing countries. Currently, the Rio Treaty provides goals for Annex I countries (primarily developed countries) to return to their 1990 levels emissions of greenhouse gases by the year 2000. Through its voluntary Climate Change Action Plan, the United States began the process of reducing greenhouse gas emissions. Developing countries have no corresponding aim to reduce their emissions of greenhouse gases. Historically, Congress generally opposed United States agreements to increased international commitments with respect to climate change on the basis that: 1) the

Science does not yet warrant further steps, 2) Congress is uncertain whether the United States or other developed countries can meet existing commitments, and 3) the United States should not agree to further greenhouse gas reductions until some or all developing countries agree to begin stabilizing or reducing their own greenhouse gas emissions. This Committee will examine the Administration's policy to ensure that it does not agree to more than Congress believes appropriate. (March 1995).

10. Strategic Petroleum Reserve - The Administration intends to spend nearly \$500 million in the next few years repairing and maintaining the Strategic Petroleum Reserve (SPR). This includes over \$100 million to move oil from the Weeks Island, Louisiana site and then close the site. None of the money will be used to buy new oil to store in SPR. This Committee will examine why maintenance and repair costs are so astronomical and determine whether all activities planned for the SPR are necessary. (Spring 1995).

11. Oil Overcharges - DOE is still involved in a number of lawsuits arising from the Crude Oil Entitlements Program. That program was terminated more than a decade ago yet DOE's attorneys continue to pursue alleged violations of the statute. This Committee will explore whether continuing the lawsuits is cost effective given the cost of litigation and what DOE actually expects to recover. (Summer 1996)

12. Department of Energy Organization - Over the past several years, there have been several proposals to abolish DOE. DOE also employs approximately 130,000 contractor employees and is prone to contractor abuse. This Committee will examine DOE's organization, mission, and relationship with its contractors. (Summer 1995).

13. The Administration's National Energy Policy Plan - Over the past several years, DOE held stakeholder meetings around the country to develop a national energy policy plan. The plan is likely to be far-reaching, including energy conservation and efficiency goals, environmental cleanup plans, and energy research goals. DOE has not yet reported its findings concerning the plan. Once the plan is announced, the Committee will examine the plan and DOE's findings. (Fall 1996).

14. Sale of Uranium - As the Cold War came to a close, United States supplies of excess highly enriched (weapons-grade) uranium (HEU) exceeded the needs of the military. In addition, the United States agreed to purchase 500 metric tons of HEU from the former Soviet Union (representing the uranium from approximately 20,000 warheads). HEU can be "blended down" by USEC and sold as fuel to utilities for use in commercial reactors and the Administration estimates it can raise \$400 million through such sales. This figure is questionable because the amount of HEU available to be sold is unclear. In addition, dumping such a large amount of uranium on the world market could adversely impact already depressed uranium prices. The Committee will explore the possibility and proceeds of HEU sales. (February 1995).

15. Hydroelectric Licensing Reform - Although hydroelectric licensing was addressed in EPAct, almost everyone, from industry to environmental groups, remains critical of the licensing process. The often conflicting jurisdictions and agendas of various agencies, including FERC, Fish

and Wildlife, and EPA, has led to a 20 year --and extremely expensive-- licensing process. With a large number of dams up for relicensing, many environmental groups hope to force licensees to abandon relicensing. However, even if dams are not relicensed, their destruction is in reality not an option. This Committee will consider streamlining the licensing process. (Fall/Winter 1996).

## II. Oversight Activities with Other Committees

On Energy issues, the Committee on Commerce shares or overlaps jurisdiction with several Committees. Some of the joint oversight hearings in which this Committee will participate include:

1. Alaska North Slope Oil Exports - Currently, a ban exists on exporting crude oil from the Alaska North Slope. Consequently, all North Slope oil produced is shipped to California where oil prices are depressed. The United States could generate more money for this oil by selling it to Pacific Rim countries. This Committee will explore the costs of maintaining the export ban and the revenue potential of lifting it. The International Relations Committee shares jurisdiction. (1995)

2. North Korea Nuclear Agreement - The North Korea nuclear agreement requires the United States to assist with the construction and operation of a nuclear power plant in North Korea. In exchange, North Korea agreed to dismantle its nuclear reactors which produce weapons fuel. Significant energy issues United States national security issues are implicated by this agreement and this Committee will consider them. The Committee on International Relations and/or the National Security Committees share jurisdiction. (1995/1996).

3. Sale of the Naval Petroleum Reserve - The government should sell the Naval Petroleum Reserve (NPR). The NPR is an oilfield located at Elk Hills, California which is 78% owned by the U.S. government. Chevron owns the remaining 22%. It was established in the early 1900s to ensure fuel supplies for the military, was first tapped during the 1973 oil embargo, and has never supplied oil to the military. The NPR is the seventh largest oil field in the lower 48 states, producing approximately 41,000 barrels of oil per day, and generating oil sale revenues of \$327 million in 1992. The NPR does not function as an emergency petroleum supply like the Strategic Petroleum Reserve. Thus, there is no policy reason for these U.S. owned oilfields. An outright sale would generate some \$1.6 billion if scoring procedures are changed to accurately reflect revenues from the sale. This Committee will explore the sale of the NPR. The National Security Committee shares jurisdiction. (1995).

### Commerce, Trade, and Hazardous Materials Issues

1. Evaluation of Consumer Product Safety Commission (CPSC) rulemaking - This Hearing will be held in connection with the reauthorization of the CPSC and will review current and past rulemaking activities. It will also evaluate CPSC procedures for the public release of sensitive and trade secret material. Have those procedures unnecessarily compromised the corporations overseen? Has the CPSC resorted to "corporate trial by press release" as a regulatory strategy? (Summer 1995).

2. National Association of Insurance Commissioners (NAIC) - Hearings will oversee the NAIC Financial Standards Accreditation program, uniform agent licensing and efforts by several Midwestern states to establish a multi-state insurance compact governing liquidation, rehabilitation, and guaranty funds. NAIC efforts to establish an anti-fraud database and its recommendations on establishing an international gatekeeper to assess foreign reinsurance solvency will also be considered. (Spring 1996).

3. Liability Risk Retention Act (LRRRA) - The Committee will review the impact of the LRRRA for benefits realized as well as any unintended consequences. (Spring 1996).

4. Foreign Barriers to Trade - The Committee will consider technical and other barriers to trade in products, including financial products, particularly insurance. Some countries have used technical barriers to trade (TBTs) in order to restrict imports without resorting to tariffs which might lead to retaliation and trade wars. (Fall 1995).

5. American Automobile Labeling Act (AALA) - The overall effectiveness of this statute will be reviewed. What have been its costs, benefits and unforeseen consequences? (Summer 1995).

6. Foreign Investment Restrictions - The Committee will review the following: what restrictions should be placed upon foreign investment in U.S. telecommunications and R&D; how have current restrictions affected U.S. industries and global competitiveness? The repeal of Section 310 (b) of the Communications Act of 1934 will also be considered in this investigations. (Fall 1995).

7. NAFTA and GATT - The effectiveness of trilateral and multilateral trade agreements like the North American Free Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT) will be considered, as will the question of extending NAFTA to Chile. (Fall 1995).

8. Superfund - This Committee will consider risk assessment practices of EPA and the EPA's evaluation of the toxic agents and disease registry. (Summer 1995).

#### **Health and Environment Issues**

1. Clean Air Act of 1990 - At a February 9, 1995 hearing, EPA Administrator Carol Browner and three governors testified on the current implementation Clean Air Act of 1990 (CAA). Additional hearings will examine: Enhanced Inspection and Maintenance Programs, Employee Trip Reduction requirements, alternative fuels vehicles, Permitting, SIP review process and reformulated gasoline. (1995).

2. Radon - Numerous reports on radon have stated widely divergent levels as harmful to humans. Hearings will consider the science of radon exposure and, in particular, the effects of low level radon exposure over varying periods of time and cost-effective approaches to radon reduction in homes. (1995).

3. Safe Drinking Water Act - H.R. 226 pertains to the Safe Drinking Water Act. Legislative hearings will be held in preparation for markup of H.R. 226. (Spring 1995)

4. Lead - This Committee will examine the efforts to reduce airborne lead and the results. The resulting benefits of lead reduction in urban communities and relative risks of different exposure pathways will be considered. (Winter 1995).

5. The Federal Drug Administration's Approval Process for Medical Devices - Have Federal Drug Administration (FDA) delays in reviewing devices unnecessarily impeded patient access to beneficial new treatments and in the long term chilled innovation? This Committee will examine the process, FDA's performance, actual impacts, and possible improvements. (Spring/Summer 1995).

6. Review FDA's Approval Process for Drugs - Do FDA delays in reviewing drugs unnecessarily impede patient access to beneficial new treatments and in the long term chill innovation? An examination of the process, the FDA's performance, actual impacts, and possible improvements will be undertaken. (Spring/Summer 1995).

7. Review FDA's Approval Process for Biologics - FDA delays in reviewing biologics have unnecessarily impeded patient access to beneficial new treatments and, in the long term, could impede innovation. This Committee will review the process, FDA's performance, actual impacts, and consider improvements where necessary. (Spring/Summer 1995).

8. Review FDA's Food Additives Approval Process - The Committee will examine the FDA food additives approval process and recommend improvements where necessary. (Spring/Summer 1995).

9. Review FDA's Efforts to Minimize the Danger of Arbitrary and Unfair Enforcement Practices - Concerns have centered on apparent inconsistencies in the implementation of the FDA's "get tough" enforcement policy. A hearing will address these concerns and review the agency's policymaking procedures. (Spring/Summer 1995).

10. Evaluate FDA Programs Affecting Biotechnology Medical Research and Products - Questions have been raised about unnecessarily burdensome FDA regulation. Various proposals have been made or are currently under development to speed up the drug, biologic and device approval processes. This Committee will examine structural problems in the approval process, areas creating inefficiencies, and unnecessary burdens for biotechnology research and products. (1995).

11. Evaluate FDA Programs Affecting Biotechnology Food Research and Products - FDA has had conflicting policies concerning biotechnology related foods and foods with biotechnologically enhanced properties. FDA routinely takes a very long time to approve products and FDA problems remain long after approval. This Committee will examine the need for, structure of, and unnecessary burdens related to FDA's past, present and proposed food biotechnology regulation. (Spring 1995)

12. Evaluate National Institutes of Health Programs to Approve Biotechnology-Related Research and its Diffusion - National Institutes of Health (NIH) not only funds basic biomedical research, NIH committees also approve the conduct of such biotechnology research as human gene therapy, and imposes requirements in contracts and grants. Given the need to stimulate medical innovation in new biotechnology-related therapies and other proposals to speed up the drug approval process, this Committee will address the need for, structure of, and problems related to NIH's approval and diffusion of biotechnology research. (Fall 1995).

13. Evaluate Environmental Protection Agency (EPA) Biotechnology-Related Regulatory and Research Programs - Biotechnology holds great promise for environmentally-friendly new pesticides, disease resistant plants, efficient industrial processes, clean-up technologies (bioremediation), and other applications. (EPA) has targeted biotechnology research and products for special regulation. This oversight will review EPA's biotechnology regulation. (Spring/Summer/Fall 1995).

14. Evaluation of the Department of Agriculture's Biotechnology Research - The United States of Department of Agriculture (USDA), EPA and FDA share jurisdiction for regulation of biotechnology research and product related crops, pesticides, and biocontrol agents. Scientifically-based regulation is essential to minimize unnecessary burden. This Committee will review USDA's regulation of biotechnology research and products. (Summer 1995)

#### **TELECOMMUNICATIONS AND FINANCE SUBCOMMITTEE**

1. Oversight of the Derivative Financial Markets - On May 18, 1994, in response to this Committee's 1992 request, the General Accounting Office (GAO) submitted a report entitled "Financial Derivatives: Actions Needed to Protect the Financial System". GAO's specific recommendations to Congress include: extending Federal authority over currently unregulated dealers; improving coordination of derivatives regulation; and restructuring the financial regulatory system. In response to the GAO report, the Committee held five oversight hearings in 1994. This Committee will continue the hearings in response to the GAO report. (Fall 1995).

2. Oversight of the Municipal Securities Markets - In past hearings, the Municipal Securities Rulemaking Board (MSRB) testified that the self-regulatory structure governing the municipal markets, which splits rulemaking and enforcement responsibilities between the Securities and Exchange Commission (SEC), MSRB, NASD and bank regulators, has worked well enough over the years that there was no need to change the basic structure. The Committee will continue oversight of the Municipal Securities Market in the 104th Congress. (Spring 1996).

3. Oversight of the Implementation of T + 3 - Beginning in June 1995, SEC's regulation will require the settlement of securities transactions in three days instead of five days. This hearing will monitor the regulation and SEC's enforcement of the rule. (Summer 1995).

4. Oversight of the SEC Capacity to Perform Market Technology Oversight - SEC is involved in the Central Registration Depository (CRD) and EDGAR, which involves security

registration of individuals and securities. SEC has no ability to independently evaluate computer systems. This Committee will consider SEC's ability to evaluate computer systems and EDGAR. (Fall 1995).

5. Hearings on Phase II of the National Market System (Future Structural Change of the Over-The-Counter Stock Market) - In 1975, Congress enacted the Securities Act Amendments, which directed SEC to facilitate the establishment of a National Market System for securities. The SEC has conducted studies with recommendations for the restructuring the stock exchanges and Over-The-Counter Stock Markets. This hearing will continue oversight and review of the National Market System.

6. Hearings on SEC Efforts Concerning Small Investor Protection - As pension plan definitions have changed from a benefit plan to a contribution plan, small investors' decisions are not regulated by SEC. This Committee will examine what need, if any exists, for SEC to become involved in this area. (Winter 1995).

7. Personal Communications Services - On September 23, 1993, the Federal Communications Commission (FCC) issued its decision on the PCS rules announcing that licenses would be awarded using MTA and BTA zones, consisting of seven PCS licenses in each location ranging in size from 10MHz to 30MHz. This spectrum was freed up in response to the Spectrum Reform Act passed as part of the Omnibus Budget Reconciliation Act of 1993. (P.L. 103-66) In 1994, the FCC began the first phase of auctions expected to continue into 1995. This Committee will closely monitor auctions to ensure they are conducted so as to maximize fees while reaching those best able to productively use the spectrum. (1995)

8. Implementation of the Cable Consumer Protection and Competition Act of 1992 (Act) - The Act was passed October 5, 1992 and FCC implementation occurred throughout the 103rd Congress. The primary purpose of the Act was to regulate basic cable rates and mandate improved customer service standards. The Act also contained requirements relating to the carriage of commercial and noncommercial television stations, as well as retransmission consent provisions. A series of hearings will review whether implementation of the Act has achieved the purpose of greater programming diversity, increased competition and lower cable rates. (Winter 1995).

9. Authorization of the Corporation for Public Broadcasting - Congress created the Corporation for Public Broadcasting (CPB) through the "Public Broadcasting Act of 1967". Historically, the Committee has been charged with monitoring the activities of the CPB and authorizing appropriations. Presently, the CPB is authorized through fiscal year 1996. This Committee will investigate to what extent federal funding is necessary for the continued survival of the CPB. (1995)

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February 15, 1995

Hon. Bill Clinger, M.C.  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Mr. Chairman:

On Tuesday, February 7, 1995, the Committee on Economic and Educational Opportunities adopted in open session its oversight plan for the 104th Congress. A copy of the plan is enclosed and I am transmitting it to you and the Committee on House Oversight as required by Rule X, clause 2 of the Rules of the House of Representatives.

The Minority requested and was granted three days to submit Minority views on the Oversight plan. Their views are attached as well.

Sincerely,

  
BILL GOODLING  
Chairman

BG:jme  
Enclosure

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## **The Opportunities Committee** **Oversight: 104th Congress**

The Committee on Economic and Educational Opportunities is responsible for overseeing approximately 24,000 employees and more than \$65 billion dollars in annual spending. More importantly, we are charged with evaluating whether federal education programs are contributing favorably to our children's educations, whether we are creating a process of life-long learning, and whether we are developing workplace policies that encourage the most productive and competitive workplaces in the world. These are exciting and challenging responsibilities.

The reality of 1995 is that in far too many cases federal programs are not adding value to the education of our children. We are failing to provide an atmosphere in which workplaces can create high-paying jobs for Americans. We are failing even though we have spent billions and tried to "help" states, local schools, employers and employees with carrying out their missions. This cannot continue. In fact, it suggests that we must re-examine old assumptions to determine those things that we can do well and those we cannot.

The exciting thing about our opportunity is we can highlight places and programs that are successful. Not surprisingly, these are typically schools, parents, and workplaces that have broken the Washington paradigm. They have focused on solving the problems of education and work and have created exciting and effective solutions. The programs we will highlight will be models for success. Many times they have succeeded despite Washington, not because of it.

That is the mission for this Committee: to be bold and to provide the knowledge, understanding and commitment to truly unleash the positive potential of this country from the bureaucratic mess of Washington. As President Clinton stated in his State of the Union address, "We need a new government for a new reality."

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In undertaking this, the Committee must ensure that the programs, laws and regulations we oversee:

1. Focus on the appropriate federal mission;
2. Work effectively and efficiently;
3. Consistently follow congressional intent;
4. Establish a framework for policy initiatives that will create an environment for life-long learning and effective work-place policy; and,
5. Provides for a role for the federal government, only where absolutely necessary.

The Committee must be bold to take full advantage of the opportunities before us. We must be careful and thoughtful because parents, children and workers are flesh and blood, not statistics in a policy wonk's ledger. Our new paradigm must see government as a helping hand, not a restraining hand or simply a handout. We must treat our citizens with the dignity and respect they deserve.

As we review federal workplace policy, we believe true success can only be achieved through the consistent employment of two key principles as we review federal workplace and education policy:

"Empowering Americans through Local Decisions." Thomas Jefferson once stated, "Were we directed from Washington when to sow, & when to reap, we should soon want bread." Unfortunately, many of the programs and laws produced by this Committee have been based on the grandfatherly assumption, against which Jefferson forewarned, that federal bureaucrats and Congressmen in Washington, D.C. know best what cookie-cutter solutions will solve the problems and challenges facing teachers and students, as well as employers and employees.

Yet, the most-successful businesses and institutions in this country have learned that the best products and services are provided through decision-making that is closest to the customer by empowering their employees. We must apply that same philosophy to government.

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**"Achieving Quality: Solutions for Today's Problems and Tomorrow's Challenges."** Every man and woman in the street is very attuned to the fact that the world is changing. In fact, change is a constant. Yet, in many ways, government hasn't gotten the message. Large bureaucracies directing burdensome programs, many with specific mandates with little or no funding, are prescriptions for a time-gone by. Congressman James F. Byrnes said in 1947, "The nearest approach to immortality on earth is a government bureau." That was true then and it's true today -- we believe that has to change.

Business and industry are going through reform to make themselves leaner, adaptable and therefore competitive for the future. Government needs to do the same. Many federal programs either never met their intended purpose or are no longer successful. In fact, most never had an accountable measure of success in the first place. We will undertake a comprehensive assessment of these programs and laws, scrap those that don't work and reform those that can be fixed and still have a purpose. Americans demand, and deserve no less.

Specific oversight projects that the Committee and its Subcommittees will undertake during the next two years include (but are not limited to):

1. **Occupational Safety and Health Act:** to review enforcement, rule-making and other issues to ensure that its original purposes are being met.
2. **Direct student loan program:** to examine the implementation of the program to evaluate its administration and cost.
3. **Employee Benefits Policy and Enforcement:** to evaluate whether the current legal structure inhibits increased access to pension and health care benefits.
4. **National Service Program / "Americorps":** a comprehensive evaluation of its first year in existence.
5. **National Education Standards and Assessment process:** to examine the current national standards setting process and the appropriate federal role.

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**One of the most important responsibilities entrusted to the Members of this body is the important task of monitoring and overseeing the past or on-going executive branch or independent agency activities. As the elected Representatives of the people, we have an important responsibility to hold the federal agencies accountable for their actions, and to place a legitimate check on the unfettered growth of Executive Branch activity. This oversight function cannot be limited to seeking out governmental waste and fraud. Instead, congressional oversight must be utilized to gather information regarding the success or failure of individual programs, regulations and statutes.**

**For the 104th Congress, and beyond, the Committee on Economic and Educational Opportunities will undertake a comprehensive review of the vast array of programs, statutes and regulations that fall under our jurisdiction. In addition, where appropriate, we will work with other Committee's to ensure that each program and statute is reviewed in-depth and critically analyzed. No program or statute can be excepted from review, and each must stand-up against a rigorous assessment.**

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**The Opportunities Committee**  
**Oversight: 104th Congress**

**Objective: A Comprehensive Review**

1. Focus on the appropriate federal mission.
2. Work effectively and efficiently.
3. Consistently follow congressional intent.
4. Establish a framework for policy initiatives that will create an environment for life-long learning and effective work-place policy.
5. Provides for a role for the federal government, only where absolutely necessary.

**Specific Projects**  
**(Samples)**

1. **Occupational Safety and Health Act:** to review enforcement, rule-making and other issues to ensure that its original purposes are being met.
2. **Direct student loan program:** to examine the implementation of the program to evaluate its administration and cost.
3. **Employee Benefits Policy and Enforcement:** to evaluate whether the current legal structure inhibits increased access to pension and health care benefits.
4. **National Service Program / "Americorps":** a comprehensive evaluation of its first-year in-existence.
5. **National Education Standards and Assessment process:** to examine the current national standards setting process and the appropriate federal role.

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## Minority Views on the Opportunities Committee Oversight Plan for 104th Congress

### GENERAL REMARKS

The Democratic Members<sup>1</sup> of the Committee on Economic and Educational Opportunities are pleased to offer our views on the proper oversight responsibilities of the Committee for the 104th Congress and beyond. These views stem from our assumptions that

- o the Committee's proud, bipartisan tradition in carrying out its oversight responsibilities must be maintained;
- o 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 tremendous access to quality education and lifelong learning, and helped protect American workers from exploitation and harm in the workplace; and
- o wherever possible, Federal policies should encourage (rather than mandate) cooperation between Federal and state education and labor agencies; educators, parents, and students; and workers, unions, and employers.

The oversight plan put forth by the Committee's Republican majority deeply concerns us. First, we are disturbed by its "anti-Washington" tenor and its use of themes that foster dangerous cynicism toward the national government. While we would certainly agree that the Federal government should not overreach and unnecessarily intrude in our schools and workplaces, we strongly disagree with

the sentiment expressed repeatedly in the Republican document that our national government is a divisive, negative force. In his eloquent testimony before the Committee this past January, the distinguished former Governor of New York, Mario Cuomo, reminded us that

"There are questions where we need, as a great nation, to keep our aim high--and when necessary, to pool our strength to do it--on issues like public education, workplace safety, civil rights, teen pregnancy, violence on television, public assistance for the most needy among us--and health care for every American."

In short, we hope that, as the Committee carries out its great responsibilities, the new Republican majority will, through its words and actions, seek to help restore confidence among our constituents in their national government.

Second, we note that nowhere in its oversight plan does the Republican majority assert worker safety as a specific oversight issue. This Committee has long acknowledged, as a major responsibility, its oversight over the health and safety of the workforce. Some of our Republican colleagues complain bitterly about existing OSHA standards and regulations. What about loss of life, occupational injuries, and medical costs associated with areas where standards do not exist (e.g. repetitive motion injury)?

Finally, we note that the majority's oversight proposal might deviate from our time-honored practice of reviewing proposals put forth by the President regarding agencies under the Committee's jurisdiction. In fact, nowhere in the document is mention made of President Clinton's proposed Middle Class Bill of

Rights. In the past, the Democratic majority certainly provided for frank and open discussion of Administration proposals, the most recent example being the education initiatives of President Bush. We hope that the absence of specific mention of these considerations from the majority's oversight plan does not signal a break from that respectful tradition.

#### **THE IMPACT OF THE "CONTRACT WITH AMERICA" ON THE COMMITTEE'S AREAS OF OVERSIGHT**

Major aspects of the Republican "Contract with America" (hereafter referred to as the "Contract") threaten to increase unemployment, deprive children and the elderly of basic food assistance, compromise school and workplace safety, and greatly diminish educational opportunities for millions of low and middle income students. If enacted into law, elements of the so-called "Contract" (among them the Balanced Budget Amendment, Unfunded Mandates legislation, and the Personal Responsibility Act) are likely to break our covenant with our citizens that their national government will do its utmost to protect them from hunger and poverty, illiteracy and ignorance, and exploitation and discrimination in schools and places of business.

Therefore, in addition to the traditional oversight functions carried out in a bipartisan fashion by this Committee for many, many years (which, of course, the Committee must continue) we request that the Committee conduct particular oversight over specific potential problems raised by implementation of the so-called "Contract."

Specifically, in fulfillment of Rule X Clause 2(b) of the Rules of the House of Representatives, the Committee's oversight should explore the following matters.

**A. *Food Assistance and Education Programs***

**1. *Food Assistance***

The Personal Responsibility Act proposes to combine major Federal food assistance programs in a single block grant. Programs so combined would include school lunch and breakfast programs, WIC, and the congregate meals and meals-on-wheels programs under the Older Americans Act. We are greatly disturbed by this plan to eliminate the entitlement of millions of Americans to food assistance. Estimates are that, by the year 2002, almost 2,000,000 preschoolers and pregnant women would be denied infant formula and WIC nutrition supplements. It is also estimated that nearly 8,000,000 children would lose free or subsidized school lunches under this aspect of the so-called "Contract." And, finally, the more than 3,000,000 senior citizens who rely on federal food assistance face grave peril under the Republican proposal.

The proposed Balanced Budget Amendment poses significant threats as well to hungry children and the elderly. The failure of the Republicans to delineate the types and measure of cuts necessary to "balance the budget" by the year 2002 leaves us deeply concerned that Federal food assistance, even under block grants, is likely to be sharply reduced.

Therefore we request that the Committee explore the effect of these and other parts of the "Contract" on food assistance programs falling under this Committee's purview. The Committee must carefully monitor how children, pregnant women, and the elderly will be impacted.

**2. *Education Programs***

The workplace of the future will demand many more people with education and training beyond high school. The technological revolution is leaving behind those with little or no skills in science, mathematics, comprehension, and problem solving.

To compete successfully in the growing global economy, our nation must better train and challenge an increasingly diverse present and future workforce. Therefore, the Democratic minority requests that the Committee analyze how the aspects of the "Contract" will impact the purposes and successes of Federal student aid programs, vocational and applied technology education, literacy and adult education programs, and programs designed to ensure educational opportunities and access for disabled persons (including programs under the Individuals With Disabilities in Education Act). Who will be denied assistance previously afforded under these programs? Can our nation truly prosper if we close such windows of opportunity?

**B. *Labor Issues***

As the Republican majority rushes to enact its "Contract" in the first 100 days of the 104th Congress, the Democratic minority is concerned that legislation

covering such matters as unfunded mandates and risk assessments do not adequately address the continuing need to protect working people from exploitative wages and working conditions. How does an agency compassionately assess the value of a worker's life in balancing potential harm versus benefit? How many avoidable injuries will be caused by proposed sweeping moratoria on Federal regulations? Do cost-benefit analyses minimize the value of the lives of minority workers and those toiling in low wage jobs?

In addition, we propose that the Committee explore the impact of the North American Free Trade Agreement (NAFTA), the General Agreement on Tariffs and Trade (GATT), and the monetary policies of the Federal Reserve Board on American jobs and income in the United States.

#### CONCLUSION

We hope that our views outlined above will be included among the Committee's oversight responsibilities. And, we trust that the bipartisan spirit of the past with regard to these oversight matters will be honored by the new Republican majority. Vital matters of national education, nutrition, and labor policy hang in the balance.

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<sup>1</sup>Representatives Robert E. Andrews (D-NJ) and Tim Roemer (D-IN) indicated that they do not support these views.

WILLIAM F. CLINGER, JR. PENNSYLVANIA  
CHAIRMAN

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ONE HUNDRED FOURTH CONGRESS

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT  
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COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT  
OVERSIGHT PLAN  
U. S. House of Representatives  
104th Congress  
Congressman William F. Clinger, Jr.,  
Chairman

Rule X, clause 2(d) of the Rules of the House requires each Committee to adopt and submit a two-year oversight plan to the Committees on Government Reform and Oversight and House Oversight by February 15 of the first session of Congress.

This is the Oversight plan of the Committee on Government Reform and Oversight for the 104th Congress. Included within are the issues and areas in which this Committee plans to conduct oversight and investigation during this Congress.

**SUBCOMMITTEE ON HUMAN RESOURCES  
AND INTERGOVERNMENTAL RELATIONS**

Agency Oversight: HUD. Hearings on the overall mission of the agency, obstacles to mission performance, and opportunities for program consolidation, reduction and elimination. Early '95

Agency Oversight: HHS. Hearings on the overall mission of the agency, obstacles to mission performance, effectiveness of anti-fraud enforcement activities, and opportunities for program consolidation, reduction and elimination. Early '95

Agency Oversight: Dept. of Education. Hearings on the overall mission of the agency, obstacles to mission performance, program proliferation and opportunities for program consolidation, reduction and elimination. Early '95

Agency Oversight: Dept. of Labor. Hearings on the overall mission of the agency, obstacles to mission performance, and

- opportunities for program consolidation, reduction and elimination. Early '95
- Agency Oversight: Dept. of Veterans Affairs. Hearings on the overall mission of the agency, obstacles to mission performance and opportunities for increased efficiency and cost savings. Early '95
- Program Oversight: Food Safety. Hearing(s) on the effectiveness and coordination of food safety and inspection programs. Fall '95
- Program Oversight: Indian Veterans Housing. Hearing(s) on the coordination of services between the Indian Health Service and the Department of Veterans Affairs. Winter '95
- Program Oversight: Medicare and Medicaid Fraud. Hearing(s) on the effectiveness of efforts to coordinate anti-fraud efforts between the agencies, Inspectors General, Justice Department and program contractors. Summer '95
- Program Oversight: HCFA Waivers. Hearing(s) on the administration of the process, timing and standards under which states obtain waivers of Medicaid rules. Fall '95
- Program Oversight: PHS/Child Immunization. Hearing(s) on the implementation of the administration's child immunization program. Summer '95
- Program Oversight: FDA Clinical Labs. Hearing(s) on proposed consolidation of FDA clinical lab sites. Fall '95
- Program Oversight: PHS/AIDS Funding. Hearing(s) on the administration of the Ryan White Care Act. Summer '95
- Program Oversight: AFDC. Follow-up hearing(s) on AFDC waivers and job training and opportunities for welfare recipients. Winter '95
- Program Oversight: CDC/NCI. Hearing(s) on the operations of the Centers for Disease Control and the National Institutes of Health. Spring '96
- Program Oversight: OSHA/BLS. Hearing(s) on steps needed increase coordination of data gathering, use and dissemination on workplace safety. Fall '95
- Program Oversight: Direct Student Loans. Hearing(s) on threshold requirements for educational institution participation and loan default rates in the Federal Direct Student Loan Program. Spring '95

- Agency Oversight: HUD/HHS/Labor/Ed./VA. Hearing(s) on the implementation of the Government Performance and Results Act of 1993. Spring '96
- Program Oversight: OSHA. Hearing(s) on the effectiveness of OSHA in the construction industry. Spring '96
- General Oversight: Unfunded Mandates. Follow-up hearing on the impact and effectiveness of mandate relief legislation. Spring '96
- General Oversight: Federalism. Hearing(s) on the role of the Advisory Commission on Intergovernmental Relations, its effectiveness and its future. Winter '95
- General Oversight: Program Overhead. Hearing(s) on the ratio of program dollars to administrative costs in selected HUD, HHS, VA, Education and Dept. of Labor programs. Fall '95
- Program Oversight: Child Support Enforcement. Hearing(s) on the operation of the Federal Parent Locator Service and related federal and state efforts to enforce child support orders. Summer '95
- General Oversight: Block Grants. Hearing(s) on the Community Development Block Grant, and other block grant programs, to determine the effectiveness and limitations of the block grant mechanism. Spring '95
- Program Oversight: Teenage Pregnancy Prevention. Hearing(s) on the number, cost, scope and effectiveness of federal grant programs to prevent teenage pregnancy. Fall '95
- Program Oversight: Supplemental Security Income. Hearing(s) to assess the effectiveness of efforts to enforce eligibility criteria and prevent fraud. Winter '95
- Program Oversight: Medicare as Secondary Payer. Hearing(s) on the effectiveness of efforts to insure that Medicare contractors identify and collect from primary payers. Fall '95
- Program Oversight: HCFA/Medicaid Uncompensated Care and Disproportionate Share Payments. Hearing(s) on the clarity and effectiveness of regulations implementing the Uncompensated Care and Disproportionate Payment programs, and state Medicaid program response to the regulations. Summer '95
- Agency Oversight: HUD. Follow-up hearing upon the completion of the Independent Counsel (Judge Arlin Adams) report. Summer '95

Program Oversight: Low-Income Housing Tax Credit. Hearing(s)  
on the impact and effectiveness of the Low-Income Housing

Tax Credit as an alternate method to develop affordable  
housing. Winter '95

Program Oversight: Job Training. Hearing(s) to evaluate job  
training programs and assess opportunities for program  
consolidation and elimination. Summer '95

Program Oversight: Low Income Housing Preservation and  
Rehabilitation Act (LIHPRA). Hearing(s) on the costs and  
benefits of the LIHPRA program. Fall '95

**SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH, NATURAL RESOURCES AND  
REGULATORY AFFAIRS**

**General Agency Oversight:** Our goal is to have a series of hearings on the mission of the following agencies.

Department of Commerce - Spring 1995

Department of Interior - Spring 1995

Department of Energy - Spring 1995

Department of Transportation - Winter 1995

Department of Treasury - Winter 1995

Environmental Protection Agency - Winter 1995

Interstate Commerce Commission - hearings on possible elimination  
Winter 1995

Small Business Administration - hearings on possible reduction or  
elimination - Winter 1995

Federal Reserve System - Summer 1995

**Specific Program Oversight:**

Department of Agriculture - we will be sharing this with Mr.  
Shays, perhaps a joint hearing - Summer 1995

1. Farm Programs
2. Food Stamp Program

Federal Communications Commission - Late Summer 1995

1. License Renewal
2. The Use of Market Mechanism

Department of Interior - Summer 1995

1. Endangered Species Act
2. Wetlands

Department of Treasury - April 1995

1. Internal Revenue Service
2. Community Reinvestment Act (CRA)

Department of Transportation - Spring 1995

1. NHTSA Enforcement
2. CAFE Standards
3. Intermodal Collapse of 10 to 3
4. Amtrak
5. Title XI - Maritime Loan Guaranty Program

6. Maritime Administration - Ready Reserve Fleet, etc.
7. Promotional Role of the FAA  
Aviation Negotiations

Securities and Exchange Commission - Summer 1995

1. Division of Corporate Finance - Registration Review Process
2. Office of the Chief Accountant - a. Oversight of the Setting  
of Accounting Standards  
b. Interpretation of Independence of Accountants

Consumer Product Safety Commission - Fall 1995

1. Regulatory Reform

Environmental Protection Agency

1. Oversight Hearings on regions (Late spring, 1995)
2. Oversight hearing on the implementation of the Clean Air Act.  
(Early summer, 1995)
3. Oversight hearing on management. (Late summer/Fall, 1995)
4. Superfund
5. Wetlands
6. Reducing Procedural Barriers, Permitting delays, unnecessary  
paperwork
7. Federal/State relationship in implementing environmental laws

Food and Drug Administration - (with the support of Mr. Shays)

1. Agency implementation of FDA reform agenda agreed to in 1992  
Fall 1995

**Field Hearings**

Hearings on Regulatory Reform in the following regions and  
agencies: 1995-1996

Southern California  
The West - Arizona, etc.  
Northeast  
Mid-atlantic  
North Central

Privatization Hearings - Throughout the 104th Congress

SUBCOMMITTEE ON GOVERNMENT MANAGEMENT,  
INFORMATION AND TECHNOLOGY

<u>SUBJECT</u>	<u>TENTATIVE DATE</u>
Procurement and Contracting (first of three hearings) Federal Acquisition and Streamlining Act of 1994	February 21, 1995
Procurement and Contracting (second of three hearings) Federal Procurement: How to Improve the Process	February 28, 1995
Capital Budgeting	March 2, 1995
Integrity of Government Documents	March 7, 1995
Examining Opportunities for Privatization in the Federal Government	March 14, 1995
Procurement and Contracting (third of three hearings) Post-FTS 2000 Program	March 21, 1995 and March 28, 1995
National Performance Review (first of six hearings)	May 2, 1995
Strengthening Departmental Management (second of six hearings)	May 9, 1995
Consolidating and Restructuring the Executive Branch (third of six hearings)	May 16, 1995
Consolidating Federal Programs and Organizations (fourth of six hearings)	May 23, 1995
Corporate Structures for Government Functions (fifth of six hearings)	June 6, 1995

Streamlining Federal Field Structures (sixth of six)	June 13, 1995
Border Patrol Implementation and Customs Officer Allocation (field hearing)	June 1995
Performance, Measurement, Benchmarking, and Reengineering	June 20, 1995
Government Performance and Results Act	June 27, 1995
Budget and Financial Information - Annual Shareholders Report: How Does the Citizen Know What is Going On?	July 11, 1995
Chief Financial Officers Act	July 18, 1995
Inspectors General Act Oversight	July 25, 1995
Exploiting Information Technology and Information Resource Management	August 1, 1995
Oversight of the Federal Government's Purchase of Information Technology Systems	September 12, 1995

## SUBCOMMITTEE ON THE POSTAL SERVICE

**I. WINTER/SPRING 1995 - General Oversight hearings of the United States Postal Service**

- A. Hearing consisting of two panels of witnesses including:
  - 1. Postmaster General
  - 2. Representatives from the General Accounting Office.
- B. Hearing consisting of one panel of the five members of the Postal Rate Commission
- C. Hearing consisting of one panel with the nine member Postal Board of Governors
- D. Hearing consisting of several panels of employee and management groups
- E. Hearing consisting of several panels of major mailing groups representing commercial, institutional and nonprofit mailers
- F. Hearing consisting of several panels of postal reliant businesses including Pitney-Bowes, Mail Boxes, Etc., Consolidated Freightways/Emery Air Freight, etc.
- G. A second appearance by the Postmaster General to wrap up and answer questions raised by the previous panels of witnesses.

**II. SPRING/SUMMER 1995 - Specific oversight hearings on postal operations. Several of these hearings could operate as field hearings.**

- A. Hearing centering on postal operations with the Postal Service chief Operating Officer and one or more of the 10 geographic USPS Area Vice Presidents. (This hearing or hearings could be conducted in the field at one or more regional sites.)
- B. Hearing focusing on the operations of the Postal Inspection Service
- C. Hearing focusing on labor and management relations and diversity in the workforce issues
- D. Hearing focusing on the marketing/advertising activities of the USPS, the vice president and consumer advocate, and members of the Commemorative Stamp Commission
- E. Hearing focusing on USPS expenditures and operations relating to transportation, automation and facilities
- F. Hearing focusing on the financial status of the USPS.

**III. SUMMER/FALL 1995 - Hearings regarding the commercialization and privatization of the USPS and possible reform of the Private Express Statutes.**

Hearings could focus on proposed legislative initiatives and witnesses could include labor and management groups, Postal Service officials, mailers, economists, representatives of foreign governments who have experienced similar privatization efforts and other interested parties. (This series of hearings would be historic in nature and represents the first time that

the subject of postal privatization would have an official forum before the Congress.)

**IV. SUMMER/FALL 1995 - proposed rate and reclassification.** The Postal Service will be petitioning the Postal Rate Commission to reform the current rate and reclassification structure. Hearing(s) may involve the regulatory action taken by the Postal Rate Commission, the effect any rate setting or reclassification changes may have on postal customers and finances, and the extent to which Subcommittee action may be required to reexamine provisions of the Postal Reorganization Act addressing the rate-making process and rate-setting criteria.

**VI. SPRING/SUMMER/FALL 1995 - current review of postal mail delivery and service problems throughout the country.**

Hearings may focus on specific mail delivery and service problems, the source of such problems and the Postal Service's efforts to enhance delivery and service.

**VII. FALL/WINTER 1995-1996 - review of the current Occupational Safety and Health Act as it applies to postal personnel and facilities.**

Hearings may focus on proposed legislative changes, safety in the workforce and any work-related injuries or deaths experienced by employees.

**VIII. WINTER 1996 - Repeat of general oversight hearings.**

**IX. DURATION OF 104th CONGRESS - Miscellaneous hearings and oversight.** Hearings may include:

- A. Fiscal year budget proposals and impact on the Postal Service, customers and employees
- B. Personnel issues including day care, shift work and workplace security
- C. Franking issues and reform
- D. Postal Service contract and procurement issues
- E. Status of USPS automation efforts and technology utilization
- F. Efforts to address meter fraud.

## SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

<u>SUBJECT</u>	<u>TENTATIVE DATE</u>
Oversight hearings on the financial condition and budget of the District of Columbia.	Spring Winter, Spring 1995
Oversight hearings on the structure of the District of Columbia government.	Spring, Summer 1995
Oversight Hearings on District of Columbia schools and educational performance. Possible involvement with Economic and Educational Opportunity Committee.	Summer, 1995
Oversight of the Department of Public and Assisted Housing.	Summer, Fall 1995
Oversight hearings on costs and performance of District of Columbia water and sewer programs. Possible involvement of Transportation and Infrastructure Committee.	Summer, Fall 1995
Oversight hearings on District of Columbia personnel system and performance standards. Possible involvement of the Civil Service Subcommittee.	Fall, 1995
Oversight hearings on District of Columbia financial control and management systems.	Fall, 1995
Oversight of District of Columbia Retirement Board.	Fall, 1995
Oversight of Metro system.	Winter, 1996
Oversight hearings on District of Columbia mental health program.	Winter, 1996
Oversight hearings on District of Columbia criminal justice system, focus on police department. Possible involvement of the Judiciary Committee.	Spring, 1996
Oversight hearings on District of Columbia fire and emergency medical systems programs.	Summer, 1996

## SUBCOMMITTEE ON CIVIL SERVICE

1. OFFICE OF PERSONNEL MANAGEMENT

A. Oversight hearing on the restructuring of the Office of Personnel Management (OPM). The Administration has proposed to downsize OPM and decentralize certain functions to the departments and agencies. The role of OPM during and following the downsizing of the Federal government will be examined. OMB and OPM will testify as to the future of the "central management" function of government. (Hearing scheduled for Feb. 7, 1995)

B. Oversight hearing on contracting out of OPM Investigations functions. The Administration has proposed to contract out the Office of Federal Investigations (OFI). OFI conducts civilian background investigations to determine whether a person is suitable for government service or should hold a security clearance for some of our nations' most sensitive work. OFI checks the applications of air traffic controllers, employees of nuclear processing plants, border patrol agents, prison guards, bank examiners, auditors and astronauts. (Spring 1995)

C. Oversight hearing on safeguarding veterans preference in hiring by the Federal government. Examine protecting veterans preference in any workforce downsizing or structural reorganization. Veterans preference is a program established in 1944 to recognize the contribution of those who have served the country honorably. (Summer 1995)

D. Oversight hearing on Base Closure Realignment Commission future action. In 1993 the Commission proposed to close dozens of military facilities, eventually abolishing or transferring nearly 50,000 civil service jobs. The President approved the package and Congress, allowed it to take effect. Further reductions and downsizing are anticipated. (Summer 1995)

2. CIVIL SERVICE REFORM

A. Oversight field hearing in Chicago to review decentralization of functions from perspective of a regional office. Taking functions out of OPM and enhancing the management role of the individual agencies and departments will be reviewed from a Regional Office. Regional managers, rank and file employees, as well as customers of their agencies will be asked to testify. (Summer 1995)

B. Oversight hearing on improving productivity with incentive awards. Federal employees currently have the opportunity to receive financial awards for presenting ideas that save time or money and increase overall efficiency. Expanding this program by giving awards to employees whose work meets the

highest standard of performance will increase motivation and work ethic. Rewarding the highest performers in Federal service is a key component to making government more responsive and accountable. (Fall 1995)

C. Oversight hearing on privatization of government functions. A thorough examination of the possible privatization of certain Federal government functions will be conducted. Weighing the potential risks of failure by new private efforts against costs of failed government performance is essential. Reviewing alternative approaches that can provide for the social good is useful and will contribute to the national discussion about the proper limits of government in our society. (Fall 1995)

D. Oversight hearing on the Hatch Act Reform Amendments of 1993. The Hatch Act generally prohibits Federal and postal employees, whether or not on duty, from engaging in political activities intended to influence others. As enacted the law generally permits employees to engage voluntarily in lawful political activity on their own time. However, employees cannot seek local partisan political office. Employees of sensitive agencies are excluded from the new Hatch Act. (Summer 1995)

E. Oversight hearing on contracting out. Examine some known successes and failures and some abuses of contracting out. The hearing will assess the rules governing contracting out including the formulas used to establish competitive yardsticks between government entities and their private sector counterparts. GAO investigation is underway and after its completion a hearing will be conducting. (Spring 1995)

F. Oversight hearing on organizational structures reviewing supervisor to employee ratios. In recent years many corporations have successfully downsized and radically reduced the number of supervisors and managers whose function it is to oversee work processes. The successes and failures experienced in the private sector can be used as a measure for instituting effective changes in the public sector. (Fall 1995)

G. Oversight field hearing in Atlanta to review decentralization of functions from perspective of a regional office. Taking functions out of OPM and enhancing the management role of the individual agencies and departments will be reviewed from a Regional Office. Regional managers, rank and file employees, as well as customers of their agencies will be asked to testify. (Fall 1995)

### **3. PERSONNEL SYSTEMS**

A. Oversight hearing on workforce accountability and performance based removals. Establishing individual goals and

rewards for employees while simultaneously holding poor performers accountable will increase efficiency and responsiveness. (Summer 1995)

B. Oversight hearing on Ramspeck Act. The Act allows Congressional staff with three or more years of service to become career civil servants if they are "involuntarily separated." A similar provision exists in an Executive Order for White House staff after two years of service. A GAO investigation is underway and following its completion a hearing will be conducted. (Summer 1995)

C. Oversight hearing on drug testing of Federal employees. The hearing will review the history of drug testing in Federal employment. Assess and review possible problems in implementation of comprehensive drug testing program. Executive Order 12564 outlines the policies that agencies are to follow in testing of Federal employees for drug use. (Summer 1995)

#### 4. COMPENSATION AND EMPLOYEE BENEFITS

A. Oversight hearing on Federal Workforce Restructuring Act. The Act mandated that 272,000 jobs be eliminated and savings be used to fund the crime bill. The Subcommittee will review the alleged savings, cuts, and whether agencies are replacing those jobs in anyway, either by reemployment of employees or by way of contracting out those services. A thorough examination of the pro and con of using buyouts to induce early retirement will occur. (February/March 1995)

B. Oversight hearing on the Federal Pay Survey. Examining methodology and accuracy of the survey used to determine base pay as well as locality pay under the Federal Employees Pay Comparability Act of 1990 (FEPCA). While official estimates have found Federal pay rates are low relative to "comparable" private sector employees, academic studies have found the opposite. Critics of the pay survey argue its methodology is flawed. The Subcommittee will assess the impact of these discrepancies on the government's \$89 billion annual payroll. (Spring 1995)

C. Oversight hearing on Federal Employee Health Benefit Program (FEHBP). FEHBP covers 9 million Federal employees, annuitants, and dependents. It is a \$16 billion program and is the single largest employer-sponsored health plan in the world. The program is administered by OPM. Although OPM has some influence over the benefits in individual plans, each plan is relatively free to design a package of benefits to appeal to enrollees during the annual "open season." The plans estimate premiums based on their anticipated costs for the upcoming year. (1996)

D. Oversight hearing on retirement for Members of Congress. The Civil Service Retirement System (CSRS) and the Federal Employees' Retirement System (FERS) apply to Members of Congress as well as to employees of the Executive Branch of the Federal government. Members contributions to the systems, accrual rates, and terms for early retirement are different from those for employees of the Executive Branch. A GAO study is underway and following its completion a hearing will be conducted. (Spring 1995)

**5. MERIT SYSTEMS PROTECTION BOARD**

A. Oversight hearing on Merit System Protection Board (MSPB). The MSPB conducts special studies of the merit systems, hears and decides charges of wrongdoing and employee appeals of adverse agency actions, and orders corrective and disciplinary actions when appropriate. The MSPB overall purpose is to protect the integrity of Federal merit systems and the rights of Federal employees working in the systems. (1996)

**6. OFFICE OF SPECIAL COUNSEL**

A. Oversight hearing on the Office of Special Counsel. The primary role of OSC is to protect employees, former employees, and applicants for employment from prohibited personnel practices, especially for whistleblowing. OSC's basic areas of statutory responsibility include receiving and investigating allegations of prohibited personnel practices and other activities prohibited by civil service law, rule, or regulation about employment opportunities within OPM. (1996)

**7. FEDERAL LABOR RELATIONS AUTHORITY**

A. Oversight hearing on the Federal Labor Relations Authority (FLRA). The FLRA oversees the Federal service labor-management relations program. It administers the law that protects the right of employees of the Federal government to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions affecting them. (1996)

**8. OFFICE OF GOVERNMENT ETHICS**

A. Joint oversight hearing on the Office of Government Ethics (OGE) with the Subcommittee on Government Management, Information and Technology. OGE provides overall direction of Executive Branch policies in preventing conflicts of interest on the part of officers and employees of all agencies. OGE is the principal agency for administering the Ethics in Government Act for the Executive Branch. (1996)

**SUBCOMMITTEE ON NATIONAL SECURITY,  
INTERNATIONAL AFFAIRS AND CRIMINAL JUSTICE**

Note: The following set of tentative subjects and dates are intended as a guidepost for Subcommittee oversight hearings and related activities during 1995; they do not purport to be a firm timetable or commitment to hold specific oversight hearings.

TENTATIVE SUBJECTSTENTATIVE DATES

**Hearings on New Threats to U.S. Security from International Terrorism and Nuclear Proliferation; Re-Evaluating Need for Limited Ballistic Missile Defenses (BMD)** **Early Spring 1995**

Focus: Testimony on new threats to U.S. security posed by renewed international terrorism, heightened concerns about nuclear proliferation (including sale of nuclear weapons and materials in N.I.S./former Soviet Union), and proliferation of long-range missile delivery systems. Specific attention to limited ballistic missile defense systems.

**Oversight Hearings on Cost-Efficiency of Department of State, and Overlapping Jurisdictions of State, AID, ACDA, USIA (trips to investigate and/or substantiate)** **Mid-Spring 1995**

Focus: Testimony on general cost-efficiency of Department of State, including Embassies and Other Outposts. Re-evaluation of specific functions at State and re-consideration of possible overlapping jurisdictions among AID, ACDA, USIA, Other Agencies. Review of means for possible increased efficiency, for example, application to AID of the enterprise fund models, consolidation and/or elimination of repetitive functions or agencies. Review of Export Administration Act implementation, coordination with Commerce and DoD.

**Oversight Hearings on Defense Base Closure and Realignment Process (trips/ nationwide field hearings)** **Late Spring 1995**

Focus: Review of cost savings realized to date by military base closures. Special attention to new obstacles impeding expected cost-savings,

including various potential post-closure problems, such as reverter clauses in federal base titles, environmental clean-up issues, community development issues, and bureaucracy inherent in transition of federal lands to private sector.

**Oversight Hearings on Cost-Efficiency of Immigration and Naturalization (INS) and Border Security (trips to investigate and/or substantiate)** **Early Summer 1995**

Focus: Testimony on general cost-efficiency of INS operations, and attention to increased burden on INS, federal and state governments posed by recent increases in illegal immigration. Effectiveness of Clinton Administration responses.

**Oversight Hearings on Clinton Administration Drug Policy Implementation (trips to interdiction/source points)** **Mid-Summer 1995**

Focus: Review of the Clinton Administration's National Drug Control Policy Office, DEA, and general drug policy apparatus. Review of the implementation of the Clinton Administration's drug policy, including interdiction, enforcement, treatment and prevention programs.

**Oversight Hearings on Cost-Efficiency and Early Post-Cold War Role of Department of Defense (trips to investigate and/or substantiate)** **Fall 1995**

Focus: Review of the general cost-efficiency of the Department of Defense, including cost-efficiency of specific domestic and foreign operations. Re-evaluation of specific functions, missions and DoD implementation. Review of means for possible increased efficiency. Review of readiness and DoD computer network security, as affected by DoD efficiencies and processes.

**Oversight Hearings on Cost-Efficiency and Post-Cold War Role of Intelligence Community** **Mid-Fall 1995**

Focus: Review of cost-efficiency and various functions of respective intelligence agencies, including CIA, DIA and NSA. Re-consideration of respective jurisdictions and post-Cold War roles. Review of means for improved cost-efficiency.

<b>Oversight Hearings on Cost of U.N. Peacekeeping Missions (trips to investigate and/or substantiate, including Haiti, Other Missions)</b>	<b>Late Fall 1995</b>
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Focus: Review of costs incurred as a result of recent U.N. peacekeeping missions. Breakdown and evaluation of cost concerns relating to specific missions, including Haiti and other recent missions.

<b>Oversight Hearings on Cost-Efficiency and Post-Cold War Role of U.S. Global Alliances and Deployments (trips to investigate and/or substantiate)</b>	<b>Late Fall 1995</b>
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Focus: Review of threats and costs incurred as a result of specific foreign commitments and international alliances. Re-evaluation of means for cost savings within the context of preserving global alliances. Review of role of global alliances and cost efficiencies possible.

**COMMITTEE ON HOUSE OVERSIGHT****OVERSIGHT PLAN FOR THE 104TH CONGRESS**

Pursuant to House Rule X, clause 2(d)(1), the Committee on House Oversight held a meeting that was open to the public on February 8, 1995. With a quorum present, the following oversight plan for the Committee during the 104th Congress was adopted.

**ESTABLISHMENT OF THE COMMITTEE**

The Committee was created on January 4, 1995, and is successor to the Committee on House Administration, which was created on January 2, 1947 as part of the Legislative Reorganization Act of 1946. This Act combined the Committee on Accounts, Enrolled Bills, Disposition of Executive Papers, Printing, Elections, Election of the President, Vice President, and Representatives in Congress, and Memorials. Between January 2, 1947 and January 4, 1995, the jurisdiction of the Committee was amended to include the House Restaurant System, parking facilities, House Beauty Shop, campaign contributions to candidates for the House, resolutions authorizing committees to employ additional professional and clerical personnel, and the Committee shared jurisdiction with the Post Office and Civil Service Committee on matters relating to compensation, retirement and other benefits of Members, officers and employees of Congress.

Upon adoption of the Rules of the House of Representatives for the 104th Congress, the Committee responsibility for authorizing payment of expenses was expanded to include all staff salaries for any committee, commission, or other entity (except the Committee on Appropriations) for a Congress. The Committee's jurisdiction was also broadened to include the Franking Commission. Responsibility for erection of monuments to the memory of individuals was transferred to the Committee on Resources.

**COMMITTEE JURISDICTION**

The Committee on House Oversight is a standing committee of the House of Representatives. The powers and duties of the Committee include the statutory responsibilities of the predecessor committee, the Committee on House Administration, as determined by the Legislative Reorganization Acts of 1946 (Public Law 79-601) and 1970 (Public Law 91-510), and the Rules of the House of Representatives adopted on January 4, 1995. The Committee on House Oversight, which consists of 12 members, has jurisdiction and related functions assigned by House Rule X, clauses 1, 2, 3, and 4; and all bills, resolutions, and other matters relating

to the following subjects shall be referred to the Committee:

1. Appropriations from accounts for committee salaries and expenses (except for the Committee on Appropriations), House Information Systems, and allowances and expenses of Members, House Officers and administrative offices of the House.
2. Auditing and settling of all accounts described in subparagraph (1).
3. Employment of persons by the House, including clerks for Members and committees, and reporters of debates.
4. Except as provided in Rule X, clause 1(q)(11), matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts.
5. Except as provided in Rule X, clause 1(q)(11), matters relating to the Smithsonian Institution and the incorporation of similar institutions.
6. Expenditures of accounts described in subparagraph (1).
7. Franking Commission.
8. Matters relating to printing and correction of the Congressional Record.
9. Measures relating to accounts of the House generally.
10. Measures relating to assignment of office space for Members and committees.
11. Measures relating to the disposition of useless executive papers.
12. Measures relating to the election of the President, Vice President, or Members of Congress: corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.
13. Measures relating to services to the House, including the House Restaurant, parking facilities and administration of the House Office Buildings and the House wing of the Capitol.
14. Measures relating to the travel of Members of the House.
15. Measures relating to the raising, reporting and use of campaign contributions for candidates for office of Representative in the House of Representatives, or Delegate, and of Resident Commissioner to the United States from Puerto Rico.
16. Measures relating to the compensation, retirement and other benefits of the Members, officers, and employees of the Congress.

In addition to its legislative jurisdiction under the preceding provisions (and its general oversight function) the Committee has the function of:

1. Examining all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examining all bills and joint resolutions which shall have passed both Houses to see that they are correctly enrolled, forthwith presenting those which originated in the House to the President of the United States in person after their signature by the Speaker of the House and the President of the Senate and reporting the fact and date of such presentation to the House; and
2. providing policy direction for, and oversight of, the Clerk, Sergeant-at-Arms, Chief Administrative Officer, and Inspector General.

Finally, the Committee has privilege under House Rule XI, clause 4(a) to report at any time on enrolled bills, contested elections, and all matters referred to it of printing for the use

of the House or the two Houses, and on all matters of expenditure of the contingent fund of the House [i.e., accounts for committee salaries and expenses (except for the Committee on Appropriations), House Information Systems, and allowances and expenses of Members, House Officers and administrative offices of the House], and on all matters relating to preservation and availability of noncurrent records of the House under Rule XXXVI.

#### OVERSIGHT PLAN FOR THE 104TH CONGRESS

SUBJECT	TENTATIVE DATE
<u>Accounts of the House</u>	
Conduct a review of official allowances of Members to identify potential cost savings and streamline administration.	Spring, 1995
Review committee accounting procedures to ensure consistency with any accounting changes in the House.	Fall, 1995
Conduct a review, and assess impact, of biennial and consolidated funding resolutions for committees, commissions, and other entities.	Spring, 1996
Receive and review comprehensive financial and operational audits of the House; investigate any irregularities uncovered; implement required improvements.	Summer, 1995
<u>Oversight of the House Officers</u>	
Evaluate the assignment of functions and responsibilities to the House Officers and provide for transfer, consolidation and similar restructuring to increase efficiency and accountability in House operations.	Winter, 1995 - Summer, 1995
Sergeant-at-Arms	
Review of security operations in the House, including the House chamber, the galleries, the Capitol, House Office Buildings, and Capitol Grounds.	Winter, 1995
Examine measures relating to the United States Capitol Police, arrest powers and jurisdiction, and terms and conditions of employment.	Summer, 1995

Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

Summer, 1995  
Winter, 1996  
Summer, 1996

Clerk of the House

Complete review of functions and administrative operations assigned to the Clerk.

Winter, 1995

Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

Summer, 1995  
Winter, 1996  
Summer, 1996

Chief Administrative Officer

Complete review of functions and administrative operations assigned to the CAO.

Winter, 1995 -  
Spring, 1995

Review of procedures for processing vouchers and related documents; review of procurement guidelines and procedures.

Winter, 1995

Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

Summer, 1995  
Winter, 1996  
Summer, 1996

Inspector General

Review and evaluate audit reports and proposed audit plans.

Winter, 1995  
Fall, 1996

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.

Spring, 1995 -  
Summer, 1995

Review state and Federal activities and cost in connection with the National Voter Registration Act. Examine reforms that could cut costs and improve voter registration procedures, particularly with regard to strengthening protection against fraud.

Spring, 1995 -  
Summer, 1995

Examine options for improvement of the contested elections process and amendments to the Federal Contested Election Act.	Fall, 1995
Examine evidence of fraud in the conduct of Federal elections and evaluate measures to improve the integrity of the electoral process.	Fall, 1995 - Spring, 1996
<u>Official Mail Allowance and Franking Generally</u>	
Review proposals to reform funding of mail sent by Members, and regulations governing such mailing, and to expand current prohibition on mass mailings 60 days before a primary or general election.	Summer, 1995
Review proposals to increase frequency of disclosure of franked mail costs.	Summer, 1995
<u>Oversight of the Government Printing Office</u>	
Conduct hearings on the restructuring of government printing and the dissemination of government information to the public, especially in electronic form.	Spring, 1995
Review and evaluate proposals for expanding the use of private printers for the printing of government documents.	Summer, 1995
<u>Oversight of the Library of Congress</u>	
Review and evaluate proposals for increasing public access to government information, especially in electronic form.	Summer, 1995
<u>Oversight of the Smithsonian Institution</u>	
Review issues related to funding, programs and public exhibits.	Summer, 1996
<u>Services Provided by the Architect of the Capitol</u>	
Review operations of the Architect to increase efficiency, reduce costs, and to achieve streamlined operations and consolidation of duplicative services provided by other entities.	Spring, 1995 - Summer, 1995

## Committee on International Relations

February 14, 1995

The Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform and Oversight  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

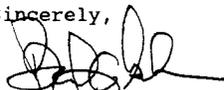
By direction of the Committee on International Relations, I hereby transmit to the Committee on Government Reform and Oversight, in compliance with clause 2 of Rule X of the Rules of the House of Representatives, the Oversight Plan of the Committee on International Relations for the 104th Congress.

The Committee's Oversight Plan was adopted by unanimous consent on February 14, 1995, at a meeting of the Committee on International Relations that was open to the public, a majority of the members of the Committee being present at the time the Plan was adopted.

I look forward to working with you as the Committee on Government Reform and Oversight reviews this Plan. Please let me know if I or the staff of this Committee can be of any assistance in your efforts.

With best wishes,

Sincerely,



BENJAMIN A. GILMAN  
Chairman

cc: The Honorable Lee H. Hamilton  
Ranking Democratic Member

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Adopted February 14, 1995

**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 Oversight and House Oversight not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on International Relations for the 104th 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, but means that the Committee hopes to cover the issue during the course of its oversight work.

**GENERAL**

**A. Ongoing Meetings with Administration and Foreign Leaders**

The Committee and its subcommittees, and individual members, especially the Chairman and Ranking Minority Member, will continue to meet, informally and in formal sessions, with members of the President's Cabinet and officials at all levels within the Executive branch. These meetings allow the Committee and its members to raise issues relating to the conduct of foreign affairs and other matters within its oversight jurisdiction.

Committee members meet, as an element of the oversight process, with heads of state and government, cabinet ministers, and parliamentarians from around the world. In the 103rd Congress, the Committee held over 200 meetings of this nature; in the 104th Congress, the Committee expects to maintain that pace. In addition, Committee staff meet with countless foreign visitors on an informal basis. These meetings, inter alia, allow the Committee to evaluate the effectiveness of U.S. diplomacy with respect to our relations with these visitors' countries and third countries.

**B. Evaluation of Foreign Assistance Programs; the Future of the Agency for International Development.**

**Structure of Foreign Aid in the Post-Cold-War World: who, what and how?** Including evaluation of foreign aid institutions. (Winter/Spring, 1995)

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**Duplication/Overlap in Foreign Assistance.** What foreign assistance (and technical cooperation) is being administered outside of AID/State Department? (Spring, 1995)

**Effectiveness of Development Assistance,** including: Review of effectiveness of foreign assistance in influencing policy changes in developing countries; Current role of development foundations; Evaluation of the role of training in development assistance; what is the role of agriculture research in development; what are valid indicators of social and economic development? (Spring/Summer/Fall, 1995)

**Review of PL 480, Food aid, cargo preference.** (Summer, 1995)

**Experimental quick-turn-around GAO pentagon-style "budget scrub" of selected aid program(s).** (Spring/Summer, 1995)

**Review of comparative effectiveness of bilateral and multilateral aid programs.** (USAID DA vs. UNDP). (Fall, 1995)

**Review of microenterprise programs.** (Fall, 1995/Winter, 1996)

**Evaluation of the effectiveness of population programs.** (Spring, 1996)

**The effectiveness of Enterprise Funds as an alternative model for foreign assistance.** (Winter/Spring, 1995)

**PVO/NGO role in delivering foreign assistance: Are PVOs contractors, partners or grantees?** (Spring, 1995)

**Review of Democracy-building activities.** One of the key activities of USIA, AID, and other agencies is the role they play in support of democracy development. A proliferation of democracy programs in various agencies, and non-governmental organizations raises questions as to overlap, efficiency, and effectiveness. (Summer, 1995)

**C. Security Assistance/Political-Military Issues/Arms Control/Non-Proliferation/Peacekeeping**

**Review of military aid to Greece and Turkey.** (Spring/Summer, 1995)

**Review of effectiveness of expanded International Military Education and Training program.** (Fall, 1996)

**"Rogue regimes."** Review of the problem of security threats from so-called "rogue regimes" that have, or could gain, the power to create weapons of mass destruction. (Summer/Fall, 1995)

**Peacekeeping.** Major unresolved issues remain in the wake of the consideration of the peacekeeping provisions in H.R. 7 by the House. The extent to which U.S. participation in U.N. peacekeeping advances U.S. national interests and the degree to which other countries are paying their fair share of these costs, are two key issues that need oversight by our committee. (Spring, 1995)

**Arms Control.** Reivew implementation of arms control treaties and agreements including the START treaties, the Chemical Weapons Convention, the CFE Treaty, the ABM Treaty, the Nuclear Nonproliferation Treaty, the Missile Technology Control Regime and other arms control and nonproliferation agreements. (Spring, 1995 - Fall, 1996)

**Nonproliferation.** Effectiveness of IAEA; Status of fissile material production ban; review effectiveness of existing and proposed nuclear weapon free zones in Latin America, the South Pacific, Africa, South Asia, and Southeast Asia. (Spring, 1996)

**Conventional Arms Transfer Policy.** (Spring, 1995)

**Nunn-Lugar Program.** Review implementation of program aimed at dismantlement and destruction of nuclear, chemical, and biological weapons in the independent states of the former Soviet Union. (Spring, 1995 - Spring, 1996)

**Security Assistance.** Review effectiveness and implementation of security assistance programs including FMF, ESF, IMET, and NPDF spigots. (Spring, 1995 - Spring, 1996)

**D. Terrorism and Narcotics Control Programs and Activities.**

**Oversight on the process of countries getting on and off the "terrorist" list;** what alternatives exist to current policies. (Summer, 1995)

**Examination of cooperation between FBI, CIA, State Department and other U.S. agencies concerning organized crime worldwide.** Is legislation needed? Focus on former Soviet Union. (Spring, 1995)

**Review of the impact of the massive visa and passport fraud in the U.S. and abroad on America's problems with terrorism, illicit drugs, and new organized crime elements.** (Fall, 1995)

**Oversight of the State Department's visa lookout system and the interagency information sharing program.** The State Department IG and the GAO have recently completed analyses of the serious shortcomings in the visa lookout system. (Fall, 1995)

**Oversight of international narcotics annual certification determinations for 1995/1996 with regard to major drug transit or producing countries and worldwide review of cooperation with U.S. on counternarcotics efforts.** (Spring, 1995 and Spring, 1996) (after certifications are released).

**Review of the overall international narcotics component of the Administration drug strategy presented each year by the Office of National Drug Control Policy (ONDCP).** (Spring, 1995 and 1996, after the national drug control strategy released annually in early February)

**Examination of U.S. response to the proliferation of FSU-origin nuclear materials to terrorists or rogue states.** (Winter, 1996)

**The War Against Drugs: Peru, Bolivia, Colombia.** The committee will oversee U.S. efforts to induce these countries to cooperate in with U.S. eradication and interdiction efforts. (Spring, 1995)

**Drug Interdiction: the U.S. Mexican Border.** The Committee will examine what impact NAFTA has had on cross-border drug traffic as well as the general state of U.S. Border Patrol and Drug Enforcement Agency efforts to stop this traffic. (Summer, 1995)

**Money Laundering: the Caribbean.** The Committee will explore the effectiveness of recent efforts to curb money laundering in the Caribbean. (Summer, 1996)

#### **E. Other**

**Extradition issues.** The Committee will oversee Administration efforts to secure and implement extradition agreements.

### **THE MIDDLE EAST**

**The Committee will hold periodic hearings on current developments in the Middle East.** It will call the Assistant Secretary responsible for this area approximately every other month. These hearings would require the Administration to justify its current and ongoing overall policy in the region to the Congress; questions central to the Committee's interest in overseeing the conduct of foreign affairs in these regions may be put to the Administration in a timely manner. The Committee will also hold closed briefings, as appropriate, with the Assistant Secretary or his or her subordinate. As appropriate, topics set out below will be explored in depth with the Assistant Secretary.

**Administration and Public testimony on assistance programs for this region will be received before foreign aid markup begins.** (Winter/Spring, 1995)

**Oversight of the Palestinian track of the peace process, including oversight of the Middle East Peace Facilitation Act.** (e.g., PLO compliance with its commitments); effect of peace process on Israel's security and Middle East stability; U.S. funding and oversight of UNRWA. Review GAO report findings on PLO assets; need for additional legislation relative to beneficiaries of U.S. assistance. (Spring/Summer, 1995)

**Review of the Administration's Dual Containment Policy regarding Iraq and Iran.** U.S. policy on Iran's global relationships, its nuclear aspirations, its sponsorship of terrorism, fundamentalism, the stability of the Iranian regime, economic conditions in Iran, U.S. commercial interests in Iran, and OECD relations with Iran. Iraq Sanctions Regime; U.S. policy and the situation of the Kurds in the North (Operation Provide Comfort) and the Shia in the South (Operation Southern Watch). U.S. policy toward Saddam Hussein. U.S. strategy on sanctions in the Security Council. (Spring/Summer, 1995)

**U.S. policy towards Syria.** Syria's Relationship with Iran; Syria's ongoing military buildup. Assessment of regime stability and succession as well as relationship between stability concerns and the peace process. Syrian support of international terrorism. (Winter, 1996)

**U.S. policy toward Saudi Arabia and the Gulf.** Including political stability, internal reform, U.S. military presence and base rights and prepositioning, U.S. arms sales. (Spring, 1996)

**Review of U.S. policy toward Israel in the light of the expected 1996 Elections.** (Spring, 1996)

**Islamic Fundamentalism and its effect on countries in the Middle East.** International and regional linkages of Islamist organizations, including funding and training. Address U.S. policy as well as other Middle East governments policies. (Summer, 1996)

**Egypt.** U.S.-Egyptian relations; the future of U.S. aid to Egypt and Egypt's economic reform program; Islamist violence, human rights and the stability of the Mubarak regime; Egypt's role in the peace process, including Egyptian-Israeli relations; and Egypt's regional relations including with Jordan, Syria, Saudi Arabia, the Palestinians, and Libya. (Spring, 1996)

**Middle East Trade Issues.** Possible free trade area; the proposed Middle East Development Bank; economic relations between Israel and the Arab countries.

## EUROPE

**The Committee will hold periodic hearings on current developments in Europe.** It will call the Assistant Secretary responsible for this area approximately every other month. These hearings would require the Administration to justify its current and ongoing overall policy in the region to the Congress; questions central to the Committee's interest in overseeing the conduct of foreign affairs in these regions may be put to the Administration in a timely manner. The Committee will also hold closed briefings, as appropriate, with the Assistant Secretary or his or her subordinate. As appropriate, topics set out below will be explored in depth with the Assistant Secretary.

**Administration and Public testimony on assistance programs for this region will be received before foreign aid markup begins.** (Winter/Spring, 1995)

**Russia:** (1) Is Russia moving towards constitutional democracy or authoritarianism? (2) What are the trends in the US-Russian relationship in the post-communist era: is a cooperative relationship possible? (Winter, 1995)

**Review of U.S. Assistance Programs for the Newly Independent States:** look at the structure of assistance programs and whether they are helping achieve the objectives of political and economic reform. (Winter, 1995)

**Review of the administration of U.S. Assistance Programs for Eastern Europe, with special emphasis on the "southern tier."** (Bulgaria, Romania, Macedonia, Croatia, and Albania, including development of an Albanian Enterprise Fund). (Spring, 1995)

**Russia: Its policies towards neighboring states.** Review Russian foreign policy towards the other newly independent states, Eastern Europe, China and Japan. (Summer, 1995)

**Serbia and Croatia:** political trends in both countries; prospects for a settlement of the conflict in Croatia; political effects of state control of the media in Serbia; possibility of new, non-nationalist political leadership in Serbia. (Summer, 1995)

**U.S. policy toward Georgia, Armenia and Azerbaijan;** review of how the Administration is dealing with conflicts in Nagorno-Karabakh, Abkhazia, and South Ossetia. (Fall, 1995)

**U.S. policy toward Ukraine, Moldova and Belarus:** Assistance Programs and Political Developments; U.S. policy with respect to the relations between these countries and Russia. (Fall, 1995)

**Review of U.S. Assistance Programs for the Newly Independent States.** (Winter, 1996)

**Review of U.S. Assistance Programs for Eastern Europe.** (Winter, 1996)

**Review of U.S. policy toward Macedonia, Bulgaria, Albania and Romania: Nationalism, Ethnic Minorities and the Effects of Balkan Instability.** (Spring, 1996)

**Central Asia: Review of the conflict in Tajikistan, ethnic issues in the region and Central Asian states' relations with China, Russia, Turkey, and the Islamic states; the role of U.S. aid programs; the development of natural resources.** (Spring, 1996)

**Quarterly review of U.S. policy on Bosnia -- U.S. military involvement, economic sanctions, arms embargo, effect of U.N. peacekeeping (informal meetings or formal hearings, tbd).**

**Review of U.S. policy and actions on Cyprus. Strength of U.S. support for settlement, impact of the situation on our relations with Greece, Turkey, and Cyprus.** (Summer, 1995 and 1996)

**Human Rights in Turkey: Effect of FMS conditionality on Turkish policies, including Turkish cooperation on Cyprus (may be closed/informal)** (Spring, 1995/Winter, 1996).

**US/Europe Union Relations: Is free trade/closer political coordination possible?**

**NATO issues.** Implementation of the NATO Participation Act. Security architecture for Europe: Future of NATO, EU, WEU, and OSCE. (Fall, 1995)

#### **INTERNATIONAL ECONOMIC POLICY AND TRADE**

**Post-COCOM Negotiations.** The U.S. government is currently negotiating with 22 other governments over proposals to establish a new multi-lateral export control regime to replace the now-defunct Coordinating Committee on Multilateral Export Controls (COCOM). The committee will conduct a review of these negotiations, their current status, U.S. goals and the prospects for successfully establishing a regime. (Spring, 1995)

**U.S. Efforts to Open Markets in Telecommunications and Financial Services.** The committee will review the range of negotiations now underway and assess the progress of these talks and the potential for increasing U.S. exports. (Spring, and Summer 1995)

**U.S. Efforts to Protect Intellectual Property.** The Committee will review the effectiveness of the U.S. strategy in these talks. (Late winter, 1995)

**Export Promotion of U.S. Agricultural Products.** The committee will review export promotion programs in conjunction with

upcoming action on the trade provisions of the 1995 Farm Bill, which are under the jurisdiction of the committee. (Early Spring, 1995)

**AID Housing Guarantee Program.** AID has program with \$2.5 billion in outstanding loan guarantees to support housing and community development overseas. (This program is separate from the special guarantee program for Israel.) The GAO is studying the program; the committee review the results of that study, as well as other information related to the program. (Spring, 1995)

**U.S. Policy on Tied Aid Practices.**

U.S. policy holds that tied aid generates unfair trade. To discourage tied aid, the U.S. government maintains a fund in the Export-Import Bank which is used to match tied aid proposals from other governments that would disadvantage U.S. exporters. The committee will review the effectiveness of the OECD agreement and the use of the Ex-Im Bank fund. (Summer, 1995)

**Export Assistance for Small- and Medium-sized firms.** The Committee is concerned that small- and medium-sized firms face difficulties in making use of U.S. government export promotion and finance programs. Working jointly with the Small Business Committee, the committee will examine current programs to determine whether improvements can be made to make them more "user-friendly" for smaller companies. (Fall, 1995)

**Export Promotion and Finance Programs.** The U.S. government maintains a series of agencies and programs to promote U.S. exports and help finance export transactions. Agencies include the EX-IM Bank, the Overseas Private Investment Corporation, the Trade and Development Agency, and the International Trade Administration. The committee will review the effectiveness and coordination these programs, with a view toward making improvements in their cost-effectiveness. (Spring, 1996)

**Review of U.S. tax and regulatory policy and its impact on U.S. economic success abroad.** (Spring/Summer, 1996)

**Examination of the degree to which the U.S. is able to achieve its foreign policy objectives through its voice and vote in the International Financial Institutions.** Is State being listened to/asserting itself? Are human rights and other political objectives taken seriously?

**International Financial System.** Assessment of the ability of the international financial system to respond to liquidity and other crises that threaten economic stability in other countries.

**Impact of Trade on the U.S. Economy.** The aftermath of the NAFTA and GATT debates; Does expanding trade, particularly with less developed economies, create more jobs than it costs?

**ASIA AND THE PACIFIC**

**U.S. Interests in Asia as We Look to the 21st Century.** The Committee intends hold a series of overview hearings, designed to lay the basic parameters of the U.S.-Asian relationship as it moves into the 21st Century. It will explore the key issues that will shape our relations with Japan, China, Korea, India, ASEAN, APEC, etc. Various hearings will examine U.S. political, military/geostrategic, economic, human rights, and foreign assistance interests in the region. The committee anticipates 6-8 hearings in this series. (January-April, 1995)

**U.S.-South Korean Relations and the Korean Peninsula Region.** The Committee received a classified briefing on the status of the North Korean Nuclear program, and on North Korea's efforts to drive a wedge between the United States and South Korea. The Committee will also hold a public hearing on the U.S. - North Korea Framework Agreement. (February, 1995)

**U.S. Security Treaty Arrangements in the Pacific: Japan, Korea, Australia, New Zealand, Philippines.** (Fall, 1995).

**Review of U.S. efforts to stem intellectual property rights violations in the Asia-Pacific Region.** (February-March 1995)

**Japan -- Economic, political, trade and security matters.** The Committee will conduct an extensive review of U.S. policy toward Japan. (Spring-Summer, 1995)

**American-Vietnam Relations.** In the light of the recent upgrade of U.S.-Vietnamese relations, the Committee will review U.S. policy toward Vietnam. Accounting for the fate of the MIAs remains a major concern of the Committee. (Summer, 1995)

**The Status and Future of the Asia-Pacific Economic Cooperation Organization (APEC).** The Committee will review the effectiveness of U.S. participation in the APEC process. (Summer-Fall, 1995)

**Issues Related to Southeast Asian Refugees.** Many refugees from Vietnam and Laos face the prospect of forcible return to their countries of origin from their current camps. The Committee will review the U.S. response to the prospect of their forcible return. (Summer-Fall, 1995)

**Taiwan -- U.S. Policy.** Major unresolved issues remain regarding circumstances under which Taiwan might be recognized, Taiwan's position within the United Nations, the appropriate level of weapons sales to Taiwan, and the retention of the U.S.'s "One China" policy. (Fall, 1995)

**Oversight of U.S. policy toward Afghanistan.** (Fall, 1995)

**The Indian Subcontinent and Indian/Chinese Relations.** Is U.S. policy responding adequately to the problems faced by the peoples of the subcontinent? (Fall, 1995)

**Review of the U.S. relationship with India.** (Fall, 1995-Winter, 1996)

**U.S.-Pakistan Relations.** (Fall, 1995-Winter, 1996)

**The Kashmir Problem and U.S. policy.** (Winter, 1996)

**PRC -- Economic, political, trade and security matters.** The Committee will focus on issues such as human rights, proliferation, military build-up, problems of U.S. businesses operating in China, overall trade relations, GATT accession, intellectual property issues, Tibet, policy towards Taiwan. (Summer-Fall, 1996)

**The Status and Future of Hong Kong: What is the appropriate U.S. Response?** (Spring, 1996)

**American-Indonesia Relations.** (Spring, 1996)

**Peace Process in Cambodia.** (Summer, 1996)

**The Burma (Myanmar) Problem.** What is the appropriate U.S. policy toward the military junta in Burma? Should its potential to cooperate on narcotics suppression cause us to overlook its failures on human rights? (Spring, 1996)

**Conflict in Sri Lanka.** (Summer, 1996)

**The Status and Future of U.S. Relations with Afghanistan.** (Summer-Fall, 1996)

**The Asia Development Bank and World Bank.** (possibly joint work with the Banking Committee) Far too little is understood about the role of the Asia Development Bank in the politics of Asia. (Spring-Summer, 1996)

**U.S. Relations with and Conditions in the Three Former American Pacific Trust Territories.** (Possibly joint work with the Native American and Insular Affairs Subcommittee of Public Lands and Resources Committee)

**U.S. Relations with the South Pacific Nations.** Comprehensive overview of relations with Australia, New Zealand, and the South Pacific island nations.

#### WESTERN HEMISPHERE

##### CUBA

**The Cuban "March 13th" Tugboat Incident.** The Committee will examine the U.S. response to the deliberate sinking of the "March 13th" tugboat by Cuba's Coast Guard, killing between thirty and forty Cuban asylum seekers. (Winter, 1995)

**Cuba's economic relationships.** The economic isolation of Fidel Castro continues to be a priority for many Americans. The Committee will explore the U.S. role in continuing this isolation. (Winter, 1995)

**Review of U.S. policy toward Cuba and Cuban migrants.** Conditions at Guantanamo; U.S.-Cuba Migration Agreement; implementation of Cuban Democracy Act (Spring, 1995)

**Evaluation of Radio and T.V. Marti.** The Committee will consider whether Radio and T.V. Marti should receive continued funding, and if so, how to improve their effectiveness. (Spring, 1995)

#### **OTHER**

**Energy Policy in the Western Hemisphere.** The Committee will examine whether the Western Hemisphere has an energy policy, what foreign policy risks are posed by reliance on Middle Eastern oil, and what the region can do to encourage development of alternative oil and energy supplies in the region. (Spring, 1995)

**Democracy in Nicaragua.** The Committee will examine U.S. policy toward the development of democracy in Nicaragua, the return of confiscated U.S. and Nicaraguan property, and the plight of the former Contras. (Summer, 1995)

**Democracy in El Salvador.** This hearing will examine U.S. policy toward the development of democracy in El Salvador. (Fall, 1995)

**Argentina.** The Committee will examine the overall state of relations between the U.S. and Argentina. (Summer, 1996)

**Brazil.** The Committee will examine the overall state of relations between the U.S. and Brazil. (Summer, 1996)

**Guatemala.** The Committee will explore U.S. policy towards Guatemala, with special attention to what progress, if any, Guatemala has made toward protecting the human rights of its populace. (Fall, 1996)

**Peru & Ecuador: the Conflict over Cordillera del Condor.** This hearing will examine the historical causes of and solutions to the ongoing border dispute between Peru and Ecuador. (Spring, 1995)

**Review of U.S. policy in relation to Haiti.** Current deployment of U.S. forces; U.S. aid; diversion of resources from other priorities; police training programs. (Spring, 1995)

**Oversight of OAS.** New salary policy; use of U.S. voluntary fund contributions and arrearages; internal reforms; Summit implementation (Spring, 1995)

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**Oversight of Aid program in Latin America.** Free market strategies; support for consolidation of democracy (Winter/Spring, 1996).

**Oversight of Trade Issues.** Review of steps toward hemispheric free trade agreements; NAFTA access; Interim Trade Program for the Caribbean; Chile negotiations; Overview of NAFTA parity for CBI countries. (Winter/Spring, 1996)

**Oversight of U.S. policy towards Mexico.** Compliance with loan guarantee conditions; impact of NAFTA; economic and political reform; immigration policy; drug cooperation; Chiapas. (Winter/Spring, 1996)

**Summit Follow-Up.** Assignment of responsible agency or office to coordinate regional cooperation in democracy, drugs, environment, etc. (Winter/Spring, 1996)

**Oversight of implementation of human rights and confiscation conditions in Central America aid programs.** USG support for U.S. citizens trying to recover confiscated property. (Winter/Spring, 1996)

**Expanding NAFTA: The Case of Chile.** The Committee will examine Chile's economic resurgence and the benefits to the U.S. of expanding NAFTA to include Chile. (Spring, 1995)

**U.S.-Canadian Relations.** The future of Canada as we know it. U.S.-Canadian trade relations.

**The situation in Venezuela.** Continuing financial and economic instability -- a threat to democracy in this country?

#### AFRICA

**U.S. policy toward Islamic extremism in Africa.** The Committee will review U.S. policy with respect to limiting Islamic extremist influences on the Continent. Also, oversight of U.S. policy toward Algeria as it faces a "fundamentalist" uprising. What is the role of the United States in encouraging democracy in Algeria? (Winter/Spring, 1995)

**Oversight of U.S. policy toward Sudan.** Is the U.S. responding adequately to Sudanese policies towards portions of its population, which may be seen as a form of genocide? What is the U.S. doing about the possible Sudanese threat to Eritrea and Ethiopia? (Winter/Spring, 1995)

**Oversight of U.S. policy toward Rwanda & Burundi.** Will Burundi also explode in Hutu-Tutsi violence? Is the Tutsi government in Rwanda reaching out to Hutus? Should donor nations withdraw support from refugee camps where Hutu extremists are in power? (Winter/Spring, 1995)

**U.S. efforts to improve democracy in Africa.** The committee will review during U.S. initiatives undertaken to provide technical assistance to African nations during their periods of transition towards democracy. (Spring, 1995)

**U.S. trade, private investment, and economic development in Africa.** The Committee will attempt to determine whether current policy aimed at increasing U.S. access to Africa's vital exports, and at increasing U.S. exports, is effective, to include a review of the activities of OPIC, Exim Bank, and the Commerce Department. Also, the Committee will examine U.S. efforts to encourage inter-African trade; African trade with the rest of the world is ten times higher than trade within Africa. (Spring, 1995)

**Economic conditions and development in Africa.** It has been suggested that by using bilateral levels of assistance and support for the World Bank and debt reduction programs as leverage, the U.S. can help African countries liberalize their economies. The committee will review U.S. efforts to promote the growth of market economies in Africa. (Spring, 1995)

**Oversight over the AID activities such as the Development Fund for Africa, and of agencies such as the Africa Development Foundation.** It has been suggested that there is duplication among these agencies and USAID, and that some of the programs are outdated or otherwise ineffective. Do they constrain more creative, trade-based development? As to the Africa Development Foundation: are its overhead costs too high? What results can be shown from micro-enterprise efforts? Is it adequately funded? Should it remain an independent corporation? (Fall, 1995)

**U.S. Foreign Assistance to Africa.** The committee will review thoroughly all foreign aid requests for Africa in all categories of assistance in the light of current policy and performance. (Fall, 1995)

**U.S. peacekeeping and its military presence in Africa.** Is U.S. involvement in internal African conflicts in the national interest? Special attention will be paid to U.S. assistance for the final U.N. pullout from Somalia and to the peace process and prospects for peacekeeping in Angola. (Fall, 1995)

**U.S. policy toward Zaire and Nigeria.** How does the U.S. approach deal with regimes that have apparently failed to perform the most basic governmental obligations? (Fall, 1995/Winter, 1996)

**Review of U.S. policy toward French relations with Francophone Africa.** France's policies in Africa appear to have had negative effects on liberalization and democratization. What affect have these policies had on the people of Africa? How can the U.S. and other nations best counter and overcome them? (Fall, 1995/Winter, 1996)

**Review of U.S. analytical framework for its approach to Africa.** Should the United States stop looking at Africa as a singularity and begin to think in terms of sub-regions? (Fall, 1995/Winter, 1996)

**U.S. Policy towards South Africa.**

**HIV and other health issues.** The Committee will review U.S. programs and projects in Africa to combat HIV and other health-related problems. (Spring, 1996)

**African Ecological problems.** The Committee will hold hearings to gain further insight on U.S. efforts to resolve these problems. (Spring, 1996)

**Refugee issues: causes and responses.** The United States government, working in conjunction with United Nations relief agencies and other international relief organizations, is the leading provider of assistance in response to refugee emergencies worldwide. The Committee will assess the factors causing these refugee crises; how the U.S. and the international community is responding to these situations; address the notion of prevention; and how to improve upon the measures already in place. (Spring, 1996)

#### INTERNATIONAL OPERATIONS

##### STATE DEPARTMENT

**Organization of the Department of State.** The Committee will examine changes in the organization of the Department, with particular reference to amendments made in the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995. Review progress on the Department's management initiatives and reengineering proposals, including a review of resource allocations overseas and in Washington based on agency priorities and necessary cost savings; personnel reforms in both the civil and foreign services and downsizing of overseas and Washington based bureaucracy; review use of allowances overseas and performance pay awards and possible adjustments; effectiveness/morale of civil service staff, including support staff. Proper placement of officials responsible for Canada and the FSU within the State bureaucracy. (Winter-Spring, 1995)

**Diplomatic and consular programs.** The Committee will examine the impact of the end of the Cold War on United States diplomatic needs; role of diplomatic posts in monitoring international drug trafficking; impact of new technology on diplomatic and consular programs; and the protection of foreign missions and officials in the United States. (Spring-Summer, 1995)

**Oversight of Foreign Buildings activities.** This is one of the largest accounts at the State Department. The Committee will oversee the activities of the Foreign Buildings Office, which is

responsible for the several new posts opened in the former Soviet Union, for the disposition of certain surplus property abroad, and for security upgrades and maintenance. (Summer/Fall, 1995)

**Review of overseas security.** The Department's new "risk management" criteria permits savings by allowing managers to set security standards on a case by case basis. How is this working: is safety being compromised?

**Is State doing enough planning/forward thinking?** (Summer/Fall, 1996)

**Oversight of Inspectors General of foreign affairs agencies.** Are they working effectively? Are they being listened to? (Summer/Fall, 1995)

**Review of consular activities.** The Consular Affairs bureau is responsible for visas, passports and American Citizen services abroad; it is the front line for border security. Oversight issues include the status of resources for security and services to Americans overseas. Do consular officers in the field receive any feedback about whether their decisions to admit/deny visas are valid (i.e., does INS report to individual posts/officers on overstays, etc.)? (Fall, 1995)

**International Organizations.** The Committee will review the extent, costs, and benefits of United States participation in the United Nations and its affiliated organizations (e.g. UNICEF, WHO, UNPF), including issues of U.N. management reforms. (Summer, 1996)

**Migration and refugee assistance.** This Committee will examine the programs and administrative expenses of the bureau charged with carrying out the purposes of the Migration and Refugee Assistance Act of 1962. (Fall, 1995)

#### **UNITED STATES INFORMATION AGENCY**

**Broadcasting.** All international broadcasting has been consolidated at USIA under a new Board for International Broadcasting. The transition will take a some time and has required considerable adjustments, and restructuring, within USIA. (Fall, 1996)

**Oversight of Au Pair regulations.** New regulations will be issued February 1995, and implementation of these should be reviewed, along with assessing which agency (if any) should administer the program.

**Oversight of International Exchanges.** USIA has statutory responsibility to coordinate international exchanges operated government-wide. Recent studies have identified significant overlap and duplication in exchange programs. A review of options to consolidate these exchanges to improve efficiency of

programs may yield substantial budget savings (estimates \$200-250 million).

**Other USIA programs.** The Committee will examine such other USIA programs as its work on international conferences and commissions. (Fall, 1996)

#### **OTHER**

**Arms Control and Disarmament Agency Consolidation.** The Committee will examine the effectiveness of ACDA in its present form, in light of suggestions that have been made that ACDA be consolidated with the Department of State or some other entity. (Fall, 1996)

#### **SCIENCE AND THE ENVIRONMENT**

**International research cooperation.** The Committee will review the administration of grants, contracts, and other activities to conduct research and promote international cooperation on environmental and other scientific issues. (Winter, 1996)

**Sustainable Development and the Environment.**

**Global Climate change.**

**Biodiversity Convention.**

**Law of the Sea Convention.**

**Protocol for the Antarctic Treaty.**

#### **POPULATION AND CHILD SURVIVAL ISSUES**

**Population.** The Cairo Conference on Population and Development called for significant new spending on population programs, but spending is already high. Are more resources the answer? Problems with/effectiveness of population efforts. (Summer, 1995)

**Child survival.** The Committee will examine the current state of infant mortality around the world, and will review United States participation in programs that aim to alleviate it, such as UNICEF. (Fall, 1995)

**HUMAN RIGHTS**

**Universal Declaration of Human Rights.** The Committee will examine the current state of observance of the Declaration, including issues relating to the forced repatriation of refugees to countries where they are in significant danger of becoming victims of violations of their human rights. (Spring, 1995)

**The Convention Against Torture And Other Cruel, Inhuman, or Degrading Treatment or Punishment.** The Committee will examine United States interpretation and implementation of this treaty. (Summer, 1995)

**Religious persecution.** The Committee will examine infractions of the right of religious liberty around the world, and the United States response to these abuses. (Fall, 1995)

**Anti-semitism.** There are suggestions that varieties of anti-Semitism unseen since before World War II are emerging at various points in the world. The committee will examine this problem and the United States response to it. (Fall, 1995)

**Sexual exploitation of women and children.** The Committee will examine the problems of large-scale prostitution, including child prostitution, in various parts of the world, and the United States response. (Fall, 1995)

**Former Yugoslavia.** The Committee will explore charges regarding human rights abuses arising out of the ongoing war in this region. (Spring, 1996)

**Chechnya.** The Committee will examine the human rights implications of the conduct of the Russian military in this region. (Spring, 1996)

**Slavery.** The Committee will examine Administration efforts to eradicate slavery throughout the world, with particular attention to the situation in Mauritania and the Sudan.

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**U.S. HOUSE OF REPRESENTATIVES**  
 PERMANENT SELECT COMMITTEE  
 ON INTELLIGENCE  
 WASHINGTON, DC 20515-6415

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**FEB 14 1995**

**HOUSE COMMITTEE ON  
 GOVERNMENT OPERATIONS**

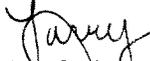
February 15, 1995

Honorable William F. Clinger, Jr.  
 Chairman  
 Committee on Government Reform and Oversight  
 2157 Rayburn House Office Building  
 Washington, D.C. 20515

Dear Mr. Chairman:

Attached is the oversight plan for the Permanent Select Committee on Intelligence, approved by the Committee with a quorum present in open session. Pursuant to Rule X, clause 2(d) of the Rules of the House, I am transmitting the plan to the Majority Leader and the Committee on House Oversight.

Sincerely,

  
 Larry Combest  
 Chairman



Community. This commission is scheduled to report in March 1996. The committee believes that, at this juncture in the history of the Intelligence Community, it has a responsibility to carry out an inquiry of its own as to how the Intelligence Community should function and be shaped as we enter the 21st century. We have labelled this effort IC21. IC21 will allow us to carry out our own responsibility for the future of the Intelligence Community and to be well-positioned to give the Commission's report a prompt and critical review. Our current schedule calls for hearings to begin in May 1995 and continue through the fall; a major committee report to be issued at the end of 1995/early 1996.

4. Intelligence Priorities. The Committee intends to investigate how resources are distributed among the various "intelligence disciplines" (i.e., different means of collecting intelligence) and processes (collection, processing, exploitation, analysis and dissemination). We plan to have hearings in March 1995 as part of our budget authorization process and continue through 1996.

5. Denial and Deception. Member and staff briefings on this topic have already been held in order to assess the problem (i.e., the ability of unfriendly states to hide programs or activities from U.S. intelligence) and its implications for the future. A hearing is planned for late 1995/early 1996.

#### **Subcommittee on Human Intelligence, Analysis and Counterintelligence**

1. Intelligence Community Centers. The Subcommittee will prepare a "fitness report" on the Non-proliferation Center and the Counter-terrorism Center. These centers are typical of an ongoing organizational trend within the Intelligence Community. This assessment will be completed by early 1996.

2. Structure and Function of the Counterintelligence Community. Counter-intelligence is a major focus, including a review of the performance of the National Counterintelligence Center, as well as the individual counterintelligence efforts of the Department of Defense, CIA and the FBI. This review will begin in late 1995, with a report expected early in 1996.

3. Long-term Planning for Human Intelligence. An evaluation of ongoing restructuring and strategic planning for human intelligence in CIA and the Department of Defense. Cross-agency activity will also be examined. This study will begin in late spring, 1996, with a report expected in the summer, 1996.

4. Production and Analysis. The emphasis in this study will be on the distribution of workload, the application of new analytical tools, and

electronic processing and dissemination. A subcommittee report will be finished by early 1996.

5. The Role of Open Sources. This will be a two-fold examination that looks at how the Intelligence Community is managing its open source (i.e., unclassified) needs and the degree to which the Intelligence Community should be involved in open source collection and dissemination. This evaluation should be completed by mid-1996.

#### **Subcommittee on Technical and Tactical Intelligence**

1. Research and Development. The Subcommittee will look at the status, funding and coordination of R&D within the Intelligence Community as a whole. A staff study is tentatively planned for mid-1996.

2. Support to Military Operations. Hearings on aerial reconnaissance and intelligence support to precision targeting are planned for February 1995 as part of the budget review. Hearings on information warfare -- a burgeoning topic, battle damage assessment and intelligence support to mine countermeasure operations will be conducted from summer 1995 through spring 1996, in coordination with the National Security Committee.

3. Space. The Subcommittee intends to investigate space launch problems and satellite architecture in the latter part of 1995. In conjunction with the National Security Committee, the Subcommittee will also look at the proposed space-based infrared missile warning system, and will begin an ongoing review of DOD space-borne assets in terms of roles and missions, organization and management. This review is scheduled for the first half of 1996.

4. Future of Communications Intelligence (COMINT). This issue, which includes the challenge of the evolving global network and the threat of advanced cryptography, will be examined, beginning with budget hearings in March 1995 and continuing through spring 1996.

5. Imagery Issues. The Subcommittee will press the Intelligence Community to address identified problems -- such as broad area search, the optimal mix of aerial and space-borne assets, imagery dissemination to military users. Briefings and hearings will be scheduled throughout 1995 and 1996.

**U.S. House of Representatives**  
**Committee on the Judiciary**  
Washington, DC 20515-6216  
One Hundred Fourth Congress

February 7, 1995

RECEIVED

FEB 7 1995

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON GOVERNMENT REFORMS

Honorable William Clinger  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn HOB  
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to House Rule X, clause 2 (d)(1), please find enclosed the Committee on the Judiciary's oversight plan for the 104th Congress. It was adopted by the Committee today by a voice vote.

Sincerely,

  
Henry J. Hyde  
Chairman

00109

**OVERSIGHT PLAN**  
**COMMITTEE ON THE JUDICIARY**

**104th CONGRESS**

**February 7, 1995**

00110

**FULL COMMITTEE**

- I. Antitrust Division The Full Committee will be conducting hearings on the operations and activities of the Antitrust Division of the Justice Department. Particular attention will be given to the Pilkington and Microsoft cases, as well as the overall issue of adequate funding for current antitrust enforcement efforts. (Spring 1995/Spring 1996)
- II. 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). As part of this oversight effort, the Committee will analyze legislative proposals to change the applicability of the antitrust laws with respect to various health care industry practices. Testimony will be heard from health care professionals concerning the utility of the Policy Statements. (Fall 1995)
- III. Telecommunications The Committee will examine the competitive implications of lifting the line-of-business restrictions contained in the AT&T Modification of Final Judgment (MFJ). As part of its review, the Committee will be looking at the Department's policy with respect to MFJ waiver requests and the Department's position in the AirTouch matter. (Spring/Summer 1995)
- IV. Intellectual Property and Antitrust The Committee will take a look at the overlap between the antitrust law and intellectual property law (patent, copyright, and trademark) to determine whether any remedial legislation is warranted. In particular, the Committee will look at the case law on the "market power presumption" and the intellectual property guidelines recently issued by the Antitrust Division. (Winter 1995-1996)
- V. International Antitrust Enforcement The Committee will examine the Division's implementation of the recently enacted "International Antitrust Enforcement Assistance Act of 1994" (Public Law 103-438). (Winter 1995-1996)
- VI. Antitrust and Baseball The Committee will consider whether or not the court-established antitrust immunity granted to the game of baseball should be removed or modified. (Spring/Summer 1995)
- VII. Medical Malpractice The Committee will survey the current state of medical malpractice law in the U.S. As part of its review, the Committee will look at various state tort reform statutes as well as alternative approaches such as arbitration, no-fault and medical practices guidelines. (Summer 1995)

00111

- VIII. Civil Justice Reform/Tort Reform The Committee is planning to conduct hearings on broad-based reform proposals concerning joint and several liability and punitive damages. The inquiry would focus on both omnibus tort reform and contract actions. (Spring/Summer 1995)

**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 and State Courts.

The Subcommittee has oversight responsibility for three entities located within the Federal Judicial Branch: (1) the Administrative Office of the U.S. Courts, (2) the Federal Judicial Center, (3) and the Judicial Conference of the United States. The Subcommittee also has jurisdiction over the Federal Rules Enabling Act and the Advisory Committees on Civil Rules, Appellate Rules and Rules of Evidence.

A. 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 an oversight hearing on the Federal Judicial Branch, and the functioning of the Administrative Office. (Spring 1995)

B. 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 an oversight hearing on the research, support and automation plans of the Federal judiciary. (Spring 1995)

C. 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 under the Rules Enabling Act. Does the U.S. Supreme Court play a meaningful part in that process? (Spring 1995)

D. Arbitration in the Federal Courts. Currently there are ten mandatory and ten voluntary court annexed arbitration pilot programs operating in the Federal judiciary. Given the success of arbitration and the recognition that exclusive reliance on traditional adjudication can no longer adequately serve the goal of providing a just, speedy and inexpensive determination of every civil action filed in the district courts the Subcommittee will want to explore through the use of oversight hearings the existing programs with a view toward expanding the use of arbitration. (Spring 1995)

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. 43% of GSA's courthouse construction contracts had cost overruns of 10% or more. The Foley Square courthouse project had \$103.3 million in change orders above the original contract budget estimate. The Subcommittee has maintained no oversight in this area for at least the last 3 decades and maybe longer. (Winter 1996)

F. Investigate 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 has never reviewed the status and use of these courthouses throughout the country. (Winter 1996)

G. The National Center for State Courts. The National Center for State Courts which is located in Williamsburg, Virginia is a nonprofit organization dedicated to modernizing court operations and improving the administration of justice at the state and local level throughout the country. It functions as an extension of the state court systems, working for them at their direction.

In carrying out its purpose, the National Center acts as a focal point for state judicial reform, serves as a catalyst for setting and implementing standard of fair and expeditious judicial administration, and attempts to find and disseminate answers to the problems of state judicial reform.

The Subcommittee intends to accumulate and work with the National Center for State Courts to exchange ideas on how we can best improve our system of justice at both the state and Federal level. (Spring 1996)

H. Executive Office of U.S. Attorneys.

The Subcommittee on Courts and Intellectual Property has oversight jurisdiction over the Executive Office of U.S. Attorneys. Within each of the 94 Federal districts in the 50 states, Guam, the Northern Marina Islands, Puerto Rico and the Virgin Islands, the United States Attorney is the chief law enforcement representative of the Attorney General, enforcing Federal criminal law and handling most of the civil litigation in which the United States is involved. The Subcommittee anticipates holding oversight hearings focusing on the Executive Office of U.S. Attorneys in an effort to assess the prosecutorial policies and resource needs of the U.S. Attorneys. (Summer 1996)

## II. 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 our copyright industry 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. (Spring 1995)

B. National Information Infrastructure In July 1994, Commerce Secretary Ron Brown, Chairman of the White House Information Infrastructure Task Force, released a draft report recommending changes in U.S. law aimed at providing greater protection for copyrighted information that could be assessed by users of the proposed information superhighway.

The report was prepared by the task force's Intellectual Property Rights Working Group headed by Patent and Trademark Commissioner Bruce Lehman. Comments are presently being solicited on the draft report and a final report is expected to be issued in April, 1995. This will include recommended legislation to protect copyright information. (Fall 1995)

C. ASCAP Licensing. The licensing of musical works by ASCAP (American Society of Composer, Authors and Publishers) and BMI (Broadway Music Incorporated) to bars, restaurants, and others has been the subject of numerous complaints. The issue has not been examined in the 15 years since the last revision to the Copyright Act if ever. The Subcommittee plans to hold oversight hearings on these practices. (Fall 1996)

D. Copyright Piracy in China and the Surrounding Region USTR will take retaliatory trade action against China if intellectual property concerns are not addressed. "To date, China has been unwilling to take the necessary steps to protect American intellectual property," USTR Kantor stated. American companies are suffering tremendous losses annually to piracy in China, South Korea, and Taiwan. This cannot continue. China must take action to control the piracy of U.S. movies, computer software and music recordings. In addition to the 30-day public comment period (expires January 30, 1995) USTR will hold public hearings on January 24-25 to discuss the proposed retaliation list.

USTR Kantor will make a final determination on February 4, 1995 on whether China's intellectual property rights practices are unreasonable or burden U.S. commerce. If that determination is positive, he will then determine an appropriate response, including trade retaliation. Any trade retaliation will be based on the proposed list. In that case, tariffs will be raised up to 100% on the imported products from China that are on the final list. (2-4 days of oversight hearings, will also include foreign travel to the region to participate in diplomatic negotiations for the better enforcement of intellectual property rights in the region. (Spring 1995)

E. Berne Protocol. The Subcommittee on Courts and Intellectual Property anticipates oversight hearings on a possible protocol to the Berne Convention for the Protection of Literary and Artistic Works. The Berne Convention is the leading multilateral copyright treaty. It has approximately 100 members, including the United States (effective March 1, 1989). The Convention is administered by the World Intellectual Property Organization (WIPO). WIPO is located in Geneva, Switzerland. It is a United Nations agency staffed by specialists in the various aspects of intellectual property.

The Berne Convention was last revised in 1971. Since that date a number of technological developments have taken place, including satellite transmission, personal computers, and digital audio and video. WIPO has begun reviewing the Berne Convention to see whether amendments need to be made to take into account these technological developments. Any amendments would likely not take the form of a revision to the treaty (since such a revision requires unanimity), but instead would take the form of a protocol that countries could adhere to at their option.

The WIPO Committee of Experts held meetings in 1991, 1992, 1993, and 1994 on a possible Berne Protocol. Those meetings included a discussion of: (1) a right of first distribution; (2) a right to prevent unauthorized importation of lawfully made copies (so-called "grey market" goods or parallel imports); and, (3) a right to prohibit the rental of sound recordings, audiovisual works, sheet music, and, "any other kinds of works stored in electronic (including digital) format."

Of these proposals, the first two are already a part of U.S. law. (See 17 USC §106(3), 602). Regarding the third proposal, section 109 of the Copyright Act provides a rental right for sound recordings and computer programs, but not for audiovisual works and not for all types of works stored in an electronic format. (Fall 1995)

F. Technology Transfer Policy. The subcommittee anticipates oversight hearings on how the current framework of copyright and patent law affects federal technology transfer policy, including defense and dual use technologies. (Fall 1995)

### III. U.S. Patent and Trademark Systems

A. U.S. Patent and Trademark Office (USPTO) is part of the Department of

Commerce and the Subcommittee has oversight responsibilities for its authorization and its operation. The USPTO is responsible for the examination and issuance of U.S. Patents and Trademarks. It is also responsible for the international negotiations with other countries such as the European Patent Office located in Munich, Germany and Japan which is the third largest patent office in the world. The Subcommittee will hold oversight hearings on the implementation of the computerization of the Patent and Trademark operations. A recent GAO report criticized the operation, implementation and cost of the computer operations. This will be part of a continuing review of operations. (Summer 1995)

B. Privatize the Patent and Trademark Office This measure would ensure the financial and operational integrity of the Office by removing the vast majority of the Office's employees from the Federal personnel system and statutory personnel ceilings and by permitting the Office to use all fee revenue without specific appropriations. While retaining strict Congressional oversight, the office could be exempted from some current executive Branch management standards and restrictions when they burden the users of the patent and trademark systems. For example, the office could be given direct authority to acquire office space which would save substantial sums for the users. In addition, many of the Patent and Trademark office operations involve data entry and paper handling functions that could be performed in areas of the country at far lower cost. (Summer 1995)

C. 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 1995)

**SUBCOMMITTEE ON COMMERCIAL AND ADMINISTRATIVE LAW****I. Agencies**

A. Agency Adherence to Administrative Law and Procedure The subcommittee expects to engage in considerable oversight of the various federal agencies to determine and evaluate their level of compliance with the requirements of administrative law, practice and procedure. This will entail investigation and probable hearings as the evidence warrants. (Summer/Fall 1995)

B. Legal Services Corporation The subcommittee has an authorization responsibility for the Legal Services Corporation which provides federal grants to local recipients who provide legal services to the poor. Considerable controversy over the years has prevented an authorization from being enacted since 1978. It is anticipated that the subcommittee will be extensively involved again in the reauthorization effort. This may require considerable oversight involving hearings and staff investigations. (Summer/Fall 1995)

C. Other Agencies The subcommittee has authorization responsibility for several federal agencies, including the Administrative Conference of the United States, the Legal Services Corporation, the Office of the Solicitor General, the bankruptcy court and the Executive Office for U.S. Trustees (which handles administrative and supervisory tasks in the bankruptcy system). The subcommittee would anticipate considerable oversight, including hearings of each of these bodies during the 104th Congress. (Fall 1996)

**II. Interstate Compacts**

At the suggestion of the ranking minority member, the subcommittee expects to engage in active oversight of interstate compacts. The Constitution requires congressional approval of compacts between two or more states. The subcommittee anticipates oversight to determine how strictly that requirement is being adhered to by the various states. (Winter 1995)

**III. Bankruptcy Code**

The subcommittee anticipates substantial oversight of the Bankruptcy Code, over which it has jurisdiction, in order to determine whether or not it is functioning as the Congress intended. One area the subcommittee can be expected to examine would be municipal bankruptcy, exemplified by the recent case of Orange County, California. The subcommittee anticipates the possibility of hearings on that case in order to determine whether it illustrates the need for changes in the Code. (Fall 1995)

IV. Specific Statutory Oversight

A. Federal Debt Collection The subcommittee has jurisdiction over federal debt collection and anticipates active oversight of this area of responsibility, including the operation of the Federal Debt Collection Act of 1990 and other related aspects of federal debt collection, such as the utilization by the Department of Justice of private firms to assist in the collection of such debts. (Summer 1995)

B. Contract Disputes Act The subcommittee has jurisdiction over the Contract Disputes Act (41 U.S.C. 601 et seq.) enacted into law in 1978. The law was developed in response to 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 Boards of Contract Appeals. (Spring 1996)

C. Federal Arbitration Act The subcommittee has jurisdiction over the Federal Arbitration Act (9 U.S.C. 1 et seq.) and it anticipates conducting oversight of its operation to determine whether it has achieved its intended purpose. Hearings would be scheduled as evidence warrants. (Summer 1996)

V. Regulatory Flexibility The subcommittee has jurisdiction over the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and anticipates conducting oversight of the operation of the Act to determine whether or not it is achieving the purpose of encouraging regulation of small business that is reasonable and which takes into account the peculiar conditions which may affect small business. Oversight of this Act will require hearings and may result in legislation to amend various provisions of the Act. (Spring 1996)

## SUBCOMMITTEE ON IMMIGRATION AND CLAIMS

### I. Illegal Immigration

A. Border Control The Subcommittee expects to examine the effectiveness of current border control initiatives, such as "Operation Hold the Line" in Texas and "Operation Gatekeeper" in California. Included within this review will be a subcommittee analysis of the sufficiency of the number of border agents, equipment and structures. (Spring 1995)

B. Employer Sanctions Enforcement The Subcommittee expects to examine current staffing levels, policy and initiatives to enforce the law prohibiting the employment of illegal aliens. (Spring 1995)

C. Illegal Immigration field hearings The Subcommittee expects to conduct a series of field hearings to examine the impact of illegal immigration on various communities. (Summer 1995)

D. Removal of Illegal Aliens The Subcommittee expects to examine current deportation procedures used to remove illegal aliens, including the administrative and judicial appeals process, as well as the sufficiency of the resources currently available. (Spring 1995)

E. Visa Overstays The Subcommittee expects to examine the methods of identifying and removing illegal aliens who enter the U.S. legally but who stay beyond the expiration of their visas (Spring 1995)

F. Attempted Entry by Undocumented Aliens at Ports of Entry The Subcommittee expects to follow up on previous hearings which examined the problem of entry of undocumented aliens into the U.S. through ports of entry. (Summer 1995)

### II. Legal Immigration

Border Inspections The Subcommittee expects to examine the process of inspecting persons entering the U.S. via the U.S.-Mexican and U.S.-Canadian borders via land ports of entry. (Fall 1995)

### III. Enforcement

A. Removal of Criminal Aliens The Subcommittee expects to examine the current deportation procedures used to remove criminal aliens, including the Institutional Hearing Program under which deportation hearings are conducted in the prisons prior to the release of criminal alien; examine the methods of and possible obstacles to the execution of deportation orders. (Summer 1995)

- B. Alien Smuggling The Subcommittee expects to examine current methods of detection and apprehension of, and efforts to prosecute and punish alien smugglers. (Summer 1995)
- C. Documents Fraud The Subcommittee expects to examine and identify the extent of the manufacture, distribution and use of fraudulent documents for immigration benefits, unauthorized work, and unauthorized public benefits and examine current detection and prosecution efforts. (Spring 1995)
- D. Arrival and Departure Record-keeping The Subcommittee expects to examine the system of identifying the entry into and exit from the U.S. by non-citizens. (Spring 1995)
- E. Use of Parole Authority The Subcommittee expects to examine the Attorney General's use of her discretionary parole authority to admit persons otherwise not eligible to enter the country. (Spring 1995)
- F. Marriage Fraud The Subcommittee expects to examine the effectiveness of current procedures intended to minimize the use of sham marriages to gain immigration benefits. (Fall 1995)
- IV. Refugees and Asylum
- A. Refugee Selection Process The Subcommittee expects to examine the method by which the Executive branch determines the number and nationalities of refugees selected for admission each year and the methods by which Congressional input into that process can be enhanced. (Summer 1995)
- B. Temporary Safe Haven The Subcommittee expects to examine the use of temporary protection of certain migrants outside of the U.S. as an alternative to processing them for permanent resettlement into the U.S. (such as the Haitians held at Guantanamo Bay, Cuba). (Summer 1995)
- C. Asylum The Subcommittee expects to review the asylum regulation which went into effect in December of 1994. (Fall 1995)
- V. Nonimmigrant (Temporary Visas)
- A. Nonimmigrant Visas for Health Care Professionals The Subcommittee expects to examine the current program for temporary visas for doctors and nurses (a special nurses program is due to expire in 1995). (Summer 1995)

B. Foreign Students The Subcommittee expects to examine the numerous programs for admitting foreign students. (Spring 1995)

C. Nonimmigrant Visas for Professionals The Subcommittee expects to examine new regulations on temporary visas for professionals. (Spring 1995)

VI. Other Immigration Issues

A. General Management Oversight The Subcommittee expects to hold several days of hearings to examine the new organizational structure, training programs, computerization efforts, financial management systems and other related management and programmatic changes instituted by the new Immigration and Naturalization Service (INS) Commissioner. The Subcommittee will also review program management systems in the consular and refugee bureaus within the Department of State. (Spring 1995)

B. Visa Waiver Program The Subcommittee expects to re-examine the pilot program (expiring in 1996) which allows nationals of certain countries to enter the U.S. for short periods without tourist visas. (Winter 1995)

C. Verification of Eligibility for Public Benefits The Subcommittee expects to examine the effectiveness of the System for Alien Verification of Eligibility (SAVE) program which is intended to verify an alien's eligibility for benefits, as well as to explore other possible methods of verifying an alien's eligibility for benefits. (Spring 1995)

D. Public Charge Grounds for Exclusion and Deportation The Subcommittee expects to examine the methods used to enforce the current ground for prohibiting the entry of aliens likely to become a public charge and the current ground for deporting aliens who have become a public charge. (Spring 1995)

E. INS Service to the Public The Subcommittee expects to examine methods by which the INS can improve its ability to provide efficient and courteous service. (Winter 1995)

F. Naturalization The Subcommittee expects to examine the procedures by which aliens become citizens, the current requirements for citizenship, and the incentives and disincentives in current law to becoming a citizen. (Winter 1995)

G. Cross-border Kidnapping of Criminal Suspects The Subcommittee expects to examine the issue of cross-border kidnapping of criminal suspects by the U.S. and Mexico.

VII. Claims

Foreign Claims Settlement Commission The Subcommittee expects to conduct general oversight over the Foreign Claims Settlement Commission. (Fall 1995)

VIII. Miscellaneous

Civil Division, Department of Justice General oversight for authorization purposes. Particular attention will be given to the Federal Tort Claims Act, the False Claims Act and the Administration of the Radiation Exposure Compensation Act. (Spring 1995)

**SUBCOMMITTEE ON THE CONSTITUTION**

The Subcommittee on the Constitution oversight responsibility for the Civil Rights Division, the Environment and Natural Resources Division and the Community Relations Service of the Department of Justice, the U.S. Commission on Civil Rights and the Office of Government Ethics.

In the 104th Congress, the Subcommittee on the Constitution plans the following oversight activities:

**I. Civil Rights Division, U.S. Department of Justice**

Hearings will be necessary to consider the enforcement record, new priorities and authorization request of the Civil Rights Division. The subcommittee will focus on the Division activities in the areas of education, employment, voting, credit, housing, public accommodations and federally funded and conducted programs. (Spring/Summer 1995)

The subcommittee will examine the implementation/enforcement and impact of the Fair Housing Act Amendments of 1988, the Americans with 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. (Fall 1995, Spring/Summer/Fall 1996)

**II. Environment and Natural Resources Division**

Hearings will be necessary to consider the enforcement record, new priorities and authorization request of the Environment and Natural Resources Division. The Subcommittee plans to examine the impact of the Division's enforcement efforts on the private property rights of citizens and the role of the States in enforcing federal mandates. (Spring/Summer 1995)

With respect to environmental crimes, the subcommittee plans to examine criminal prosecution of violations of regulations where there is no evidence of adverse impact to the environment and where there is no evidence of criminal intent to violate the regulation. (Spring 1996)

**III. Community Relations Service**

The Subcommittee will hold hearings to consider the enforcement record, new priorities and authorization request of the Community Relations Service. The Subcommittee plans to focus on the content of CRS training and mediation efforts. (Spring 1995, Spring 1996)

IV. United States Commission on Civil Rights

The Subcommittee plans to examine priorities, structure mission, and authorization request of the Civil Rights Commission. (Summer 1995)

V. Office of Government Ethics

The Subcommittee will consider reauthorization legislation for the Office of Government Ethics (OGE's authorization statute expired on October 1, 1994). As part of this overall review, the subcommittee plans to examine OGE's advisory role in reviewing contacts between the White House and the Department of Treasury regarding Madison Guaranty Savings and Loan. (Summer 1995)

## SUBCOMMITTEE ON CRIME

### I. The War on Drugs

A. The Drug Enforcement Administration The Subcommittee on Crime will conduct an extensive review of DEA operations and activities. Particular attention will be given to resource allocation in domestic law enforcement and international narcotics control. (Spring - Fall 1995)

B. The Office of National Drug Control Policy (ONDCP) This office of the President is responsible for developing and overseeing the Administration's anti-drug efforts. The subcommittee will examine the role ONDCP has played in shaping drug control policy and leading enforcement agencies in the fight against drug trafficking operations. (Summer 1995)

C. Anti-drug Laws The subcommittee will also evaluate the effectiveness of anti-drug laws, such as those dealing with money laundering, chemical controls, and mandatory penalties for drug traffickers. The activities of law enforcement agencies involved in drug enforcement, especially those of the FBI, will also be reviewed.

II. The Federal Bureau of Prisons This agency will be the focus of substantial attention by the subcommittee. With a population of more than 90,000 offenders and projections of steady increases into the future, BOP will face major management and capacity related challenges. The issue of prison industries will also be reviewed. (1995 and 1996)

III. Juvenile Crime The subcommittee will evaluate federal policies affecting the prosecution and prevention of juvenile crime. (Fall/Winter 1995)

IV. Enforcement of Federal Firearms Laws The Bureau of Alcohol, Tobacco and Firearms and the FBI have responsibilities in the area of firearms law enforcement. The subcommittee will examine a number of issues regarding enforcement policies and priorities, use of resources, and jurisdictional overlap. (Winter/Spring 1995)

V. Counter-Terrorism/Espionage/Organized Crime The Administration, and the FBI in particular, have encouraged the subcommittee to review the adequacy of federal law in combatting terrorism. The subcommittee will examine this issue, as well as possible jurisdictional conflicts within the intelligence community pertaining to counter-espionage and international organized crime activities in former communist countries. (Spring/Summer/Fall 1995)

VI. Technology and Law Enforcement The National Institute of Justice has attempted, with a limited budget, to provide assistance to State and local law enforcement agencies in the area of technology assessment. The subcommittee will evaluate the benefits of this assistance and options for expansion and improvement if necessary. (Summer 1995)

- VII. Asset Forfeiture The subcommittee will evaluate the effectiveness and fairness of asset forfeiture laws. The Justice Department's asset forfeiture policies will receive specific attention. (Winter/Spring 1996)
- VIII. Financial Institution Crime The subcommittee expects to examine the status of federal efforts to prosecute savings and loan fraud and other financial crimes. This would be a five year follow-up to the original 1991 "FIREA" legislation. (Spring/Summer 1996)
- IX. Health Care Fraud The subcommittee will examine the adequacy of federal laws and enforcement policies regarding health care fraud. (Fall/Winter 1995)
- X. RICO The subcommittee expects to review the current law and practices involving the use of RICO in civil cases. (Fall 1995)
- XI. Criminal Division The subcommittee expects to conduct an oversight hearing regarding the Justice Department's Criminal Division. The Division's organization, priorities and future needs will be among the issues addressed. (Spring 1995)
- XII. Independent Counsel Statute The subcommittee will review the operation and administration of the Independent Counsel statute. (Summer 1995)
- XIII. Computer Crime The subcommittee expects to evaluate the sufficiency of federal law in combatting crimes associated with rapidly expanding information networks. (Fall 1995)
- XIV. Clinic Violence Conduct a review of violence against family planning clinics, to include inquiry into the extent to which this violence is coordinated, aided, or abetted by organized groups, and the adequacy of existing laws and resources to prevent such violence, including RICO and other criminal statutes, and review policies and practices of the Department of Justice in enforcing the Freedom of Access to Clinic Entrances Act.
- XV. Hate Crimes and Organized Hate Groups Inquiry into the nature and extent of the problem of hate crimes and of organizations promoting, aiding or abetting the commission of hate crimes, including oversight of the administration of the Hate Crimes Statistics Act, and the adequacy of existing federal law to prevent such violence, and inquiry into the extent of such unofficial, organized, paramilitary armed groups as those known as "militias."
- XVI. White Collar Crimes Inquiry into the sufficiency of federal law to prevent white collar crimes in such areas as the environment, local government investment management, and large scale interstate schemes to defraud.

## COMMITTEE ON NATIONAL SECURITY

U.S. House of Representatives

Washington, DC 20515-6033

FLOYD D. SPENCE, SOUTH CAROLINA, 1st District

February 14, 1995

RECEIVED

FEB 17 1995

The Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform  
and Oversight  
U.S. House of Representatives  
Washington, D.C. 20515

HOUSE COMMITTEE ON  
GOVERNMENT OPERATIONS

Dear Mr. Chairman:

Pursuant to clause 2(d)(1) of Rule X of the Rules of the House of Representatives for the 104th Congress, enclosed please find a copy of the Oversight Plan of the Committee on National Security for the 104th Congress.

This plan was approved today by the Committee on National Security by voice vote, in open session, a quorum being present.

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

Sincerely,



Floyd D. Spence  
Chairman  
Committee on National Security

CC: The Honorable John Conyers, Jr.  
The Honorable Ronald V. Dellums

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**U.S. HOUSE OF REPRESENTATIVES**  
**COMMITTEE ON NATIONAL SECURITY**

**Oversight Plan**

**104th Congress**

This oversight plan is issued pursuant to clause 2 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 National Security 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 DOD's roughly \$260 billion annual budget involves millions of military and civilian personnel, thousands of facilities, and hundreds of agencies, departments, and commands located throughout the world.

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(k) 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.

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(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) National security 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 national security.

(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(a) of rule X of the Rules of the House of Representatives.

H.Res. 5, adopted by the House on January 4, 1995, granted the Committee on National Security additional legislative and oversight authority over merchant marine academies, national security aspects of merchant marine policy and programs, and interoceanic canals. H.Res. 5 also codified the existing jurisdiction of the committee over tactical intelligence matters and the intelligence related activities of the Department of Defense.

### Oversight Agenda

The committee will continue its oversight and assessment of threats to U.S. national security and U.S. interests. Within the first three months of 1995 and 1996 the committee will receive classified and unclassified briefings on the international threat environment. Following these briefings, the committee will begin consideration of the fiscal year 1996 and fiscal year 1997 defense budget requests and will conduct the appropriate oversight hearings with the Secretary of Defense, the Chairman of the Joint

Chiefs of Staff, the individual service 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.

The oversight agenda below, unless otherwise noted, is designed to serve primarily in support of the annual authorization bill. The issues identified below are expected to be on-going areas of oversight activity throughout the 104th Congress. However, a qualifier is necessary given the unique nature of national security oversight. Much of the committee's most demanding oversight will be, by definition, event-driven and not subject to prior planning. Such oversight requirements significantly complicate the ability to prescribe with great accuracy or specificity the committee's entire oversight agenda.

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. The breadth and demands of such reviews are such that they tend to dominate committee and staff resources at the expense of other pre-planned activities. The unsettled character 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 unavoidably impact 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 last year's Federal Acquisition Streamlining Act. The committee intends to continue to maintain a strong linkage between formal oversight efforts and prescriptive legislative initiatives.

In addition to the above, the following specific areas and subjects are designated for special attention during the 104th Congress:

### ***Readiness and Quality of Life***

A primary focus of the committee during the 104th Congress will be 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 be paid to quality of life programs supporting military personnel and their families and the effect of those programs on military readiness.

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 the utility of current 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; integration of active and reserve components; examination of the impact of the high pace of deployments on service personnel and their families; officer and enlisted recruiting, accessions, training, promotions, separations, and retirements; assessment of pay, compensation, and other benefits of military service; assessment of the current quality of military health care; 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; examination of the backlog in the repair and maintenance of the military housing supply.

#### *Force Structure and Military Modernization*

Particular attention will be given, but not limited, to the following: continuing oversight and examination of the Bottom Up Review (BUR), including the strategic and tactical assumptions supporting the BUR and the force structure designed to support the ability of the United States to fight and win two major regional contingencies nearly simultaneously; examination of initiatives to enhance Guard and Reserve forces; review of the Chairman of the Joint Chiefs of Staff-Commander-in Chief (CJCS-CINC) military requirements, examination of roles and missions of the armed services, and their implications for modernization requirements and the development of major weapons systems; examination of projected military equipment modernization on military capability; bomber force structure; attack submarine force structure; strategic lift; oversight of research and development and procurement of major weapons systems.

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 (TMDs) for forward-deployed U.S. military forces and friendly forces and allies.

### ***Base Closure and Realignment***

Particular attention will be given, but not limited, to the following: examination of the cost and savings associated with base realignment and closure actions taken in 1988, 1991, and 1993; 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; oversight and consideration of the process and recommendations for base realignment and closures in 1995; continuing oversight of the management of the base realignment and closure process by the military services.

### ***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 Technology Reinvestment Project; examination of the current defense laboratory system, including an assessment of redundancies with private-sector laboratories; assessment of the role of defense funding for university research in the maintenance of the technology base.

### ***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 DOD, the military services and the Department of Energy; examination of current and planned funding requirements for environmental programs of the Department of Defense; and examination of the diversion of training and operations and maintenance funds to meet unfunded environmental requirements and the impact such diversion may have on training and readiness.

### ***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 infrastructure in support of national security requirements; assessment of possible effects of a nuclear test ban, in whole or in part, on the safety and security 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.

***Morale, Welfare, and Recreation Programs***

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

***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 whether management and control should be transferred from the Military Sealift Command; examination of the ability of U.S. shipyards to transition to a combination of defense and non-defense ship construction.

The committee will also consider the annual reauthorization of the Panama Canal Commission. Particular attention will be given, but not limited, to the status and progress for ultimate transfer of assets within the Canal Zone to the Republic of Panama as specified by treaty.

***Acquisition Reform***

Public Law 103-355, the Federal Acquisition Streamlining Act of 1994, provides for a comprehensive government-wide reform of the federal acquisition process. The Committee on National Security, which shares oversight of the defense procurement process with the Committee on Government Reform and Oversight, will give considerable attention to the implementation of Public Law 103-355 and will conduct a continuing assessment of possible further reforms in the defense procurement system. The committee will continue to cooperate and coordinate fully with the Committee on Government Reform and Oversight in this matter.

***Organization and Management of the Department of Defense***

The committee will undertake an examination of the organization and management of the Department of Defense, the military departments, and the defense agencies with a view to improving efficiency and reducing costs.

***Intelligence***

The committee will continue to cooperate and coordinate fully 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.

DON YOUNG, CHAIRMAN

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

14 February 1995

The Honorable William Clinger  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

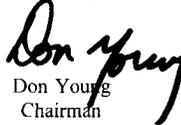
Dear Mr. Chairman:

Attached please find the Committee on Resources' Oversight Plan for the 104th Congress. This plan was developed through an exhaustive effort by each of our Subcommittees. In addition, the minority was also consulted in the development of this plan.

The plan was adopted by a voice vote, with a quorum present, on February 8th.

If we can be of any other assistance, please let us know.

Sincerely,

  
Don Young  
Chairman

Attachment

00136

**OVERSIGHT PLAN  
COMMITTEE ON RESOURCES  
Approved February 8, 1995**

This oversight plan is just that: a plan. It represents the Committee on Resources' oversight activities for the 104th Congress.

While the plan is intended to be comprehensive, the Committee and its Members recognize that events and circumstances change over time. These changes may warrant additional oversight activities. Each Member of this Committee is welcome and encouraged to bring to the Committee's attention additional suggestions or concerns that may warrant oversight activities or hearings at any time, over the course of this Congress.

## SUBCOMMITTEE NATIONAL PARKS, FORESTS AND LANDS

### NATIONAL PARK SERVICE (NPS)

Status of the National Parks: This will be a joint oversight hearing with the Senate Energy and Natural Resources Committee and will focus on a General Accounting Office (GAO) report which states that the NPS managers cannot provide any assurance that they are meeting the dual agency mandates of protecting park resources or serving park visitors. Timing of this hearing will be mid-February.

Budget Crisis Facing Our National Parks: Instead of a hearing on the Clinton Budget proposal, the Subcommittee will hold a hearing on the broader topic of the NPS budget shortfall and funding accountability. The main witnesses will be GAO and the Interior Inspector General who will be asked to summarize many reports of recent years. Timing for this hearing will be about the time of normal budget hearings in early February.

Re-inventing the National Park Service: The NPS has a proposal for a massive and costly re-organization plan. This will be a joint hearing with the Interior Appropriations Subcommittee, providing a chance to work together with that Subcommittee while answering questions of concern to both Subcommittees. Timing for the hearing will be after the reprogramming letter is received, probably in early February.

Heritage Areas National Heritage Areas are an increasingly popular designation for which no NPS policy or organic act exists. The Subcommittee will consider legislation that will establish the Park Service's role in these areas. An investigation of one of the existing areas will help the Members understand how these areas operate and to what extent the Federal Government should be involved.

Presidio Management: Management of the Presidio Army base has passed to the NPS due to the Military Base Closure process. Much debate has occurred over NPS management of what is essentially a small city. The Subcommittee intends to fully investigate the true leasing potential of the facilities at the Presidio, the cost to the NPS during and after any transition period, and what areas of the Presidio belong in the park system Summer 1995.

Natural Resource Management and Wildlife Management Within the Park System: A number of scientists have questioned the NPS policy of natural regulation, especially with regard to management of large mammals and fire. Some have even gone so far as to question whether the NPS is in violation of the Endangered Species Act in Yellowstone National Park where elk have been allowed to far exceed the carrying capacity of the range and have impacted several rare plant species. This hearing will be a chance to highlight the need for more enlightened and activist resource management policies in our parks. June 1995.

Oversight of Trail Usage and Programs: Mr. Vento and Mr. Rahall had previously planned to hold this hearing and a group of interested persons from the trail community held several public meetings around the country to solicit public comment. They planned to complete a report of their findings this spring. An oversight hearing on this issue will be held on what is probably the most popular outdoor recreation activity. It is important to define precisely what the role of the Federal Government should be. Fall 1995.

Concessions Reform: The Subcommittee will explore ways to reform concessions policy without negatively impacting visitor services at our parks. The Department of the Interior acknowledges these problems and is seeking a way to reform the system that will benefit competition and retain excellent visitor services. The Subcommittee will investigate several different types of concessionaires and the quality of service they provide and what impact, if any, they are having on park resources.

Historic Preservation: There are an increasing number of issues surrounding historic preservation, especially with regard to protection of private property. Additionally, there has been criticism that the entire system is bureaucracy laden and needs serious reform to ensure that more dollars are spent on bricks and mortar as opposed to paying administrative overhead expenses. How is the Federal side interacting with the State side? Is there duplication of bureaucracy? Should the Federal role be limited? The Subcommittee will pursue these issues through an oversight hearing assessing the entire system. Spring 1996.

## **FOREST SERVICE**

Emergency Salvage Sales: The Subcommittee will conduct an oversight hearing on forest health and the need for emergency salvage sales. During last year's fire season this nation lost millions of board feet of harvestable timber to fires due to alleged mismanagement of our national forests. In addition to the loss of timber, the Subcommittee is concerned about unnecessary loss of life and property. A hearing will be held on February 10, 1995.

Appeals Reform: The Subcommittee will investigate and hear testimony on the effectiveness, fairness, and efficiency of the current appeals process on Forest Service actions. Issues that will be investigated include: Is there a level playing field in this process and are legitimate Forest Service actions being thwarted through regulations that are not achieving the just results intended from an appeals process? How can the current process be streamlined, and reformed to result in a fairer and more effective process? Spring 1995.

Administration Reform: The Forest Service is currently going through administrative reform. The Subcommittee will hold an oversight hearing on this reform, looking at the impacts this reform will have on the Agency. Agency efficiency, accountability for funds and products, outcomes, savings and cost effectiveness will be the primary focus of this effort. February 1996.

Below Cost Timber Sales. Over the past years the timber industry has been accused of receiving subsidies due to "below cost" timber sales on Federal lands. In fact, in 1993 the Forest Service published a list of forests where all timber sales will be terminated due to an allegation of below cost sales. Others have alleged that the assumptions behind "below cost" sales are fallacious due to many factors, including cost accounting, Forest Service policies and other reasons. The Subcommittee will investigate these issues to fairly determine whether Federal timber programs are subsidized. Spring 1996.

Forest Service Planning Process: This oversight hearing will assess the workability of the forest planning process and the Agency's plans for regulatory change. This hearing will identify changes needed, and assess the Agency's compliance with current authorities. Planning is governed by the National Forest Management Act (NFMA) and is impacted by the National Environmental Policy Act. Issues to be explored include: What does the Agency identify as major problems with the present planning statutes and regulations? What impact are those problems having on the ground and on the timber industry? Summer 1996.

Northwest Forest Plan: The Administration has implemented the Northwest timber plan known as Option 9. The Subcommittee will examine the successes and failures of the plan thus far. What have the impacts been on these communities and what changes need to be made to make the program successful or does Option 9 need to be terminated? Summer 1996.

Commodity Output Goals. The Forest Service is directed to set and achieve commodity output goals under the Organic Act, the Multiple Use-Sustained Yield Act, and the NFMA. The Subcommittee will assess the Agency's performance in setting these goals and the failure of the Agency to achieve those output goals. Issues include what are the reasons behind these failures and what type of policy initiatives should be pursued to cure these failures. Fall 1996.

#### **BUREAU OF LAND MANAGEMENT (BLM)**

RS 2477 Proposed Regulations. The Subcommittee will hold an oversight hearing on the current proposed RS 2477 regulations that greatly impact right-of-ways across Federal lands. This is primarily a BLM issue and the proposed regulations promise to close thousands of roads across the West. The hearing will focus on the history of RS 2477 right-of-ways, legal rights of State and local governments, the financial and administrative burden placed on these governments to comply with the regulations and the impacts these regulations will have on the surrounding communities. Spring 1995.

Federal vs. State Management of Public Lands: The BLM has been accused of subsidizing grazing, timber and other commodity uses on public lands. There is an increasing interest in turning these management responsibilities over to the States where they so desire. Advocates say this will lift the burden off the Federal Government and give the States more control over

the lands within their borders. There is increasing opinion that the States manage their public lands more efficiently and are producing resources in better condition than those managed by the BLM. The Subcommittee will analyze the possibilities of State management of these lands and the fiscal impacts on both the Federal and State Governments. Spring 1995.

BLM Land Exchange Process: Currently the BLM administratively exchanges Federal BLM lands identified for disposal for State or private lands identified for acquisition by the BLM. This process provides a way for the BLM to meet its mission and allows inholders and other private interests to resolve Federal ownership problems. An exchange under perfect conditions takes approximately two years to complete at enormous cost. Thus, only large and/or wealthy inholders are able to take advantage of this process. The Subcommittee will hold an oversight hearing on the program and look into ways the program can be streamlined and opened up to small landowners. Summer 1995.

BLM Management of Wild Horses and Burros: Under the Wild and Free Roaming Horses and Burros Act, these animals are protected and managed by the BLM. These species create serious resource management problems. The BLM has spent millions of dollars attempting to manage these animals through adoption programs, sterilization experiments and other methods. The Subcommittee will look at the success and failures of this program and look into the needs and shortfalls of the program. Fall 1996.

#### MISCELLANEOUS ISSUES

Wilderness Criteria and Wilderness Management: The Subcommittee will explore the implementation of the 1964 Wilderness Act, including wilderness area under the 1964 Wilderness Act. This issue became very controversial during debate of the California Desert Protection Act in the 103rd Congress: specifically, what does "roadless" mean? The Subcommittee will look at examples of areas designated as wilderness to determine if they comply with the 1964 Act and will explore amendments to the Act to resolve future issues. Fall 1995.

Recreational User Fees on Federal Lands: Recreational use of Federal lands receives an annual subsidy of \$1.2 billion. The Subcommittee will conduct an oversight hearing on the recreational use of all Federal lands to determine how these uses can become more self sufficient. Fall 1995.

Single Land Use Agency: Currently, management of Federal lands is conducted by four different agencies: Forest Service, National Park Service, Bureau of Land Management, and the Fish and Wildlife Service. These agencies have very similar missions and their activities often overlap and are only separated by political boundaries that do not make management sense. The Subcommittee will look into the feasibility of combining these functions into a single land management agency. This inquiry will discuss possible efficiencies, united policy directions, cost savings and other management advantages. January 1996.

Wild and Scenic River Act Study Designations. Currently, once a river is designated for study under the Act, it stays in this status until the study is completed, and then up to three additional years. The Subcommittee will look at the effects this has had on river management and the effects on private interests on and around these study rivers. Summer 1996.

Ecosystem Management Ecosystem management is the new buzz word in Federal lands management. While numerous agencies claim to be practicing it, no one is quite sure exactly what it is. The Administration has several pilot projects, one of the most visible is South Florida where the cost to implement ecosystem management is estimated to be \$1-4 billion. This will be an oversight hearing to examine this program as well as some of the underlying scientific assumptions.

## SUBCOMMITTEE ON FISHERIES, WILDLIFE AND OCEANS

### BUDGET REVIEW

The Subcommittee will hold an oversight hearing to evaluate the President's Fiscal Year (FY) 1996 budget recommendations for the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. In addition, the Subcommittee will review selected programs administered by the National Oceanic and Atmospheric Administration (NOAA).

During the Winter of 1996 the Subcommittee will hold an oversight hearing on the President's FY 1997 budget recommendations for the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the "wet" NOAA programs.

### NATIONAL MARINE FISHERIES SERVICES

Oversight Hearing on Various Fish Statutes: On Wednesday, January 25, 1995, the Subcommittee held the first of what will be a series of oversight hearings on our Nation's major fish, wildlife and oceanography laws. At that time, testimony was received on the following statutes:

- (1) Fishermen's Protective Act of 1967. Authorization for the Fishermen's Guaranty Fund expired on September 30, 1993. This Fund, which is voluntary and self-financed, compensates U.S. fishermen for the seizure of their boats and catch by a foreign country. Last year, 258 U.S. fishermen were forced to pay \$1,100 each to the Canadian Government for sailing through the Inside Passage. These "transit fees" were illegal and the Fishermen's Protective Act will be amended to allow these Americans to be compensated for their financial loss.
- (2) Atlantic Tunas Convention Act of 1975. This statute authorizes the United States participation in the International Convention for the Conservation of Atlantic Tunas. Its authorization expired September 30, 1993.
- (3) The Central Bering Sea Fisheries Enforcement Act. This measure prohibited U.S. fishermen from fishing in an area of international waters off the coast of Russia known as the Donut Hole. Legislation has been introduced to extend this prohibition to another area known as the Peanut Hole.

Magnuson Fishery Conservation and Management Act: This Act provides a national program for the conservation and management of the 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 of State waters. The authorization for this Act expired on September 30, 1993. The Subcommittee

tentatively scheduled an oversight hearing on the Act and H.R. 39, the Fishery Conservation and Management Act of 1995, for Thursday, February 23, 1995.

#### SH AND WILDLIFE SERVICE

Wildlife Management on Military Lands: The so-called "Sikes Act" governs the management of wildlife on Department of Defense lands. The law's authorization expired on September 30, 1993. The Subcommittee will conduct an oversight hearing in March on the effectiveness of this Act.

National Wildlife Refuge System: The Subcommittee has jurisdiction over more than 91 million acres of Federal lands within the National Wildlife Refuge System. The Subcommittee intends to hold one or more hearings on the current status and condition of the system in the Spring and Summer of 1995.

National Fish and Wildlife Foundation: The National Fish and Wildlife Foundation assists in the implementation of the North American Waterfowl Management Plan and provides matching funds for conservation activities nationwide. The law establishing the Foundation expires on September 30, 1998, and one oversight hearing on the Foundation is planned for the Summer of 1996.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Anadromous Fish Conservation Act: This Act has been primarily a Federal grant program to assist States to assist them in the management and conservation of various anadromous species, which are fish that migrate up rivers from the sea in order to reproduce in fresh water. Since 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, 1995. A Subcommittee oversight hearing in March is anticipated.

Atlantic Striped Bass Conservation Act: This Act provides Federal support for the enforcement of the Atlantic States Marine Fisheries Commission (ASMFC) striped bass management program to conserve this species. Individual States are required to implement management measures for their own waters consistent with the ASMFC Interstate Management Plan for striped bass. The authorization for this Act expired on September 30, 1993. The Subcommittee is likely to hold an oversight hearing on the Act this Spring.

National Sea Grant College Program: This is a program that serves the marine science and business community. There are 29 university based State Sea Grant College programs which conduct research and provide marine advisory service. The program also provides a limited

number of fellowships in marine affairs. Authorization for the program expires on September 30, 1995. The Subcommittee will hold an oversight hearing on the program in April or May.

Interjurisdictional Fisheries: The Interjurisdictional Fisheries Act of 1986 is designed to provide management of interjurisdictional fishery resources throughout their range, as well as encourage State participation in management. The Act expires on September 30, 1995. Oversight hearings will be held in Summer 1995.

Coastal Zone Management Act (CZMA): Last authorized in 1990, this program encourages States to develop land use and near shore management programs to better utilize and protect coastal resources. A State may veto Federally-permitted activities if that activity is not consistent with the State's program. The Subcommittee intends to hold several oversight hearings to determine whether the authorization, which expires on September 30, 1995, should be extended and what changes in the program should be made. June and July 1995.

NOAA Corps: NOAA has under its jurisdiction a 405-person uniformed corps that is trained in both science and vessel operations. The Corps, which operates 18 active vessels and 10 aircraft, receives military type pay and benefits. The Subcommittee will hold an oversight hearing this Summer to evaluate the role and mission of the Corps in the future.

NOAA's Generic Laws: The Subcommittee plans to hold one or more hearings on those NOAA programs and responsibilities under the jurisdiction of the Committee on Resources. Hearings to be held in Fall 1995.

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 in Winter 1996.

Fish Passages Technologies: Last year, the Committee on Merchant Marine and Fisheries requested that the Office of Technology Assessment prepare a report on the state of technology of fish passages and other systems for transferring hatchlings around Federal power projects. The Subcommittee will have a hearing to assess this report Winter 1996.

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. Oversight hearings will be held in Spring 1996.

Dolphin/Tuna Issue: The Subcommittee has received information that several of our trading partners are being harmed by the embargo on any tuna caught using certain methods of capture involving dolphins. The Inter-American Tropical Tuna Commission has recommended

tuna capture methods that include dolphins, but which have reduced dolphin deaths to extremely low levels. Several foreign governments have requested that the U.S. take another look at our embargo due to these new techniques. The Subcommittee will hold an oversight hearing in Spring 1996.

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. The U.S. is currently preparing an offer to resolve several critical issues. The Subcommittee will hold an oversight hearing on these negotiations in Spring or Summer 1996.

NOAA Fleet Modernization: As part of the 1992 NOAA Authorization Act, Congress required NOAA to prepare a fleet modernization plan for the Agency's aging 23 research vessel fleet and to submit the plan to Congress. While NOAA has submitted the plan, fundamental questions remain whether these vessels should be replaced, the value of the data obtained and if these functions could be contracted out to private sector vessels. It is anticipated that the Subcommittee will hold one or more oversight hearings on this issue.

National Marine Sanctuaries Program: Operated by NOAA, the National Marine Sanctuaries Program is comprised of 13 underwater preserves, stretching from Stellwagon Banks offshore Massachusetts, to the Florida Keys, to a Hawaiian Humpback Whale Sanctuary. The authorization for this Act expires on September 30, 1996. The Subcommittee will hold one or more hearings on NOAA's efforts to manage the existing sanctuaries on a very limited budget; the status of the newly designated sanctuaries; and NOAA's ability to solve problems in resource management, including pollution threats, salvage operations, conflicts with fishing and recreational interests. Spring 1996.

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 will hold an oversight hearing on the effectiveness of artificial reefs in building new fish and shellfish habitats. Summer 1996.

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 in Fall 1996.

#### MISCELLANEOUS AND JOINT AGENCY ISSUES

Endangered Species Act (ESA): Enacted in 1973, the Act provides far reaching protection to certain fish, wildlife, and plant species. The authorization expired on September 30, 1992.

The Subcommittee will assist the Task Force on the Endangered Species Act (chaired by Congressman Pombo) in their efforts to obtain the views of average Americans through a series of oversight hearings held throughout the United States in March, April, and May. The Subcommittee will also hold one or more oversight hearings on the effectiveness of the amendments approved by Congress in 1995. Summer or Fall 1996.

Coastal Barrier Resource System: This Act was approved to reduce Federal expenditures in flood-prone coastal areas and to provide some environmental protection for certain coastal barriers. Inclusion in the system results in a prohibition on Federal funds for flood insurance, water and sewer grants, and highway construction. The program is set to expire on September 30, 1998. The Subcommittee may hold an oversight hearing on CBRA this Summer.

Marine Mammal Protection Act: This Act, first enacted in 1972, 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. Last year, Congress enacted a comprehensive reauthorization bill, which made a number of important changes to the Act. The Subcommittee intends to hold an oversight hearing this Fall on the Act and to evaluate the effectiveness of the new provisions and the implementation of regulations by the appropriate agencies.

North American Wetlands Conservation Act: The purpose of this Act is to conserve wetland ecosystems and the species they support, which are primarily waterfowl. While authorization for this Act does not expire until September 30, 1998, the Subcommittee intends to hold an oversight hearing on the effectiveness of this Act. Fall 1996.

## SUBCOMMITTEE ON ENERGY AND MINERAL RESOURCES

Agency Budget Oversight The Subcommittee oversees four Interior Department agencies in toto and programs in two others: U.S. Geological Survey (USGS), Bureau of Mines (BOM), Office of Surface Mining (OSM), Minerals Management Service (MMS), the energy & minerals program of the Bureau of Land Management (BLM), and the minerals and geology program of the Forest Service (FSDA). Budget oversight of the regulatory agencies (OSM, MMS, BLM, FS) is scheduled for February 14, 1995, and will examine these agencies' programs for streamlining and privatization opportunities. Budget oversight of the science agencies (USGS, BOM) is scheduled for February 16, 1995, and will examine opportunities for contracting out work or otherwise streamlining research programs. Outside witnesses familiar with the programs' output will be asked to testify regarding prioritizing programs/turning work over to State agencies and the private sector, including orderly phase-out of the Federal Helium Reserve Program.

Hardrock Mineral Exploration & Development: The Subcommittee will explore investment trends for so-called hardrock minerals mining in an effort to ascertain ways to improve the U.S. business climate for such ventures within our jurisdictional realm, particularly with respect to access to public lands for exploration and development. Such oversight is preparatory for beginning the legislative process for reform of the Mining Law of 1872.

A hearing was held on January 31 examining factual investment data for trend in capital flow with industry and environmental testimony explaining reasons for these trends. An additional hearing with testimony from foreign nationals explaining their systems for balancing attracting investment versus regulatory oversight of mining proposals is expected after agency budget hearings in Spring 1995. A possible oversight hearing will focus on royalty definitional terms workable for the vast range of hardrock mineral commodities.

Coal Mining Regulatory Reform: The Surface Mining Control and Reclamation Act of 1977 (SMCRA) governs the manner in which all coal is mined by surface methods in the U.S., and underground-mining operations for which surface impacts occur. SMCRA mandates regulatory primacy be turned over to the States which seek it and which meet a minimum program requirement. Since the mid-1980's all but two coal-producing States have achieved primacy, but OSM continues to "second guess" State regulatory agencies' decisions. Following the OSM budget oversight, the Subcommittee may further explore abolition of the Federal oversight role of OSM Summer 1995.

Outer Continental Shelf (OCS) Oil and Gas Production-Boosting Initiatives: The OCS Lands Act of 1954 governs the leasing of tracts in Federal waters off our coasts. This program is by far the biggest revenue raiser of all Department of the Interior programs and is likely the second biggest in all the Federal Government (after the Internal Revenue Service). The MMS collects about \$3 billion per year in bonus bids, rentals and royalties from oil and gas producers, a portion of which goes into the Land and Water Conservation Fund for Federal

and State land acquisition programs. The OCS leasing program has been subjected to numerous leasing and drilling bans via appropriations bills, and threatened executive order. The Subcommittee will investigate the rationale for retention versus elimination of such bans on activity in various waters in an effort to find acceptable ways to increase production from the OCS. Spring and Summer 1995

The Subcommittee plans an oversight follow-up to a 103rd Congress hearing into "deepwater and frontier area" royalty relief to stimulate investment in parts of the Gulf of Mexico and Alaskan OCS. Issues to be discussed include: Is it necessary at projected resource prices? How should such relief be configured? Without other measures such as alternative minimum tax relief will a royalty "holiday" stimulate drilling? Oversight of MMS' OCS Policy Committee recommendation for "conflict resolution" and of the property rights question regarding drilling bans on already leased OCS tracts are expected.

Onshore Federal Oil & Gas Initiatives: The BLM, lessor of Federal onshore minerals, is currently undergoing an oil and gas "performance review." The Subcommittee will hold an oversight hearing on the need for "heavy oil" royalty reduction to stimulate production from reservoirs with highly viscous crude oil, e.g. Kern County, CA. Fall 1995.

The Mineral Leasing Act of 1920 grants rights-of-way to Federal lessees for pipelines from producing fields but requires obligations of "common carriers" to ensure equitable access to the transportation system. An oversight hearing will be held to explore the issues of ensuring this obligation is being met everywhere.

Disposition of Other Federal Minerals: The so-called fertilizer minerals, trona (a sodium carbonate mineral), phosphate and potash are produced from Federal leases in California, Wyoming, Idaho, and New Mexico. An oversight hearing will examine a number of associated issues.

## SUBCOMMITTEE ON WATER AND POWER RESOURCES

Budget Overview: The Subcommittee will hold a hearing on that portion of the President's budget proposal falling within its jurisdiction each year. February 1995 and 1996.

Central Valley Project Improvement Act Implementation: The Subcommittee will review actions taken by Federal, State and other organizations to implement the various provisions of the Central Valley Project Improvement Act. Legislative proposals to amend the aforementioned Act will be considered during the Fall of 1995 and Winter of 1996.

Regulation Reform: The Subcommittee will review the need for and advisability of reducing and eliminating those Federal rules and regulations falling within its jurisdiction. Fall 1995 and Spring 1996.

Restructuring of Bureau of Reclamation: The Subcommittee will review current efforts to downsize the Bureau of Reclamation and will consider new proposals relating to the further reduction or termination of the existence of that bureau. Legislation, if necessary, will be considered by the Subcommittee during the Summer and Fall of 1995.

California Bay-Delta Agreement: The Subcommittee will review the agreement reached between the Federal Government, the State of California and various other parties relating to the protection of the Sacramento Delta estuary and the supply of water to farms and cities in a major portion of California. Legislation, if necessary, will be considered during the Winter of 1995-1996.

Central Arizona Project Debt Repayment: The Subcommittee will review proposals made by the Administration to restructure the debt currently held by the owners of the Central Arizona Project. Legislation, if necessary, will be considered during the Fall and Winter of 1995.

Sale of Federal Power Marketing Administrations: The Subcommittee will review proposals to sell those agencies within the Department of Energy known as power marketing administrations (PMAs) which market the electrical power produced at Federal water projects. Legislation, if necessary, will be considered in the Fall of 1995 and Spring of 1996.

Oversight of Bonneville Power Authority Management: The Subcommittee will hold hearings on the actions taken by the management of the Bonneville Power Authority relating to various matters of concern. Summer 1995.

Hoover Dam Visitors Center: The Subcommittee will hold hearings on the expenditures over budget for the Hoover Dam Visitors center. Spring 1995.

Oversight of Colorado River Operations: The Subcommittee will hold hearings on the operation of the Colorado River in both the Upper and Lower basins. Summer 1995 and 1996.

Water Technology Development: The Subcommittee will hold hearings on various aspects of water technology development which will impact Federal waste water reclamation activities. Fall 1995 and Summer 1996.

DOI Irrigation Drainage Program: The Subcommittee will hold hearings on the Department of Interior's Irrigation Drainage Program. Fall 1995 and Spring 1996.

## SUBCOMMITTEE ON NATIVE AMERICAN AND INSULAR AFFAIRS

### NATIVE AMERICAN ISSUES

Budget Overview: The Subcommittee will hold a hearing on that portion of the President's budget proposal falling within its jurisdiction each year. February 1995 and 1996.

Administration of Indian Trust Accounts: The Subcommittee will review actions taken by the Department of the Interior to audit and account for mismanagement of Indian Trust Accounts. Much of the money which tribes receive from land or water settlements or treaty provisions, and which individual tribal members receive from the same sources or from oil or gas leases on reservation, is placed in trust fund accounts managed by the Bureau of Indian Affairs (BIA). There are literally thousands of these accounts.

The BIA cannot reconcile the accounts, has no idea how much is in many of them, has invested the money from the accounts sporadically and in questionable or low-yield markets, and is actually missing several millions of dollars.

In an effort to start to unravel this problem the 103rd Congress passed Public Law 103-412. Under the Act, the BIA was to inter alia name a special trustee to oversee the funds and try to straighten the mess out. A hearing will be held in Spring 1995.

Regulation Reform: The Subcommittee will review the need for and advisability of reducing and eliminating those Federal rules and regulations falling within its jurisdiction. Fall 1995 and Spring 1996.

Restructuring of the Bureau of Indian Affairs: The Subcommittee will review current efforts to reorganize the BIA. It has been alleged that the BIA is the worst-run and most inept Federal agency. The Subcommittee is concerned most of the money appropriated to it never makes it down to the tribes, but is eaten-up by the bureaucracy. Ideas to reform it will be the focus of an oversight hearing. Summer 1995.

Promulgation of Rules Concerning Scope of Self Governance Program: Legislation was recently introduced to increase the amount of tribes that can participate in the BIA's Self-Governance Program. Under this program, tribes can contract with the BIA to perform services formerly supplied by that agency. For example, the BIA maintains police forces on several reservations. Under self governance, the tribe can contract with the BIA to provide the service itself. The BIA simply gives the tribe the block of money allocated for a police force and lets the tribe do the hiring, supervision, and control. The Subcommittee will review the rules to be promulgated by the BIA concerning the scope of the programs which fall within the range of those Tribes which choose to participate in the Self Governance Program. Spring 1995 and 1996.

Indian Gaming: The Subcommittee will review the status of the Indian Gaming Regulatory Act of 1987 as well as the actions of the Indian Gaming Commission created pursuant to that Act. Summer and Fall 1995.

### INSULAR AFFAIRS

Economic Self-Sufficiency Through Trade in U.S. Territories: The territories have not been adequately provided the opportunity to be a part of free trade agreements involving their geographic and economic region. Our Pacific territories were excluded from participation in the Asia Pacific Economic Conference in Bogor, Indonesia, and the process leading to the proposed goal of free and open trade and investment in Asia Pacific by the year 2020. The Subcommittee views the exclusion of the territories from free trade agreements as diminishing Federal and territorial interests and the potential for trade and development to enhance economic self-sufficiency. The Subcommittee will examine the extent to which it is essential for territories to be given the option of becoming part of the U.S. customs territory to qualify for inclusion in the North American Free Trade Agreement (NAFTA), as part of a territories' political and economic development. Only the territory of Puerto Rico is currently within the U.S. customs territory and qualifies for inclusion in NAFTA.

Legislation was introduced that would provide for the consultation of and efforts to include territories regarding free trade agreements; and the option of certain territories to be included in U.S. customs territory and free trade agreements. Hearing on the legislation is expected in the future.

The Impact of the Contract With America on the Territories: While the territories are not specifically mentioned in the Contract, there are direct and indirect implications of the Contract provisions on the territories. The territories have been the recipient of a broad array of some 300 Federal assistance programs at a cost in excess of \$10 billion annually, but without paying Federal taxes. In addition, the territories receive in excess of \$4 billion in cover-overs of excise taxes, custom duties, income taxes, and possessions tax credits. The Subcommittee will examine to what extent it is appropriate to consider increased contributions from the territories as part of increases in Federal assistance, so as to address the imbalance in revenues and assistance in the Federal-territorial relationship, and the necessity to balance the budget.

An oversight hearing was held January 31 on the impact of the Contract With America on the territories. The GAO presented the findings of their research regarding Federal assistance and taxes relating to the territories. Puerto Rico expressed a willingness to pay taxes as part of receiving equal treatment under the Contract provisions for welfare reform, tax changes and continuing economic incentives. As a result of the hearings and GAO research regarding the impact of the Contract on the territories and requests for equal treatment, legislation is expected to be developed during the first 100 days in consultation with the Committees on Ways and Means and International Relations. Additional hearings will be held as necessary

regarding proposed legislation related to the Contract and the territories, to provide the option for equal treatment and participation.

Consolidating Smaller Island Possessions: The United States has 14 territories spread out over the Pacific and the Caribbean outside of State boundaries. The Law of the Sea Treaty provides for 200-mile Exclusive Economic Zones along coasts and islands and may exclude uninhabited islands outside of State jurisdiction. The Subcommittee will explore if it would be in the best interest of the U.S. to include seven small Pacific islands with historical links to Hawaii within the State's boundary and at the option of the State. As no transfer of Federal or private title of the islands is proposed, there would be no cost involved to the Federal or State Government. An oversight hearing was held January 31 on the Insular Areas Consolidation Act which includes a transfer provision. Additional hearings may be necessary.

Modifications of Authority to the Northern Mariana Islands (NMI): The newest member of the American family is the Northern Mariana Islands, a former part of the United Nations Trusteeship. NMI citizens have been U.S. citizens since 1986. While the NMI enjoys new prosperity under the U.S. flag, in part due to a special annual grant funding totaling \$500 million, there have been flagrant abuses of alien workers and locally managed immigration. Aliens now outnumber U.S. citizens. The Subcommittee will explore if the exploitation of aliens requires Federal statutory action to provide for the protection of fundamental human and civil rights. The Subcommittee will also explore if it is appropriate to end the special annual grant assistance and the authority for the NMI to rebate up to \$50 million in taxes. The termination of the special grant funding would result in savings of \$140 million over five years.

Legislation was introduced in January to modify the authority temporarily extended to the NMI prior to gaining U.S. citizenship for the Federal minimum wage, immigration, and tax rebates. It also transfers title of submerged lands within 3 miles of the islands to the NMI, on a parity with other territories. The first of a series of hearings on the legislation was held January 31st. More will be held as necessary in the Spring 1995.

Responding to the Results of the Puerto Rico Plebiscite: The legislature of Puerto Rico passed a concurrent resolution asking the 104th Congress to respond to the results of the 1993 political status plebiscite regarding Puerto Rico's future relationship with the United States and to indicate the next step. The Subcommittee believes it is important to hear the concerns of the elected leaders of the people of Puerto Rico, as the island of 3.7 million U.S. citizens has yet to become fully self-governing. The Subcommittee will review the facts and conditions involving the development of the specific ballot language presented to the electorate and the resulting outcome of the November 1993 political status plebiscite. Oversight hearing may be necessary in the future.

American Samoa Self-Sufficiency: American Samoa, one of the oldest territories under the U.S. flag, remains dependent upon the U.S. for annual operations grants and Federal assistance. The territory is the least developed and lacks an infrastructure base to attract

business. The Subcommittee expects to focus on the formulation of a multi-year self-sufficiency plan which would decrease and end annual operations funding while increasing capital infrastructure grants on a matching basis for a prescribed period. The objectives are to ultimately reduce Federal expenditures after providing the incentive for increased economic self-sufficiency.

Legislation will be developed through oversight discussions with the Territory's leaders and through coordination with the Committee on Appropriations of the spending cuts and shifting of discretionary/mandatory funds through the necessary authorizing legislation.

Oversight of the Progress of the Compacts of Free Association: The U.S. administered the last United Nations trusteeship in the world, which was terminated with the entry into effect of the Compact of Free Association for Palau. There are three Freely Associated States which have emerged from the Trusteeship with generous streams of Federal funding over a 15 year period (50 years under the Palau Compact) in exchange for U.S. defense rights. The U.S. has also agreed to construct a major road around Palau's main island. The State Department has proposed to begin the formal exchange of representation according to the Vienna Convention on Diplomatic Relations. The Subcommittee will examine the implementation of the Compact in the context of the new relationship and as an opportunity to develop an understanding between the Congress and the Executive Branch with respect to the manner in which the rights and obligations of the parties to the treaties will be carried out currently and in the future.

The Subcommittee will have a series of hearings to examine the implementation of the Palau Compact and any problems with the Compacts for the Marshall Islands and the Federated States of Micronesia. Also, as part of the Compact oversight, we will review the results of the Federally-funded report for the resettlement of Rongelap during the FY 1996 budget cycle. Issues that will be assessed include the progress towards the objectives of the Compacts to provide for greater political, social, and economic development and develop future oversight plans and legislation accordingly.

Disposal of Water Island in the Virgin Islands: The fourth largest island in the Virgin Islands was leased by the Department of the Interior to an individual in 1951, who subleased parcels. The lease expired in 1991 and the Bush Administration consummated agreements of sale with the various homeowners. The Clinton Administration has sought to renegotiate the agreements of sale, incurring considerable time and expense to all parties. The Subcommittee views Water Island as one more example of residual matters which should have been resolved by the Department years ago and warrants Federal oversight to bring the matter to closure.

## TASK FORCES

In response to the House of Representatives Leadership's desire to make the legislative process more accessible to ordinary citizens, the Committee has established three task forces to hold oversight field hearings and establish a record on critical issues of immediate concern to individuals and communities across the nation: Endangered Species Act reauthorization, wetlands policy, and private property rights. These task forces will dissolve sometime prior to the 1995 August recess and will hold approximately six hearings each. Where appropriate, hearings will be held jointly.

With the exception of private property rights as they relate to management of Federal lands, jurisdiction over these issues is new to the Committee on Resources, having been transferred from the former Committee on Merchant Marine and Fisheries at the beginning of this Congress. The aggressive oversight hearing schedule planned by the three task forces is both timely and necessary given the need for developing a thorough familiarity with these controversial issues by Members and staff. It is evident that those directly affected by the actions of the Federal Government in these areas possess considerably better understandings of the impacts of these actions than do the courts and the executive and legislative branches.

### Task Force on Endangered Species

The Endangered Species Act (ESA) was last reauthorized in 1988 for 4 years. Since that time, the listing of the northern spotted owl in the Pacific Northwest, the golden cheek warbler in Texas and a number of other species in various regions of the country have led to widespread concern over the implementation of the Act, including its effectiveness and impact on property owners and communities. The information gathered by these hearings will assist Members of Congress as they consider reauthorization legislation.

### Task Force on Wetlands

The Committee's jurisdiction over wildlife and fish extends to laws affecting the habitat of these biological resources. In recent years, the expansion of Federal protection of wetlands as biological habitat through the application of section 404 of the Clean Water Act has had huge effects on land use in many parts of the country. The task force will gather information for use in considering any Clean Water Act amendments which may be referred sequentially to the Committee on Resources and for further use in fashioning legislation pursuant to the Committee's primary jurisdiction in this area.

**Task Force on Private Property Rights**

In the last Congress, the Committee on Resources dealt with several related issues which arose under this rubric. These included the use of eminent domain by the Federal Government, regulatory takings as a Fifth Amendment issue, the right to privacy on private property, the application of State trespass laws to Federal agents, and the ongoing public policy debate over the proper balance between public benefits versus private costs. These issues will resurface in the 104th Congress not only as incidents to environmental legislation (including ESA and wetlands) but also in relation to management of Federal lands (including regulation of private inholdings and buffer areas) and Federal land use regimes protecting historic, cultural and other values.

The task force will gather testimonial evidence and study these issues for the benefit of the Committee in dealing with legislation in this Congress. In addition, the Contract with America contains a general private property rights initiative which has been referred to the Committee on the Judiciary for action. The Task Force will assist the Committee on the Judiciary in formulating policy with respect to this issue in general, but especially with matters within the jurisdiction and special expertise of the Committee on Resources.

**OVERSIGHT AT FULL COMMITTEE****Trans-Alaska Pipeline**

In the 104th Congress, the Committee on Resources has expanded its jurisdiction over the trans-Alaska pipeline. The Committee will continue its vigilant oversight of the operation and safety of the pipeline. The Committee is particularly concerned that the repairs and maintenance upgrades agreed to by the operator of the pipeline, Alyeska Pipeline Service Company, as a result of Federal and internal audits be strictly adhered to. Regular briefings and consultation will be required from Alyeska and the regulating agencies. In addition, Committee staff will perform field inspections of Alyeska equipment and facilities at least once a year to assess compliance. A Member field inspection of the pipeline is also planned as a component of an Alaska issues field trip in mid-1995. At the completion of repairs, the Committee may hold a hearing to close out this particular set of oversight concerns which were first raised by the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce in the 103rd Congress.

**Alaska Public Lands**

In addition to the trans-Alaska Pipeline, the full Committee retains jurisdiction over public lands in Alaska, including forestry and forest management issues. Congresses past have legislated that Alaska be home to 85 percent of the nation's acreage in the National Wildlife Refuge system (75.3 million acres), 69 percent of the nation's acreage in the National Park System (54.7 million acres) and roughly 70 percent of the nation's wilderness system. The sheer size of Federal land holdings in parks, forests and other lands have made Alaska a perennial concern of the Committee. The enormous mineral reserves, including petroleum, are also of interest to the Committee. As the situation warrants, the Committee may hold one or more hearings on issues related to timber production and conservation in the Tongass National Forest and on potential petroleum production in the Arctic National Wildlife Refuge. Management of the national parks in Alaska is another topic of interest.

Given the large number of new Members, including freshmen, the Committee is planning an oversight field trip to Alaska in mid-1995 to acquaint members with these issues first hand. Fisheries, wildlife, and ocean resources will also be a focus of the trip.

GERALD B.H. SOLOMON, NEW YORK  
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**U.S. House of Representatives**  
D-312 The Capitol  
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ONE HUNDRED FOURTH CONGRESS

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February 14, 1995

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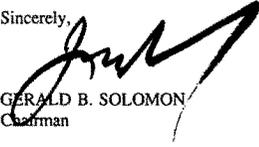
HOUSE COMMITTEE ON  
GOVERNMENT OPERATIONS

The Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Bill:

Pusuant to House Rule X, clause 2(d), I am transmitting to your committee the Oversight Plans of the House Rules Committee for the 104th Congress as adopted by our Committee today.

Sincerely,

  
GERALD B. SOLOMON  
Chairman

Enclosure

GERALD B.H. SOLOMON, NEW YORK  
Chairman

JAMES H. GIBLES, TENNESSEE  
DAN ROBERT BARTON, CALIFORNIA  
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**Committee on Rules**  
**U.S. House of Representatives**  
D-312 The Capitol  
Washington, DC 20515-6269

ONE HUNDRED FOURTH CONGRESS  
JOHN JOSEPH MOGHEE, MASSACHUSETTS  
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WILLIAM H. CLAY, MISSOURI  
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**OVERSIGHT PLANS OF THE  
HOUSE RULES COMMITTEE  
FOR THE 104TH CONGRESS  
ADOPTED ON FEBRUARY 14, 1995**

**Committee Action:** Pursuant to clause 2(d) of House Rule XI, the Committee on Rules met in public session on February 14, 1995, and, with a quorum present, by a non-record vote, adopted the following oversight plans for the 104th Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight.

**OBJECTIVES**

The Rules Committee has general oversight over the rules of the House, its internal organization, the budget process and relations between the Congress and the Executive Branch. As the new House delivers on its commitment to making deliberation, accountability, and openness the distinguishing characteristics of the House of Representatives in the 104th Congress, the Rules Committee expects to play a central role in reforming the structure of the House and refining the processes by which the nation's business is conducted here.

It is the intention of this committee's chairman that, in the 104th Congress, the Rules Committee in general, and its two subcommittees in particular, will be proactive in considering matters of original jurisdiction and pursuing thoughtful oversight. To that end, the subcommittees have already been active both legislatively and in developing this oversight agenda.

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In fact, the committee has changed the names of the two subcommittees to better reflect their missions.

This is an oversight plan of the Committee on Rules for the 104th Congress. It includes the areas in which the committee expects to conduct oversight during this Congress, but does not preclude oversight of additional matters as the need arises.

**THE SUBCOMMITTEE ON RULES AND ORGANIZATION OF THE HOUSE**

On January 4, 1995, the House approved House Resolution 6 containing the most sweeping institutional reforms since enactment of the Legislative Reorganization Act of 1946.

The Subcommittee on Rules and Organization of the House will focus its oversight agenda on reviewing the rules of the House in a continuing effort to weed out arbitrary and secretive procedures and structures that disenfranchise millions of Americans from their representation in Congress.

In carrying out its oversight plan, the subcommittee will employ the resources of the Congressional Research Service to conduct research and provide analysis. The subcommittee will work with the majority and minority leaderships, as well as the various committee chairmen and ranking minority members, to identify structures and procedures that hinder effective legislative planning and scheduling. The subcommittee will also draw on the expertise of congressional scholars and other political scientists to obtain alternative perspectives on how to achieve the subcommittee's oversight goals.

**House Resolution 6** (Throughout 104th Congress)

The reforms contained in House Resolution 6, adopting House Rules for the 104th Congress (January 4, 1995), are already having a profoundly positive impact on the operations

of the House. The reduction in committees and subcommittees, and jurisdiction and staff reforms have served to streamline the committee system, improve the coordination of agenda setting, and enhance cooperation between committees. In addition, committees are reporting increases in participation and deliberation by committee members as a result of the elimination of proxy voting, publication of voting records in committee reports, and changes in quorum requirements.

With any sweeping changes of the magnitude of those contained in House Resolution 6, however, unexpected problems are likely to emerge and adjustments inevitable. As a result, the Subcommittee will undertake an active review of both new and existing House rules to ensure their effectiveness in making the institution more open and accountable, facilitating the majority leadership's scheduling and agenda-setting prerogatives, maintaining consistency of parliamentary practice, and protecting minority rights. The subcommittee will be working to identify potential problems before they emerge and recommend additional changes to address any such potential problems.

Issues the subcommittee will examine in the aftermath of H.Res. 6 may include, but will not be limited to:

- scheduling of floor and committee activities to improve compliance with clause 2(i)(1) of rule XI with respect to the prohibition on committees from sitting while the House is reading for amendment under the five-minute rule;
- scheduling of hearings by committee chairmen and ranking minority members following adoption of H.Res. 43 amending clause 2(g)(3) of rule XI;
- referral reform in the absence of comprehensive jurisdictional realignment;
- compliance with rule XIV with respect to accuracy of the Congressional Record;

- waivers of member committee and subcommittee assignment limitations; and
- implications of the ban on the consideration of commemorative legislation and alternative mechanisms established in accordance with clause 2 of rule XXII.

**Inconsistent Committee Rules** (April/May 1995)

The subcommittee will study the extent to which the rules adopted by the standing committees of the House comply with House rules, rule-making statutes, and precedents. The subcommittee will seek to identify inconsistencies in such areas as quorums, proxy voting, hearing procedures, staff responsibilities and duties, and the relationship of subcommittees to their parent committee, and make recommendations to committees on actions to rectify any inconsistencies. The subcommittee will also seek to identify House rules that impose impractical and unnecessary burdens on standing committees. In particular, the subcommittee plans to review clause 2(l) of rule XI with respect to matters required to be included in House committee reports and make recommendations to reduce duplication, eliminate non-pertinent information, and include other information to enhance the modern decision-making process.

**Joint Committee on the Organization of Congress** (Spring 1996)

In 1994 the subcommittee held a number of hearings on the Legislative Reorganization Act of 1994. This legislation contained the recommendations of the Joint Committee on the Organization of Congress. A number of the Joint Committee's recommendations were approved as part of H.Res. 6. The provisions of the Legislative Reorganization Act of 1994 not adopted were subsequently introduced in the 104th Congress as H.R. 252, sponsored by Representative Lee Hamilton. The subcommittee will continue to examine those remaining recommendations,

particularly in the area of budget process reform, Ethics Committee reform, and joint House and Senate matters, in an effort to improve the operations of the legislative branch.

**Task Force On Committee Review** (Fall 1995)

The House Republican Conference is considering the creation of a task force on committee review. The task force would be charged with making a full and complete study of rule X and other rules of the House with respect to the structure and jurisdiction of the standing committees of the House; and making recommendations by September 30, 1995, to the House Republican Conference, for changes in such rules to further reduce the number of committees, resolve questions of jurisdictional duplication and overlap, and update jurisdictions to reflect our nation's current and future public policy priorities.

The subcommittee will monitor the work of the task force and review its recommendations. In addition, the subcommittee will undertake an independent review of rule X to correct and clarify ambiguities that may arise as a result of jurisdictional changes made pursuant to Section 202 of House Resolution 6.

**Open Rules** (Winter 1995/1996)

The majority leadership of the 104th Congress announced its intention to bring most major bills to the House floor under rules that provide for an open amendment process and fair debate. The Rules Committee has attempted to improve the deliberative process by reporting special rules that encourage, rather than require, Members to pre-print their amendments in the Congressional Record. The subcommittee will examine this and other procedures to enhance access to legislative information and expedite House proceedings under an open amendment

process.

**Family Friendly Schedule** (Summer 1995)

On December 15, 1994, a bipartisan advisory panel chaired by Representative Frank Wolf issued a number of recommendations to create a more predictable congressional schedule in an effort to make it easier for Members to spend time with their families. Among other things, the panel recommended a three-day, Tuesday through Thursday legislative week. The panel also recommended that votes not be taken before 5 p.m. on Mondays or after 3 p.m. on Fridays during the first months of the 104th Congress, and that the 15-minute time limit on roll call votes be enforced with a two-minute grace period. The subcommittee will review the panel's recommendations and develop additional procedural and organization recommendations to facilitate the implementation of a consistent, efficient, and family-friendly schedule.

**Fast Track Procedures** (Summer 1995)

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. This procedure clearly falls within the jurisdictional purview of the subcommittee. 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 Dec. 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.

The subcommittee intends to undertake a comprehensive review of Section 151 of the Trade Act of 1974 from three perspectives. First, the subcommittee will undertake public hearings to gather information regarding the recent practice of consultation with Congress during the negotiation of agreements reached under "fast track" authority to determine if the Administration has been meeting its burden of significant consultation with Congress. Second, the subcommittee will investigate the possible 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 additional "fast track" authority should be further granted to the Administration. Third, the subcommittee will examine the prospects for either an extension of "fast track" for multilateral agreements or a narrow extension relating to a potential free trade agreement with Chile.

**THE SUBCOMMITTEE ON LEGISLATIVE AND BUDGET PROCESS****Budget Process** (Beginning Summer 1995)

It is clear that the Congressional budget process does not work. The results of annual deficits and mounting national debt are serious indicators of the problem. But even as the national consensus has formed around the need to control federal spending and streamline the federal government, the means toward those ends remain undefined.

One major obstacle to change lies in the cumbersome, confusing and often conflicting procedures established to guide the budget process. Reform efforts during the 103rd Congress (both through the Joint Committee on the Reorganization of Congress and the Bipartisan Commission on Entitlement and Tax Reform) began the monumental task of identifying specific problems with the current budget process and generating proposals for change.

The subcommittee will focus its budget process oversight activities in the 104th Congress on building upon the work begun in this area. The subcommittee will review the procedures established by the Congressional Budget Act, the Balanced Budget and Emergency Deficit Control Act and the Budget Enforcement Act, asking the questions "do these procedures work?" and "how can the Congressional budget process be improved to better meet the goals of smaller government and increased efficiency in allocating taxpayers' resources?"

In the past, budget process reform has generally occurred in a piecemeal, fix-the-current-crisis manner. The Rules Committee held hearings during the 103rd Congress on several specific budget reform proposals from the Joint Committee on the Organization of Congress (including such topics as biennial budgeting). In the 104th Congress, the subcommittee intends to take a longer view of the entire budget process, understanding the goals of the process as well as the technical aspects of achieving them.

In reviewing the budget process, topics may include (but will not be limited to):

- Assessing the trends of budget deficits and the rising debt (reviewing the work of the Bipartisan Commission on Entitlement and Tax Reform) since passage of the Congressional Budget and Impoundment Control Act;
- Studying the technical requirements and procedural requirements of the entire Congressional budget process, including the budget resolution, reconciliation, and annual appropriations cycles;
- Reviewing the current 5-year budget forecast requirements in providing the necessary outlook for bringing the federal budget process under control and addressing the problem of the "out years";
- Studying the effectiveness of existing statutory deficit reduction measures including sequesters and firewalls;
- Examining "lock box" proposals to achieve deficit reduction through lower spending caps;
- Seeking ways to improve the current Presidential rescission process and existing expedited procedures as outlined in Title X of the Budget Act (building on the Line Item Veto in emphasizing savings);
- Considering miscellaneous proposals for streamlining and integrating the budget process (such as biennial budgeting, entitlement reform, PAYGO scorekeeping);
- Reviewing control of the national debt and adjustments to the statutory debt ceiling;
- Studying the impact of the relationship between the House and Senate, and between the Executive and Legislative branches on the budget process.

This preliminary list is by no means exhaustive, and the subcommittee expects that general hearings on the basic question of "does the current process work?" will lead the subcommittee to new specific questions and proposals for reform.

The subcommittee will seek the testimony of experts from the Congressional Budget

Office, the Congressional Research Service, the Office of Management and Budget, Majority and Minority leaders in the Congressional budget process, political scientists, Congressional scholars, and budget process experts from the private sector.

### Committees

The subcommittee plans to examine proposals relating to two committees with special functions within the legislative process in the House and appropriate relation to the Senate: the House Permanent Select Committee on Intelligence and the House Committee on Standards of Official Conduct.

### Intelligence (Summer/Fall 1995)

In recent Congresses, changes have been proposed in the structure of the Select Committees on Intelligence including changes in the size of the committee, its party ratios, length of service of its members, the potential for combining the House and Senate committees into one joint body and the clear need to provide better management and control of sensitive information.

On opening day of the 104th Congress, the House revised Rule XLVIII to change the structure of its Permanent Select Committee on Intelligence (HPSCI), reducing its size from 19 members to 16, and implementing a party ratio of 9 to 7. The House also changed the length of service requirement on the committee, and made special provisions for the length of service of the chairman or ranking member. Also on opening day, the House adopted a secrecy oath for all members with access to classified information.

In the context of the ongoing national soul searching about the proper role of Intelligence in the post Cold-War world and the work of the Aspin Commission, the subcommittee intends

to examine the methods and procedures now in place for Congressional oversight of the Intelligence community. The subcommittee will review the changes that have already been made to the structure of the HPSCI and to the protection of classified information within the entire House. Likewise, the subcommittee will study proposals for further consolidating the committee and its dealings with its Senate counterpart.

**Ethics** (Spring/Summer 1995)

The House Committee on the Standards of Official Conduct remains a crucial body within the House to establish and enforce the standards of official conduct for Members, officers, and employees of the House. The Ethics Committee (as it is commonly called) has served an important purpose in previous Congresses in investigating allegations of improper conduct and in demonstrating that the House is indeed capable of policing itself.

Recently questions have been raised about the way that the Ethics Committee is constituted and the issue of conflict of interest among its members. As a result, the subcommittee intends to review the mandate of the committee as established in Rule X, clause 4 as amended by the Ethics Reform Act of 1989 and the manner in which its members are chosen and required to serve.

**General Oversight** (Summer/Fall 1996)

The House has recently passed two landmark pieces of legislation that are likely to be signed into law by President Clinton: H.R. 5 (Unfunded Mandates) and H.R. 2 (Line Item Veto). Both measures make significant changes in the legislative and budget processes of the House, and as such review of their efficacy falls within the jurisdiction of the Rules Committee in general, and the Subcommittee on the Legislative and Budget Process in particular. The subcommittee

plans to conduct periodic oversight hearings as these laws are implemented.

**Relationship With the Executive Branch** (Spring/Summer 1996)

The subcommittee has general oversight over the relationship between Congress and the Executive Branch, and intends to explore areas for review under this broad authority, including:

- Further exploring the topic of "pocket vetoes" by the President and ways to address related problems (a matter the subcommittee has addressed in recent Congresses);
- Assist in the ongoing activities of Chairman Clinger of the Government Reform and Oversight Committee in assessing the White House Security Clearance policy;
- Review the statutory reporting requirements placed on Executive agencies for their effectiveness, analyzing the costs and benefits involved;
- Assess the flow of information from the Executive to the Congress (including the use and effectiveness of Congressional subpoena powers).

COMMITTEE ON SCIENCE  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

February 10, 1995

RECEIVED

FEB 13 1996

HOUSE COMMITTEE ON  
GOVERNMENT OPERATIONS

Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform and Oversight  
U.S. House of Representatives  
Washington, D.C. 20515

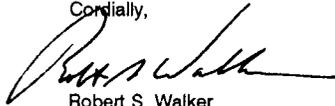
Dear Mr. Chairman:

Pursuant to House Rule X(2)(d)(1), I am forwarding the Oversight Agenda of the Committee on Science for the 104th Congress. The agenda was approved by the Committee on February 8, 1995 by voice vote, a quorum being present.

This oversight agenda is the result of suggestions from Members on both sides of the aisle, and provides a comprehensive plan for review of the statutes, agencies, and programs within the jurisdiction of the Committee on Science for the next two years. It is my intention that this oversight take many forms, including, but not limited to, hearings, briefings, and correspondence. These items will be supplemented on a continuing basis in order to review new statutes, agencies, and programs, and as warranted by any crises or other issues arising over the course of the Congress.

We will also confer with the other committees of jurisdiction regarding our oversight plan. Specifically, we are transmitting copies of this agenda to the Committees on Commerce, Economic and Educational Opportunities, Judiciary, National Security, and Ways and Means, and have invited their response. To the extent that joint hearings or other cooperative endeavors are required, it is the intention of the Committee on Science to fully address these concerns, together with the appropriate committees.

Cordially,



Robert S. Walker  
Chairman

Enclosure

cc: Honorable Cardiss Collins  
Ranking Minority Member

**OVERSIGHT AGENDA FOR THE COMMITTEE ON SCIENCE  
104TH CONGRESS**

<b>Topic</b>	<b>Agency</b>	<b>Description</b>	<b>Target Date</b>
Examine impact of government policies on scientific progress	Non-agency	Review federal programs and policies to determine if they cause scientific progress to be hindered.	Summer 1995
Department of Science	NSF, NASA, EPA, DOC, DOE	Reorganizing federal science agencies.	Summer 1995
Clean Car Program	DOC, DOE, DOT, NIST, NASA	Review the clean car program.	ongoing
High Performance Computing and National Information Infrastructure	NSF, DOE, NASA, NIST, NOAA, EPA	With over \$1 billion budgeted for FY 95, this four part program is controversial with regard to both the Federal Government's role in policy setting and funding.	Spring 1995 and ongoing
Academic Earmarking	NSF, DOE, EPA, NASA, DOC	The Committee believes earmarking is detrimental to the long-term funding of science. The Committee will review the competitive grant process and seek solutions to discourage earmarks.	Spring 1995 and ongoing
Federal Laboratory Missions and Management	DOE, NASA, DOC, EPA	Recent GAO, DOE and other agency reports point to the need for clear mission statements and better management of the federal laboratory system.	Winter/ Spring 1995 and ongoing
International Scientific Cooperation	All Federal Science Agencies	International cooperation and funding of science and engineering projects (large and small) and programs with other nations in a continuing oversight activity. Co-funding of large scientific projects such as the Large Hadron Collider and proposed fusion test facilities are of particular interest.	Spring 1995 and ongoing
R&D Procurement	NSF, NASA, DOE, DOT, DOC, EPA	Streamline R&D Procurement and Contracting.	Summer 1995 and ongoing

Topic	Agency	Description	Target Date
Financial Management	NSF, NASA, DOE, DOT, DOC, EPA	Improves financial management of R&D activities.	Spring 1995 and ongoing
National Performance Review (NPR) Activities	DOE, DOC, DOT, EPA, NASA, NSF	Review and monitor the implementation of all current and future NPR recommendations.	Spring 1995 and ongoing
Federal Support for Science under the Balanced Budget Amendment	All Federal R&D Agencies	As the Committee looks to set priorities for future research support, it will be important to have some informed insights into the impact the balanced budget amendment will have on the ability of the Federal Government to support research. If, as is widely discussed, such a balancing must occur without touching Social Security, the military and without significant increases in tax rates, what can we anticipate will remain for civilian discretionary expenditures? How best can we shape investment of those moneys to maximize the impact on the performance of the American economy? Would establishing a capital account be one way to protect such long-term investments?	Fall 1995 - Spring 1996
Inspector General (IG) Reports	DOE, DOC, EPA, NASA, NSF, DOT	Review, on a continuing basis, all agency IG reports.	ongoing
General Accounting Office (GAO) Reports	DOE, DOC, DOT, EPA, NASA, NSF	Review on a continuing basis, all GAO reports.	ongoing
Risk Assessment	Federal Government	Review and monitor, on a continuing basis, all risk assessment activities of the Federal Government.	Winter 1995 and ongoing
Government Performance and Result Act of 1993 Implementation	DOE, DOC, DOT, EPA, NASA, NSF	Review of R&D strategic plan, goals, performance measures, and budget formulations required by the Act.	Spring 1995 and ongoing
Mandated Agency Reports	DOE, DOC, EPA, NASA, OSTP	Review of existing legislatively mandated reports to identify costly, time-consuming, and obsolete reporting requirements.	Winter/ Spring 1995 Winter/ Spring 1996

Topic	Agency	Description	Target Date
Education Technology	NSF, DOE	Review innovations in education technology and education technology transfer.	Fall 1995
Dual-use/multi-use Technologies	DOE, NIST	Review interagency streamlining and collaboration in R&D activities for dual-use/multi-use technologies.	ongoing
Federal Technology Transfer	DOC, DOE, NASA, EPA, DOT, NSF	Review the implementation and effectiveness of statutory and regulatory provisions relating to federal technology transfer, including Cooperative Research and Development Agreements.	ongoing
Global Climate Change Research	DOE, NOAA, EPA, NASA, NSF	Review of the implementation of the Global Change Research Act of 1990 (PL 101-606).	Fall 1995 Winter 1996
Montreal Protocol	OSTP, NASA, EPA	Review the status of ozone research and the Protocol.	ongoing
Women and Minorities in Science	NSF, NASA, DOE, EPA, non-federal	Review the status and performance of programs designed to encourage women and minorities to study math and science; examine efforts around the country to identify potential model programs.	Spring, 1995 and ongoing
Globalization of Science & Engineering Labor Markets & Science Personnel Issues	Private Sector, Federal Agencies	Examine reports of high tech job flight and the potential Federal role in protecting those jobs; examine the broader forces that affect the supply of scientists and engineers.	Spring 1995 and ongoing
Academic Research Infrastructure	NSF	This program is designed to improve the condition of research equipment and facilities in our Nation's academic institutions. The Committee will examine the present state of the facilities and search for solutions to problems currently facing research universities.	Spring 1995 and ongoing
Indirect Costs at Academic Institutions	NSF	Federal funding for indirect costs at academic institutions totals about \$3 billion annually. The Committee plans to review current policies of unallowable and overhead costs.	Spring 1995 and ongoing

Topic	Agency	Description	Target Date
Priority Setting and Consolidation in Science Budgeting	OSTP	The Committee will participate in the ongoing discussion of civilian/defense spending levels, including the role of OSTP in the formulation of science priorities and funding.	Spring 1995 and ongoing
National Earthquake Hazards Reduction Program (NEHRP)	FEMA, NIST, NSF, USGS	Oversight on the goals and expectations of NEHRP.	Spring 1995 and ongoing
Federal Fire Research and Development Support	US Fire Administration National Fire Academy	Continuing oversight of the \$27 million annual Federal fire program.	ongoing
Science and Technology Support for Congress	OTA	Continuing oversight of the Office of Technology Assessment.	ongoing
Math, Science, Engineering and Environmental Education	NSF, DOE, and other science agencies	The Federal role in funding K-12, undergraduate and graduate math, science, engineering, and environmental education, including NSF's systemic initiative, will continue to be reviewed.	Feb. 1995 and ongoing
Supercomputers	NSF	Review of NSF's National Supercomputer Centers.	Spring 1995 and ongoing
Budget/Large Facilities	NSF	Review of NSF's budget and Large Facilities Initiatives.	Feb. 1995 and ongoing
Future of U.S. Geological Survey	USGS	Implications of possible reorganization of USGS on earthquake monitoring and geoscience support and education.	Spring 1995
Human Genome Project	DOE	Review of ongoing, multi-year, multi-billion dollar program.	ongoing
International Thermonuclear Experimental Reactor (ITER)	DOE	Review of proposed multi-billion dollar project.	Spring/Summer 1995
High Energy and Nuclear Physics	DOE	Priority setting; competition between "big" and "small" science, alternatives to conventional acceleration; international cooperation.	Fall 1995 Winter 1996

Topic	Agency	Description	Target Date
Environmental Restoration and Waste Management	DOE	Technological, compliance and management problems in the multi-billion dollar program that have led to missed milestones and escalating costs. Review of all contain and control approaches.	Summer 1995 Fall 1996
Health and Safety Issues at DOE Facilities	DOE	Review of current DOE facility health and safety issues, as well as pros and cons of OSHA and NRC oversight of such facilities.	Summer 1995
Science and Research Management	EPA	Review of the quality of science and research management at EPA.	Spring 1995 Fall 1996
Environmental Monitoring and Assessment	EPA	Review of EPA's environmental monitoring and assessment program.	Summer 1995 Winter 1996
Contractor Management	EPA	Review of EPA's use of contractors to perform EPA's functions.	ongoing
Restructuring and streamlining of EPA's Office of Research and Development (ORD)	EPA	Review ongoing restructuring and streamlining of EPA's ORD.	Spring/ Summer 1995
National Weather Service Modernization	NOAA	Review the implementation of the Weather Service Modernization program.	Winter 1995 Fall 1996
National Weather Service Privatization	NOAA	Pros and cons of privatizing all or part of the National Weather Service.	Spring 1995 Fall 1995
NOAA Fleet	NOAA	Examination of opening the NOAA fleet to public and private competition to bolster the aging fleet.	Summer 1995 Winter 1996
Polar Satellite Program	NOAA	Savings and efficiencies made possible by consolidating various current and proposed polar satellite programs under NOAA.	Spring 1995 Fall 1995
Environmental Technologies	DOE, NOAA, EPA	Review agency environmental technology programs to determine degree of innovation, duplication, overlap, and consistency with the agencies' missions.	Spring 1995 Fall 1996

Topic	Agency	Description	Target Date
Examination of DOE Organization	DOE	Impact of potential reorganization of the Department.	Summer 1995 Fall 1996
Fusion Energy	DOE	Priority setting in the DOE fusion energy program; alternative concepts.	Winter/ Spring 1995 and ongoing
Agreement for Cooperation on Peaceful Uses of Atomic Energy (EURATOM)	DOE	Review of the status of negotiations on the EURATOM agreement and the implications for DOE cooperative nuclear fission and fusion programs with Europe if the agreement is allowed to expire at the end of 1995.	Summer 1995
Nuclear Energy R&D	DOE	Review and examination of nuclear R&D.	Summer 1995
International Space Station	NASA	Examine cost, schedule, and the level of Russian space assets involved in the program. The Committee will initiate a comprehensive oversight of the utilization and cost-sharing issues for the operational phase of the station program.	Spring 1995 and ongoing
Space Shuttle	NASA	The Shuttle has seen decreasing budgets over the past several years. The program is currently undergoing intensive internal and external reviews. The Committee will examine the impacts of reductions on system safety, personnel, and mission integrity.	Spring 1995 and ongoing
Reusable Launch Vehicle (RLV)	NASA	The RLV program which includes the X-vehicle demonstrators, DC-XA, X-33 and X-34 will be reviewed for its commitment to meeting the needs of the commercial market, level of industry cost-share, and schedule.	Spring 1995 and ongoing
Mission to Planet Earth (MTPE)	NASA	There will be a review from top-to-bottom to determine life-cycle costs, schedule, and what science the program will actually achieve.	Spring 1995 and ongoing

Topic	Agency	Description	Target Date
Aeronautics	NASA	The proposed wind tunnel program and its level of industry cost-share will be examined. The necessity of the High Speed Research program will be reviewed with a view toward probability of success and likelihood of industry investing the capital needed to develop an operational vehicle. Examine subsonic program.	Spring 1995
Space Science	NASA	Physics and Astronomy missions, as well as Planetary Exploration missions, will be reviewed to determine if Mission to Planet Earth is encroaching on the budget for these missions. The Committee will also review how the future of deep space probes is impacted by the greatly diminished level of activity in space nuclear power. The role of commercial providers in NASA space science missions will be reviewed.	Fall 1995
Launch Services Purchase Act of 1990 (PL 101-611)	NASA	NASA's procurement practices will be examined to ensure that the agency is complying with the spirit of the Act by streamlining procurement to more closely resemble those practices in the commercial marketplace.	Fall 1995
Launch Voucher Program	NASA	This demonstration program, authorized by PL 102-588, will be examined to ensure that NASA is complying with its obligations under the law.	Summer 1995
Commercial Launches	NASA	Pricing policies of launch services will be reviewed to determine if they are consistent.	Spring 1996
Land Remote Sensing Commercialization Act of 1984 (PL 98-365)	NASA	Review the activities of NASA to ensure that the agency is not competing with commercial operators of remote sensing space systems.	Winter 1996

Topic	Agency	Description	Target Date
Licensing Authority	DOT	Oversee OCST's compliance with the Commercial Space Launch Act (PL 98-575) and the Commercial Space Launch Act Amendments of 1988 (PL 100-657).	Spring 1996
Commercial Space	NASA, DOT, DOC	Review the government's role in promoting the commercialization of space.	Spring 1996
Johnson Space Center	NASA	Review the Department of Justice investigation at the Johnson Space Center	Fall 1995
Alternative approaches to promoting research and development	Non-agency	Review the possibility of using the tax code (capital gains reduction, the R&D tax credit and accelerated depreciation); legal tort reform; anti-trust reform; and regulatory reform as alternative methods of stimulating technology development.	Summer 1995
Quality Standards	NIST	Review quality standards and the Malcolm Baldrige Quality Awards.	Summer 1995
Technology Information Dissemination	DOC	Review the effectiveness of dissemination of government technology information.	Fall 1995
The Patent Process	DOC	Review the impact of the patent process on competitiveness; productivity of United States inventors vis-a-vis global competitors; GATT implementation; effect of patent term changes.	Fall 1995 Spring 1996
Environmental and Marine Biotechnologies	DOC	Maintaining national preeminence.	Spring 1995 Spring 1996
Telemedicine	DOC, NIH, NASA	Review telemedicine innovations and barriers.	Fall 1995
Cholesterol testing protocols	NIH, NIST	Review the accuracy of measurement standards and measurement.	Winter 1995
Transportation and Technology	DOT, NASA	Review the Intelligent Vehicle Highway Systems (IVHS) and Global Positioning System (GPS) programs.	Fall 1996

Topic	Agency	Description	Target Date
International Aviation Certification Standards	DOT	Review the development of international certification standards for aviation manufacturing and regulation.	Spring 1996
Global Air Traffic Control System	DOT	Review the feasibility of developing a Global Air Traffic Control System (ATC).	Summer/ Fall 1996
FAA R&D Program	FAA	Review the status of FAA R&D initiatives.	Spring 1995
Technology Reinvestment Program	DOD	Review the status of the Technology Reinvestment Program (TRP).	Fall 1995
Advanced Technology Program	NIST	Review the status of the Advanced Technology Program(ATP).	Feb. Mar. 1995
Standardization and Innovation	NIST	Review the effect of standardization on innovation.	Spring 1996
Civil Tiltrotor Technology	NASA, DOT, DOD	Application of defense Tiltrotor technology to civil use.	ongoing
Aviation Safety Technology	DOT	Review the Department's efforts to reduce aviation-related injuries.	Summer 1995
U.S. Science and Technology Support and Foreign Firms	DOC, DOE, NSF, Non-agency	How can we guarantee that American firms gain the benefit of Federal research investments?	Spring 1995 and ongoing

Congress of the United States  
House of Representatives  
104th Congress  
Committee on Small Business  
2501 Rayburn House Office Building  
Washington, DC 20515-0515  
February 15, 1995

The Honorable William Clinger, Jr.  
Chairman  
Committee on Government Reform and Oversight  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Committee on Small Business approved its oversight Plan for the 104th Congress, with a quorum present, on February 13, 1995. As required by Rule X, clause 2(d) of the Rules of the House, I am hereby transmitting the Plan to the Committee on Government Reform and Oversight.

With best wishes, I am

Sincerely,



Jan Meyers  
Chair

Enclosure

**Congress of the United States**  
**House of Representatives**  
 104th Congress  
**Committee on Small Business**  
 2501 Rayburn House Office Building  
 Washington, DC 20515-0515

**OVERSIGHT PLAN FOR THE COMMITTEE ON SMALL BUSINESS**  
**104TH CONGRESS**  
**U.S. HOUSE OF REPRESENTATIVES**  
**Congresswoman Jan Meyers, Chair**

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 Oversight and House Oversight not later than February 15 of the first session of the Congress.

This oversight plan of the Committee on Small Business includes areas in which the Committee expects to conduct oversight activity during the 104th Congress. However, this agenda 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 every program in the Small Business Administration to determine its effectiveness and whether it should be continued.

**FINANCIAL PROGRAMS**

The Committee will conduct hearings on the effectiveness and efficiency of the SBA's financial programs. Particular emphasis is to be placed on the economic benefits of these programs to the small business community versus their cost to the taxpayer.

**7(a) General Business Loan Program**

Following on a hearing conducted in January, 1995, the Committee will investigate current shortfalls and study proposed program modifications that have been put forward by the Administration and others. Oversight will also focus on the underlying need for the program, and the root causes of credit shortages in the small business sector. (Winter, 1995)

#### **Certified Development Company Program**

Oversight activities will focus on the recent restructuring of the certified development company and its effect on business development efforts. The Committee will also ascertain if there are any improvements that can be made to the program. (Winter, 1995)

#### **Small Business Investment Company Program**

Oversight will focus on the new participating securities program and the new licensees that have entered the program. The Committee will also investigate current program management activities and efforts that have been made to stem losses in the program and stabilize the program's portfolio.

Hearings will also investigate possibilities for privatization of the SBIC program and other modifications that might serve to continue access to venture capital for the small business community. (Winter/Spring, 1995)

#### **Specialized Small Business Investment Company Program**

Oversight will focus on the Specialized Small Business Investment Company Program which delivers venture capital to socially or economically disadvantaged small businesses, including the benefits it has provided to the assisted firms, the economy, and to state and local governments, as well as to the Federal Government.

Particular attention will be given to a report anticipated from a blue ribbon commission which has been appointed by the SBA.

The Committee will also investigate reports of misuse of the Specialized Small Business Investment Companies and what actions have been taken to prevent further abuses. (Winter/Spring, 1995)

#### **Microloan Program**

The Committee will conduct hearings concerning the expansion and progress of this innovative program. Hearings will focus on the effectiveness of this program in providing seed capital to start-up small businesses and in alleviating economic hardship in rural and urban areas. The Committee will also investigate the progress of the guarantee-based microloan pilot program, and its possible extension. (Winter, 1995)

**Surety Bond Guarantee Program**

The Committee, in conjunction with legislatively mandated reports, will investigate the effectiveness of this program in providing bonding capability to underserved sections of the construction community. Oversight will also focus on the need for recent infusions of capital to the Surety program account.

The Committee will also examine the effectiveness of, and benefits provided by, the Preferred Surety Bond Guarantee Program which sunsets on September 30, 1995. (Winter/Spring, 1995)

**Debenture Prepayment Penalty Relief**

The Committee will review the adequacy of Title V of the Small Business Administration Reauthorization and Amendments Act of 1994 (P.L. 103-403) to provide some relief to participants in the now defunct section 503 development company program. Legislation enacted last year authorized and subsequently provided \$30 million to mitigate against prepayment penalties under this program.

**PROCUREMENT ASSISTANCE**

The Committee will examine the effectiveness of the SBA's procurement assistance activities. Hearings will focus on the Certificate of Competency program and its effectiveness in protecting small business contractors.

The Committee will also investigate the Natural Resources assistance program and the effectiveness of the procurement center representatives, particularly in the area of contract bundling.

The Committee will also examine the Agency's progress in implementing a pilot program included in the Small Business Reauthorization and Amendments Act of 1994 (P.L. 103-403) to allow very small businesses to participate in Federal procurement programs.

The Committee will also examine the extent to which organizations of the handicapped have been permitted to participate in small business set-aside contracts under section 15 of the Small Business Act. The Small Business Administration Reauthorization and Amendments Act of 1994 (P.L. 103-403) authorized such organizations to participate during fiscal year

1995 only in an aggregate amount of contracts not to exceed \$40 million." (Winter/Spring, 1995)

#### **ADVOCACY**

The Office of Advocacy provides small business with an effective voice inside the government. The Committee will conduct hearings on how to strengthen this voice and make sure the Chief Counsel for Advocacy continues to effectively represent the interests of small business. (Winter/Spring, 1995)

#### **TECHNOLOGY AND RESEARCH ASSISTANCE**

##### **Small Business Innovation and Research**

The Small Business Innovation and Research (SBIR) program aids small business in obtaining federal research and development funding for new technologies. In conjunction with statutorily mandated reports from the General Accounting Office, the Committee will monitor the progress of this program. Oversight will focus on the ability of this program to develop new, marketable technologies, and compare the effectiveness of the two percent of federal research dollars directed to the SBIR program with the commercial applications resulting from the other 98 percent of federal R & D spending. (Spring, 1995)

##### **Small Business Technology Transfer**

The Small Business Technology Transfer program authorization will expire on September 30, 1995. 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. (Spring/Summer, 1995)

#### **MINORITY ENTERPRISE DEVELOPMENT**

The Committee will conduct hearings on the history and effectiveness of the 8(a) program and other federal programs to promote minority business development, including access to capital and credit. Recent administrative changes will be investigated along with several recent legislative proposals. (Winter/Spring, 1995)

WOMEN-OWNED BUSINESSES

The Committee will continue its active involvement in encouraging the development of women-owned small businesses, and its oversight of relevant Federal programs including the activities of the statutorily-created Office of Women's Business Ownership; the implementation of the newly established government-wide 5 percent procurement goal; and the establishment and activities of the new Interagency Committee and National Women's Business Council. (Spring 1995 through Fall 1996)

OFFICE OF INSPECTOR GENERAL

The Committee will conduct hearings and investigations regarding the effectiveness of the Inspector General's office at the SBA. The Committee's efforts will center on the IG's ability to effectively monitor the myriad financial programs at the agency. (Summer, 1995)

OFFICE OF DISASTER ASSISTANCE

In declared disasters the SBA is the little-known hero that helps business owners and homeowners put their communities back together. Committee oversight will focus on recent increases to the disaster loan limits and their effect on rebuilding ravaged communities. The Committee will also study the Administration's proposals for improving the subsidy rate and cost-effectiveness of the disaster assistance program. (Spring, 1995 through Spring, 1996)

OFFICE OF ECONOMIC RESEARCH

The Committee will investigate the activities of the Office of Economic Research and its work product. We will consider the value of the research provided, and coordination with the research of other federal agencies. (Spring, 1995)

OFFICE OF INTERNATIONAL TRADE

The Committee will conduct oversight concerning the new Export Assistance Centers initiative. Committee investigations will center on the effectiveness of SBA's small business export efforts. (Spring, 1995)

The Committee also intends to determine the extent of efforts at other agencies to serve the small business community's

trade and export needs. In particular, the Committee will investigate efforts to provide financing for the small business community in export markets and the efforts or lack of effort to aid small business in overcoming foreign trade barriers. (Spring, 1995 through Summer, 1996)

#### **OFFICE OF BUSINESS INITIATIVES AND TRAINING**

The Committee will explore the agency's commitment to these business development programs and their interrelation with the SBA's other program efforts. Investigations and hearings will center on the amount and types of assistance provided and their relationship to the changing business environment.

The Committee will also investigate small business assistance programs at the other federal agencies to determine their effectiveness and the need for coordination between the agencies. These hearings will cover the activities of the Small Business Development Centers, Business Information Centers, SCORE, and the Small Business Institute program. (Winter/Spring, 1995)

#### **FEDERAL PROCUREMENT**

The Committee will examine the changes in federal procurement since the last Congress. The Federal Acquisition Streamlining Act instituted sweeping changes in the way the government will purchase goods and services. The Committee will investigate the implementation of these changes and the effect they are having on small businesses involved in government contracting. (Fall, 1995 through Fall, 1996)

The Committee will also be conducting hearings concerning any new proposals that would affect opportunities for small business in federal procurement.

#### **GOVERNMENT & NON-PROFIT COMPETITION**

The Committee will be conducting hearings and investigations of 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, 1996)

#### **REGULATORY FLEXIBILITY & PAPERWORK REDUCTION**

The Committee will continue its oversight of agency implementation of the Regulatory Flexibility Act and Paperwork

Reduction Act. This oversight will include implementation of any future amendments to these Acts (Winter 1995 through Fall 1996)

GOVERNMENT REGULATION

The Committee will continue to investigate the regulatory agenda of the various federal agencies and the impact of regulations, both specific requirements and the cumulative effect of regulations, on the small business community. (Winter, 1995 through Fall, 1996)

TAXATION

The Committee will continue to conduct oversight hearings into common sense reduction of 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. (Winter, 1995 through Fall, 1996)

MINIMUM WAGE

The Committee will be conducting hearings on proposals to increase the minimum wage and on the restoration of the minimum wage exemption for certain small businesses. These hearings will focus on the economic impact of these proposals particularly regarding inflation and job creation. (Spring/Summer, 1995)

HEALTH INSURANCE

The Committee will be considering new proposals for improving access to the health care system for small business owners and their employees. We will also focus on the economic impact of expanding the health insurance deduction for the self-employed and related self-insurance issues. (Spring, 1995 through Spring, 1996)

NANCY L. JOHNSON, CONNECTICUT  
CHAIRMAN

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ONE HUNDRED FOURTH CONGRESS

**U.S. House of Representatives**

COMMITTEE ON STANDARDS OF  
OFFICIAL CONDUCT

Washington, DC 20515-6328

February 21, 1995

Honorable William F. Clinger  
Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn Building  
Washington, D.C. 20515

Dear Bill:

Enclosed is the Oversight Activity Plan of the Committee on Standards of Official  
Conduct adopted at our meeting on February 15, 1995.

Please let me know if you have any questions, or need clarification.

Sincerely,

Nancy L. Johnson  
Chairman

NLJ:tv

NANCY L. JOHNSON, CONNECTICUT  
 CHAIRMAN  
 JIM BUNNING, KENTUCKY  
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ONE HUNDRED FOURTH CONGRESS

## U.S. House of Representatives

COMMITTEE ON STANDARDS OF  
 OFFICIAL CONDUCT

Washington, DC 20515-6328

### OVERSIGHT ACTIVITY REPORT

104th Congress

February 15, 1995

Pursuant to House Rule X(1)(p)(1), the Committee on Standards of Official Conduct has jurisdiction over measures relating to the Code of Official Conduct. Pursuant to Title I of the Ethics in Government Act of 1978, as amended, the Committee also has oversight jurisdiction with respect to the financial disclosure statements of all Members, officers, and employees of the House.

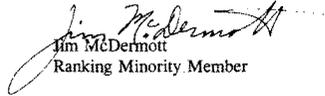
The Committee also issues advisory opinions to assure that Members comply with the rules of the House, as well as investigates allegations of improper conduct of Members, officers, and employees of the House.

The Committee will also exercise its oversight jurisdiction to reconsider the provisions of House Rule 43, clause 4, commonly known as the "gift rule."

As a result of our carrying out our responsibilities, we may review either the procedure or substance of matters that come to our attention through the role that our Committee plays.



Nancy L. Johnson  
 Chairman



Jim McDermott  
 Ranking Minority Member

Committee on Transportation and Infrastructure

Congress of the United States

House of Representatives

Room 2165, Rayburn House Office Building  
Washington, DC 20515

TELEPHONE AREA CODE (202) 225-9446

February 6, 1995

Honorable William Clinger, Chairman  
Committee on Government Reform and Oversight  
2157 Rayburn Office Building  
Washington, D.C. 20515

Dear Mr. Chairman:

The Committee on Transportation and Infrastructure approved its Oversight Plan for the 104th Congress, with a quorum present, on February 1. As required by Rule X, clause 2 (d) of the Rules of the House, I am transmitting this plan to you with this letter.

With warm regards, I remain

Sincerely,



BUD SHUSTER  
CHAIRMAN

Enclosure

Committee on Transportation and Infrastructure

Congress of the United States

House of Representatives

Room 2165, Rayburn House Office Building  
Washington, DC 20515

TELEPHONE: AREA CODE (202) 225-9446

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
OVERSIGHT PLAN

U.S. House of Representatives

104th Congress

Congressman Bud Shuster,  
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 Oversight and House Oversight not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Transportation and Infrastructure for the 104th 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.

AVIATION SUBCOMMITTEE

1. FEDERAL AVIATION ADMINISTRATION

A. **Evaluation of FAA operations.** Several studies have recommended transferring the air traffic control system to a Federal or private corporation. Others have urged simply removing the FAA from DOT or exempting FAA from procurement or personnel laws. This hearing will examine the structure of the air traffic control system, procurement and personnel rules, training programs, and the relationship of FAA to DOT. (Winter 1995)

B. **Evaluation of safety programs.** Safety continues to be a major concern of the public and the media. All objective evidence indicates that flying is safe but seven fatal accidents last year and the highest number of deaths since 1988 have kept the safety issue in the public eye. The FAA recently held a safety summit in which all the industry executives convened to consider ways to reduce the accident rate to zero. This hearing will examine FAA safety programs and the FAA's response to the recent safety summit. (Winter 1995)

C. **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 is behind schedule and over budget. This hearing will examine the FAA's air traffic control

facilities and equipment program known as the Capital Investment Plan with a focus on the Advanced Automation System (AAS). (Summer 1995)

D. **Evaluation of the Airport Improvement Program.** The Airport Improvement Program (AIP) makes grants from the Aviation Trust Fund for airport development. The program was reauthorized last year and expires September 1996. This series of hearings will consider fundamental changes in the program including the formulas for allocating the grants, the need for better planning and investment criterion and innovative financing methods. (Winter 1996)

E. **Evaluation of Airport and Airway Trust Fund.** For many years, the aviation community has complained that it is paying money into the Aviation Trust Fund that can only be used for aviation purposes but that the money is often not used to the extent that it could be because the Trust Fund is on budget. The Committee will examine whether it should continue to be part of the general budget.

## 2. DEPARTMENT OF TRANSPORTATION

A. **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. (Fall 1995)

## 3. NATIONAL TRANSPORTATION SAFETY BOARD

A. **Oversight of NTSB.** The NTSB was reauthorized last year. The authorization expires in September 1996. The reauthorization and oversight hearing will examine the NTSB including its staffing, budget, training programs and relation to the FAA. (Spring 1996)

## 4. WASHINGTON AIRPORTS

A. **Oversight of Board of Review and ongoing projects.** In 1986, operational control of National and Dulles airports was transferred from the Federal government to a local authority. One feature of the transfer law was a Board of Review composed mainly of Congressmen. That Board has been declared unconstitutional. This requires Congress to legislate in this area and provides an opportunity to conduct an oversight hearing of these airports in order to review the current construction program, the status of the Board of Review, slots at National, and the Dulles toll road. (Winter 1995)

**COAST GUARD AND MARITIME TRANSPORTATION SUBCOMMITTEE****U.S. COAST GUARD**

A. **Evaluation of the effectiveness of the President's National Drug Control Strategy.** President Clinton's 1994 National Drug Control Strategy increased funding for drug treatment and prevention programs, and slashed funding for drug interdiction and other law enforcement programs aimed at illegal drug users. This series of hearings will examine whether this emphasis on "demand reduction" over "supply reduction" is working to reduce illegal drug use in this country, and whether resources should be returned to the Coast Guard and other agencies engaged in drug interdiction to fortify our Nation's borders against illegal drug smuggling. (Summer 1995)

B. **Oversight of the U.S. Coast Guard's roles and missions.** The last time a comprehensive review of Coast Guard roles and missions was completed was in 1981. This series of hearings will focus on the significant growth in Coast Guard responsibilities since that time, and whether certain Coast Guard functions should be eliminated in light of current budget constraints. The Coast Guard missions under review will include search and rescue, enforcement of laws and treaties, military readiness and international programs, Coast Guard reserve, aids to navigation, marine safety, marine environmental protection, environmental compliance, domestic and international icebreaking, Coast Guard auxiliary development, research and development, and Coast Guard internal management (especially use of information resources). The hearings will also review more cost effective approaches that the Coast Guard could use to carry out its missions. (Summer 1995 through Summer 1996)

C. **Oversight of the effectiveness and implementation of the Oil Pollution Act of 1990 (in conjunction with the Subcommittee on Water Resources and Environment).** The Oil Pollution Act of 1990 (OPA '90) established a comprehensive, national system for oil spill prevention, cleanup, liability, and compensation. OPA '90 is the single largest implementation responsibility the Coast Guard has ever assumed. The hearings on OPA '90 will review the implementation of several important Coast Guard rulemakings on OPA '90, including double hull standards, oil spill response plan requirements, and certificates of financial responsibility. Additional hearings will also examine whether new approaches should be developed to reach the goal of OPA '90 and encourage safe, efficient transportation of oil in U.S. waters. (Summer 1995 through Fall 1995)

**D. Oversight of the Coast Guard's vessel safety programs.** Commercial and recreational vessel safety is a primary Coast Guard responsibility. These hearings will focus on several segments of the commercial and recreational vessel industries and examine whether existing regulatory requirements are effective in preventing accidents in U.S. waters. Hearings will focus on fishing vessel safety, passenger vessel safety, recreational vessel safety, and towing vessel safety. (Fall 1996)

**E. Oversight of the U.S. role in the International Maritime Organization (IMO).** This hearing will examine the role of the U.S. in the International Maritime Organization, under which all international maritime agreements are negotiated. Current international agreements under review include the IMO convention on standards of training, certification and watchkeeping, which establishes basic international standards of training and competence for all seafarers. (Summer 1996)

#### **Maritime Administration**

**A. Oversight of the Department of Transportation's reorganization as it affects the Maritime Administration and the U.S. Coast Guard.** These hearings will examine whether the organization of the Department of Transportation facilitates effective management of the programs of these agencies and avoids duplication of effort. The hearing will also examine whether existing Maritime Administration programs should be abolished, and whether programs related to oceans policy from other departments should be consolidated within the Department of Transportation. (Spring 1995)

**B. Oversight of the state of the U.S. merchant marine.** These hearings will examine the state of the U.S. merchant vessel industry and the reasons for its decline. The hearings will also consider ways to encourage vessel owners to operate under the U.S.-flag without subsidies or excessive government regulation. (Spring 1996)

**C. Oversight of the Maritime Administration's port and intermodal development program.** This hearing will consider the current economic state of the U.S. public port industry, focusing on facility financing, environmental regulation, dredging, intermodal access and Federal user fees. (Spring 1995)

**D. Oversight of ship financing.** The Maritime Law Association of the United States has developed several legislative proposals to facilitate marine financing. This hearing will consider these proposals, and the extent to which they would encourage additional private investment in U.S.-flag vessels. (Summer 1996)

**Federal Maritime Commission**

A. **Oversight of the Shipping Act of 1984.** The Shipping Act of 1984 is the major piece of legislation administered by the Federal Maritime Commission. The act allows shipping cartels to set international shipping rates with antitrust immunity. This hearing will examine the advantages and disadvantages of this system. (Winter 1995)

B. **Oversight of the Foreign Shipping Practice Act of 1988, and other Federal Maritime Commission activities.** This hearing will examine the laws administered by the Federal Maritime Commission to ensure that U.S. foreign commerce is not burdened by non-market barriers to ocean shipping. These laws include Title X of the Foreign Shipping Practices Act of 1988, Section 19 of the Merchant Marine Act of 1920, and Section 13(b)(5) of the Shipping Act of 1984. (Summer 1995)

**PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT SUBCOMMITTEE**

1. **ECONOMIC DEVELOPMENT ADMINISTRATION**

A. **Evaluation of eligibility criteria.** The enabling legislation for EDA has not been amended since 1980, and many of the eligibility criteria used to determine the basis for assistance are out of date. Further, approximately 85% of the country is currently eligible for assistance under the Act. The House of Representatives has passed authorization bills in every Congress since 1980 to address this issue. This evaluation would build on those efforts and would be part of an overall restructuring of the programs under the Economic Development Administration. (Spring 1995)

2. **APPALACHIAN REGIONAL COMMISSION**

A. **Evaluation of the basic programs under the Act.** This legislation was passed in 1965, to help the Appalachian region overcome its isolation and reverse the longstanding economic deterioration which has caused its development to lag behind other sections of the nation. Since that time numerous changes to the region's economic base have occurred, and the program will be evaluated against economic distress in other regions of the country. The program would be reviewed to enact reforms to reflect current economic and market forces. (Spring 1995)

3. **GENERAL SERVICES ADMINISTRATION**

A. **Evaluation of the capital asset program to include**

leasing and construction as well as financing and long term acquisition strategies. This evaluation would be in conjunction with GSA reform legislation. The intent of this evaluation is to determine if changes in law would result in a more efficient, effective leasing program. If, for example, GSA could negotiate succeeding leases with existing landlords and lower rental rates. A longer term review would entail the examination of the leasing program for potential fraud, or non-competitive practices by agencies that have delegation of leasing authority. (beginning Spring 1995)

B. **Evaluation of GSA construction program.** This evaluation would also be a part of the GSA reform legislative effort, and would focus on the high cost of court projects and long term needs analysis. This review would also focus on the different techniques of job bidding--design-bid-build vs. design-build. (Spring 1995). There would be a longer term review of the current program, with a focus on past practices that may have contributed to excessive cost in court projects. (Fall, winter 1995-1996)

C. **Review of GSA property management services.** GAO is currently undertaking an evaluation of the quantitative and qualitative aspects of the contracting out of building services for GSA. There would be an additional task to determine the effectiveness of further contracting out for real estate services by GSA, such as leasing, development, security and other activities. (Summer 1996)

#### 4. JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

A. **Review of the comprehensive plan.** Legislation passed in the 103rd Congress (PL 103-279) authorized funds for repair, maintenance, and capital improvement of the Kennedy Center. As part of the legislation, there is a requirement that the Board report to the Committee to discuss the long term plan for capital improvement, and a review of the projects completed to date. (Summer 1995)

#### 5. SMITHSONIAN INSTITUTION

A. **Review of progress on development of new museums.** There is one new museum already planned for the mall, the Museum of the American Indian, and legislation passed the House last Congress to designate the African American Museum to be housed in a structure currently used for the Museum of Arts and Industry. Financial, programmatic and other considerations would be reviewed. (Fall 1995)

6. ARCHITECT OF THE CAPITOL

A. **Review of the proposed visitors center and chiller addition.** The Architect of the Capitol proposed a visitor's center to be constructed under the east plaza of the U.S. Capitol. This proposal has received Congressional attention for 4 years. Now the Architect will ask for authority to proceed with the construction of this Center. This proposal will be reviewed against other budget considerations. Also, the Architect proposes to construct new chiller capacity to take advantage of low electric rates at night to serve the Capitol complex. PEPCO will rebate part of the cost of installation. The financial, programmatic and other considerations will be reviewed. (Summer 1995)

**RAILROAD SUBCOMMITTEE**

1. INTERSTATE COMMERCE COMMISSION

A. **Sunset of ICC and disposition of functions.** Based on the strong Republican support for eliminating the ICC, now strengthened by President Clinton's request for ICC sunset in the recent State of the Union address, the Subcommittee plans to develop legislation to eliminate the ICC as a separate agency, and to allocate those rail-related functions worth retaining to other parts of the federal government. An initial hearing on what to do with the ICC's present rail merger jurisdiction was held on January 26, 1995, and a second hearing to evaluate the ICC's non-merger rail jurisdiction will also be held. This second hearing will cover issues such as the degree of economic regulation that should be retained to protect shippers, and the administrative remedies appropriate to any such regulation. (Spring 1995)

2. AMTRAK

A. **Oversight of Amtrak's current financial crisis and statutory mandates affecting Amtrak's costs.** The Subcommittee plans oversight on the current financial crisis facing Amtrak and on the role of present detailed statutory requirements in exacerbating Amtrak's financial problems. Major issues include statutory mandates that reduce or eliminate Amtrak's management flexibility in areas such as route selection, operating and maintenance contracting, employee benefits (including labor protection liabilities affecting Amtrak and other carriers), and compensation to Amtrak by other users of Amtrak facilities in the North-east Corridor. (Spring 1995)

### 3. OVERVIEW OF RAILWAY LABOR ACT

A. **Commuter Railroads and the Railway Labor Act.** Under current law, commuter rail operations, owned and operated by state agencies and manned by state employees, are required to adhere to all Railway Labor Act requirements--including Presidential intervention and the possibility of strikes--even where applicable state law forbids strikes.

B. **Secondary Picketing Under the Railway Labor Act.** The Supreme Court confirmed in a 1987 decision that the Railway Labor Act--unlike all other federal labor laws--does not prohibit secondary boycotts or picketing. That is, workers striking one rail carrier are allowed to picket and shut down a railroad that is not in any way a party to the underlying labor dispute.

C. **Evaluation of Dunlop Commission Recommendations on Railway Labor Act.** The President's Commission on Reform of Federal Labor Laws ("Dunlop Commission") recently issued a report deferring any recommendations on the Railway Labor Act until early 1996. The Subcommittee may wish to conduct a hearing examining those recommendations in more detail when they are issued. (Spring 1996)

### 4. RAILROAD UNEMPLOYMENT INSURANCE MODERNIZATION

Railroad employees are presently covered by a unique federal system of unemployment and sickness benefits, not the state-federal unemployment compensation system applicable to virtually all other industries. Under the Railroad Unemployment Insurance (RUI) system, benefit levels, waiting periods, and other particulars are set directly by federal statute. The last significant revision of the statute occurred in 1988. A joint legislative proposal was made by labor and management in 1994 to update and increase benefit levels, but the legislation was not enacted before the adjournment of the 103d Congress. A renewed proposal is expected in 1995, and the Subcommittee may wish to conduct a hearing on the current status of the RUI system, and on the proposed legislation. (Fall 1995)

### 5. RAILROAD SAFETY "USER FEES": FINANCIAL AND COMPETITIVE IMPACT

The rail safety user fees enacted as part of the 1990 budget agreement are due to expire under current law at the end of FY 1995. These fees, assessed against all railroads (freight and passenger, large and small) offset most of the safety-related activities of the Federal Railroad Administration.

The Subcommittee is interested in examining the impact of the fees on small railroads--entrepreneurial small businesses--in particular, but also on the railroad industry generally. Of particular significance is the effect of the fees on the competitive balance between railroads and other forms of transport--a factor Congress required DOT to evaluate annually under present law. (Summer 1995)

**6. LOCAL RAIL FREIGHT ASSISTANCE PROGRAM AND RAIL INFRASTRUCTURE**

The LRFA program, originally established in connection with the bankruptcy of major Northeast railroads, provides matching-fund assistance to state and local governments for use in upgrading rail infrastructure. The program authorization expired at the end of FY 1994, but FY 1995 appropriations of \$17 million were approved.

The Subcommittee is interested in examining the present operation of the program, as well as other alternatives to renewal of LRFA, in light of current and projected budgetary constraints. A major focus will be LRFA's role as a method of keeping small short-line railroads available to communities that otherwise might lose all rail service. Short-line and regional railroads (several hundred of which have been established since railroad rate deregulation in 1980) have been the entrepreneurial small-business stars of the railroad industry in the last decade. The Subcommittee is also interested in exploring infrastructure improvements (including intermodal connections) that would improve shipper access to rail freight service, such as raising tunnel clearances to accommodate double-stack trains. (Summer 1995)

**7. EVALUATION OF THE FEDERAL EMPLOYERS LIABILITY ACT OF 1908 AS A SUITABLE WORKER-COMPENSATION SCHEME FOR RAILROADS**

The FELA was the first federal worker-protection statute, enacted in 1908 to provide uniform, fault-based standards for tort compensation of injured railroad workers. Since then, virtually all other industries have come under no-fault state worker-compensation laws, but FELA has remained the sole compensation mechanism within the railroad industry. Only one House oversight hearing has been held on FELA since 1939, and that hearing was more than five years ago.

Major issues concerning FELA include the estimated 15 to 40 per cent overhead costs imposed by trial lawyers, and the possibility that an injured worker will receive no compensation whatever, because of the negligence-based standard for liability. (Fall 1995)

## **8. OVERSIGHT OF THE RAILROAD RETIREMENT SYSTEM**

Since the 1930s, rail workers have been covered by a separate Railroad Retirement System, which includes both a Social Security twin ("Tier I" benefits) and a federally administered industry-wide pension fund ("Tier II" benefits). Because of the severe reductions in railroad employment in the 1970s and early 1980s, the retirement system had to be rehabilitated through substantial payroll tax increases in the early 1980s. The Railroad Retirement Board, an independent federal agency, administers both the Railroad Retirement System and Railroad Unemployment Insurance.

For several years, there have been proposals to combine some or all aspects of Railroad Retirement with Social Security. Most recently, Vice President Gore's "Reinventing Government" recommendations included proposals to combine certain administrative aspects of the two systems. (Spring 1996)

The financial health of the Railroad Retirement System may also be affected by the continuing operation or demise of Amtrak. An important policy issue is whether loss of Amtrak's substantial contributions to the system through employer- and employee-paid payroll taxes would threaten the soundness of the system. (Summer 1996)

## **9. RAILROAD SAFETY OVERSIGHT**

The Subcommittee is also interested in monitoring the rail safety programs administered by the Department of Transportation's Federal Railroad Administration, including any improvements and enhanced efficiency that may result from the proposed organizational restructuring of the Department of Transportation. The Subcommittee may also wish to examine applications of new technologies to improving railroad safety on board trains and at grade crossings. (Spring 1996)

### **SURFACE TRANSPORTATION SUBCOMMITTEE**

#### **1. FEDERAL HIGHWAY AND FEDERAL TRANSIT ADMINISTRATIONS**

A. **Evaluation of approval of a National Highway System.** The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) requires Congressional approval of the National Highway System (NHS) by September 30, 1995. If the NHS is not approved by that date, \$6.5 billion in National Highway System and Interstate Maintenance program funds will be withheld from the States in each of fiscal years 1996 and 1997. Hearings will be held to review the NHS and proposed changes to highway and transit laws. (Winter 1995)

**B. Evaluation of burdens, inefficiencies and unfunded mandates in the Federal-aid highway, safety research, and transit programs.** Hearings will be held to examine programs and identify unfunded mandates, burdensome requirements which could be eliminated or improved, opportunities for greater private sector involvement, and streamlining of programs and regulations for greater efficiencies. (Winter 1995)

**C. Evaluation of Department of Transportation Restructuring Proposal.** The Department of Transportation has proposed to reorganize highway, transit and rail administrations into a single administration and unify surface transportation grant programs. This would entail a virtual rewrite of the Federal-aid highway and transit programs. Oversight activities will include an evaluation of actual efficiencies gained from eliminating existing administrations and consolidating functions into a single agency and a comprehensive evaluation of any proposal to rewrite the nation's surface transportation laws. (Spring 1995)

**D. Oversight of Fuel Tax Evasion.** State and Federal gas tax revenue losses approach \$3 billion per year. These hearings will investigate these losses to the Trust Fund, efforts to avoid paying the tax through "cocktailing" (mixing kerosene with diesel fuel) and other methods, and recent improvements made in the collection of taxes for diesel fuel by moving the point of collection to the terminal rack. (Summer/Fall 1995)

**E. Evaluation of provisions of Clean Air Act relating to surface transportation and the ongoing implementation of those provisions.** The Clean Air Act Amendments of 1990 have had a profound impact on transportation, particularly in nonattainment areas, and require that transportation planning consider improved air quality as well as mobility, the lowering of emissions, and that transportation plans and programs in nonattainment areas "conform" with the purposes of State Implementation Plans. EPA sanctions against states may include the loss of Federal-aid highway funds. Hearings will examine the effect of these requirements on transportation, including the contribution of transportation to clean air problems contrasted with the toll extracted from transportation to attain clean air. (Summer/Fall 1995)

**F. Evaluation of effects of deregulation of State economic regulation of motor carriers of property.** Section 601 of Public Law 103-305 preempted the State regulation of prices, routes and services of motor carriers transporting property within the state. This hearing will include an examination of the effect of deregulation on prices, routes and services, efficacy of continuation of voluntary regulation in enumerated areas, effects on

motor carrier safety and impact on specialized industries, including tow trucks, garbage and recycling collection. (Summer 1995)

G. **Evaluation of effects of implementation of North American Free Trade Agreement on motor carrier and bus operations.** These hearings will examine safety issues, evaluate cross-border ownership impacts, differing size and weight requirements between Mexico, Canada and the United States, and international commercial driver's license information exchange. (Summer/Fall 1995)

H. **Evaluation of reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).** The surface transportation programs in ISTEA will expire at the end of fiscal year 1997. These hearings will review the nation's Federal-aid highway, safety, research, motor carrier, and transit programs in anticipation of ISTEA reauthorization. (Spring, Summer and Fall, 1996.

I. **Oversight of Americans with Disabilities Act (ADA).** The ADA requires that transit vehicles and facilities be fully accessible to people with disabilities and that comparable paratransit service also be provided during a transit system's hours of operation. Hearings will evaluate costs and requirements imposed by ADA. (Summer/Fall 1995)

## **2. RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION**

A. **Evaluation of Natural Gas and Hazardous Liquid Pipeline Safety Programs.** Hearings regarding pipeline safety programs will include an examination of statutorily adopting DOT's risk/benefit program, smart pigging requirements, excess flow valves, level of pipeline user fees and one-call notification systems. (Spring 1995)

## **3. INTERSTATE COMMERCE COMMISSION**

A. **Evaluation of elimination of certain ICC functions and transfer of certain other ICC functions to DOT or other Federal agencies.** The ICC has been identified for elimination in fiscal year 1996. The Commission's budget for fiscal year 1995 was cut by 31 percent and major motor carrier reforms were enacted in the 103rd Congress. These hearings will include an examination of the need for each of the remaining ICC motor carrier functions, including intercity bus and household goods movers, and the transfer to another agency of those functions deemed necessary. (Spring 1995)

**WATER RESOURCES & ENVIRONMENT SUBCOMMITTEE****1. ARMY CORPS OF ENGINEERS -- WATER RESOURCES PROGRAM**

**A. Review efforts to improve the efficiency and effectiveness of the organization and management of the Corps' water resources program.** The Corps has made concerted efforts to reorganize over the last four years. Some of these efforts have been met by strong resistance. The Corps has taken some efforts to improve their efficiency outside of complete reorganization and more can certainly be done to improve Corps management. Organization and management effectiveness should be examined. (Fall 1995)

**B. Review efforts to improve the efficiency, effectiveness, and fairness of the agency's regulatory programs, especially the wetlands and dredging programs.** (Winter/Spring 1995)

The permitting of activities in wetlands under section 404 of the Clean Water Act has been one of the most criticized environmental programs in the nation. Long delays in the issuance of permits, excessive applicant costs, and inadequate protection of wetlands have been some of the most commonly cited criticisms of the Corps environmental protection program. Wetlands mitigation and enhancement are also important issues for Congressional hearings. (Winter/Spring 1995)

The Corps dredging program is also a prime candidate for oversight hearings, particularly the disposal of dredged materials. These issues should be examined in the context of oversight hearings. (Winter/Spring 1995)

**2. ENVIRONMENTAL PROTECTION AGENCY -- CLEAN WATER ACT**

**A. Review of innovative financing and wastewater treatment methods, including privatization of wastewater treatment facilities.** Many states and localities, with EPA guidance, have experimented with innovative financing and wastewater treatment methods. Oversight hearings could examine the successes and failures of these innovative approaches. Over the next 20 years, the wastewater treatment needs of communities will be over \$130 billion. Hearings will focus on public and private efforts to meet this challenge. (Winter/Spring 1995)

**B. Review of market-based and watershed-based approaches to regulation, including pollutant trading.** There may exist numerous ways to better target our limited resources and achieve our environmental goals. Oversight hearings could shed important light on how to meet our enormous water infrastructure needs. (Winter/Spring 1995)

C. Review of efforts to improve the management of stormwater and nonpoint source pollution from inland and coastal areas. Many of the nation's water quality problems involve pollution from "wet weather" events. The solutions to nonpoint source pollution are often low cost and low technology relative to point sources. The greatest gains in water quality improvement for our limited dollars are possibly in the area of nonpoint source pollution. Oversight hearings on the effectiveness and flexibility of the existing, or proposed, nonpoint and stormwater programs are timely. (Winter/Spring 1995)

**3. ENVIRONMENTAL PROTECTION AGENCY -- SUPERFUND**

A. Review efforts to improve the efficiency, effectiveness and fairness of the cleanup process, including the setting of cleanup standards. Controversial cleanup standards have cost potentially responsible parties millions of dollars and have contributed to delayed cleanups. (Spring/Summer 1995)

B. Review the liability and financing mechanisms under the current Superfund program. Transaction costs are presently consuming excessive amounts of Superfund resources. A careful examination of the process in which liability is assigned and cleanup dollars are collected is in order. (Spring/Summer 1995)

C. Review the ground water protection provisions under the current Superfund program. Cleaning contaminated ground water is the most expensive aspect of remediation at many Superfund sites. The question as to whether ground water treatment is the best use of Superfund dollars should be examined in the context of oversight hearings. (Spring/Summer 1995)

D. Review the relationships among the states, Federal facilities and the Environmental Protection Agency in conducting Superfund cleanups. State leaders and the Environmental Protection Agency (EPA) have expressed great interest in having the states take a larger role in the remediation of hazardous waste sites. Hearings would focus on situations where the EPA has delegated significant Superfund functions to certain states and the resulting benefits. (Spring/Summer 1995)

**4. FEDERAL EMERGENCY MANAGEMENT AGENCY -- DISASTER RELIEF PROGRAM**

A. Review the hazard mitigation activities currently being promoted by FEMA. This hearing will focus on whether these mitigation efforts have had an appreciable impact on limiting the damage caused by recent natural disasters and how such efforts can be improved. (Fall 1995)

**B. Review disaster response efforts at FEMA.** This hearing will address the question of whether FEMA's response to disasters over the last several years has been appropriate and satisfactory and whether the federal government can continue to improve the effectiveness of and coordination within the program. (Fall 1995)

**C. Review efforts to improve the insurance available for catastrophic natural disasters.** Hearings could focus on the regional disparities in natural disaster insurance coverage, and what these patterns of coverage may mean for federal assistance to natural disaster victims. (Spring 1996)

5. **COAST GUARD -- OIL POLLUTION ACT** (in conjunction with Subcommittee on Coast Guard and Maritime Transportation)

**A. Review the oil spill liability provisions and insurability requirements under OPA.** The hearing will address whether the requirements under OPA are reasonable from a business perspective. Hearings could focus on how OPA compares to other liability and insurance schemes. (Summer 1995)

**B. Review the oil spill cleanup technologies and response mechanisms now available.** This hearing will focus on whether important breakthroughs in oil spill remediation technology been made since the Exxon Valdez spill and whether new technologies impact the potential liability of oil transporters and whether current public and private response plans and mechanisms are adequate. (Fall 1995)

6. **TENNESSEE VALLEY AUTHORITY**

**A. Review the Tennessee Valley Authority's (TVA) energy generation program and the impact of TVA debt on its rate payers.** (Fall 1995)

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## U.S. House of Representatives

COMMITTEE ON VETERANS' AFFAIRS

335 CANNON HOUSE OFFICE BUILDING

Washington, DC 20515

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FEB 15 1995

HOUSE COMMITTEE ON  
GOVERNMENT OPERATIONS

February 14, 1995

Honorable William F. Clinger, Jr.  
 Chairman  
 Committee on Government Reform and Oversight  
 U.S. House of Representatives  
 Washington, DC 20515

Dear Bill:

The Committee on Veterans' Affairs approved its Oversight Plan for the 104th Congress on February 14, 1995. As required by clause 2(d) of Rule X of the House of Representatives, we herewith transmit a copy of the plan to the Committee on Government Reform and Oversight.

Sincerely,



BOB STUMP  
 Chairman

*Sonny*  
 G.V. (SONNY) MONTGOMERY  
 Ranking Democratic Member

BS/kes

Enclosure

## COMMITTEE ON VETERANS' AFFAIRS

U.S. House of Representatives  
104th Congress

## OVERSIGHT PLAN

In accordance with clause 2(d) of Rule X of the House of Representatives, the Committee on Veterans' Affairs has adopted by resolution of February 14, 1995, its oversight plan for the 104th Congress.

This oversight plan is directed at those matters which are 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 jurisdictions at least every ten years. To ensure coordination and cooperation with other committees having jurisdiction over the same or related laws, the committee will conduct member and staff meetings as necessary with the Committee on National Security, the Committee on Economic and Educational Opportunities, and the Committee on Government Reform and Oversight. Additionally, the committee will explore with these committees possibilities for conducting joint hearings.

The committee expects to conduct oversight through a variety of sources. They will include existing and requested reports, studies, estimates, investigations and audits by the Congressional Research Service, the Congressional Budget Office, the Office of Technology Assessment, the General Accounting Office, and the Offices of the Inspectors General of the Departments of Veterans Affairs and Labor. Additional sources of information will be veterans service organizations, military associations, other interest groups and private citizens. 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.

Avenues of oversight will be committee and subcommittee hearings, field and site visits by members and staff; and meetings and correspondence with interested parties. While this oversight plan sets forth the areas in which the committee expects to conduct oversight, additional matters may be incorporated into the committee's plan as the need arises.

## SUBCOMMITTEE ON HOSPITALS AND HEALTH CARE

**1. Major Construction Prioritization and Methodology.** Over the years it has been difficult to gain an understanding of the construction methodology for prioritization of major construction projects. The oversight hearing would be used as a vehicle for developing legislation that would require the Department of Veterans Affairs (VA) to document the specific factors used in the determination of project rankings and provide a more comprehensive report to Congress on all major construction projects. Summer 1995.

**2. Management and Reorganization of Veterans Health Administration (VHA).** Currently VHA is divided into four regions. The Under Secretary for Health has proposed a decentralized management structure of from 22 to 28 networks. The subcommittee will review the organizational design and reporting mechanisms of the proposed reorganization. To be included in this review will be an analysis of the potential effects of FTEE cuts on streamlining VHA, operating efficiency and patient care. Spring 1995.

**3. Enhanced Sharing between the Departments of Defense (DoD) and Veterans Affairs.** Although the VA and DoD have worked closely in some areas, conversations with individuals representing both the active military and military associations indicate that there are many areas in which closer cooperation could result in cost efficiencies and enhanced delivery of service to both groups. Areas for consideration include the VA pharmacy programs and the potential inclusion of CHAMPUS-eligible and retirees as part of the eligible dispensing pool, as well as expansion of the Asheville Program to areas scheduled for base closures. Summer 1995.

**4. State Health Reform Impacts.** Although health care reform remains an issue within Congress, state health care reform appears to have slowed in recent months. The subcommittee will examine real and potential impacts of state reform efforts on the VA health care system. Spring 1995.

**5. VHA Research Corporations.** Under legislation passed five years ago, VA was to establish mechanisms to facilitate the operation of these corporations under tight fiscal and administrative controls. However, management problems have surfaced in the operation of these entities. Atlanta and, recently, Syracuse are examples of problems. A report to be released by the VA on the Syracuse Research Corporation outlines several problematic issues. Summer 1995.

**6. Management Information Systems.** The VA has developed a number of information systems to aid in decision-making. The subcommittee will explore the status of various systems such as the Decision Support System and other VA information systems to assess the VA's direction, potential costs, and long-term goals for the development and integration of these systems with other potential users, both internal and external to the VA. Winter 1995.

**7. VA Procurement System.** The VA operates a multi-billion dollar procurement system that contracts for every item that is used within the system. Attempts have been made to modernize the VA's procurement practices and allow it to operate with efficiencies found in the private sector. The subcommittee will examine VA practices and the proposed reorganization of acquisition and facilities. Spring 1996.

**8. Gulf War Syndrome (Possible Joint Hearing).** The Committee will review the progress of VA research efforts on this controversial and complex issue. Because of related jurisdictions, it is anticipated that a joint hearing with the Subcommittee on Compensation, Pension, Insurance and Memorial Affairs will be scheduled. Spring 1995, Spring 1996.

**9. Contracting and Niche Marketing.** Although the VA can contract for specialized medical resources under legislation that encourages sharing with other health care providers, this legislation is restrictive and does not permit the VA to enter into large volume contracts with health care groups. The subcommittee will examine the limitations of this legislation in light of major changes in the delivery of health services and the VA's ability to better utilize the services it provides. Fall 1995.

**10. The VA's Role in Long-term Care.** The long-term care budget is a growing portion of the VA's medical care budget. The subcommittee will explore the VA's role and responsibility to provide long-term care services to veterans. It will also review community alternatives for the provision of less costly venues of care. Summer 1996.

**11. Surgical Service Utilization.** The VA Inspector General has identified utilization and cost problems at certain medical centers. The subcommittee will investigate this issue and those related to delivery of surgical services in a rapidly changing market place. Currently 60% of all non-VA surgical procedures are performed in the outpatient setting. The VA, on the other hand, performs most of its surgical procedures in the inpatient setting. Winter 1995.

**12. Drug Management Issues.** Drug management practices have been the subject of recent VA Inspector General and General Accounting Office (GAO) reviews. The subcommittee will explore the Consolidated Pharmacy Program and the possibility of increased sharing with DoD. It will also include inventory controls as part of its review. Summer 1996.

**13. Fee Basis for Service-Connected Veterans.** Some veterans indicate dissatisfaction with the VHA's operation of the program. The subcommittee will review the management and fee structure of the program. Spring 1996.

**14. Prosthetics Management and Pricing.** The VA is a leader in the supply and development of prosthetics. A recent decision to adopt Department of Health and Human Services pricing policies will add to the cost of VA prosthetics. The subcommittee will review the new policies and the cost implications for the VA. Winter 1995.

15. **Clinical Guidelines and Measurements of Quality Care.** The development and use of clinical guidelines have gained acceptance in private sector medicine. The subcommittee will explore the use of guidelines and their applicability to the VA's patient base. The subcommittee will also review the VA's progress in the area of developing measurements of quality care. Fall 1995.

16. **Ambulatory Care Programming.** Trends in medical care show rapid transformation of private sector health care into managed care with an emphasis upon delivery of services in the ambulatory care setting. The subcommittee will review the VA's resource allocation process as a potential barrier to change. It will also examine policies that negatively impact the VA's progress in this area. Fall 1995.

17. **VA Programs for Homeless Veterans.** Veterans continue to comprise a high percentage of the homeless population. The VA now operates several programs for homeless veterans and recently completed a summit on the issue. The subcommittee will review the effectiveness of VA programs for homeless veterans and their interfaces with other public and private/not-for-profit programs for the homeless. Fall 1995.

#### **SUBCOMMITTEE ON COMPENSATION, PENSION, INSURANCE AND MEMORIAL AFFAIRS**

1. **Compensation and Treatment of Persian Gulf War Veterans.** VA continues to study the possible effects of service in Southwest Asia on the health of veterans. VA will begin paying compensation and is providing treatment for undiagnosed illnesses associated with that service. The hearings will track the VA's progress in determining causality and implementing Title I of Public Law 103-446. Spring 1995, Spring 1996.

2. **Claims Processing in Veterans Benefits Administration (VBA) Regional Offices.** VBA is still experiencing significant delay in processing veterans claims for benefits at the Regional Office level. Hearings will explore VBA attempts to improve processing, including "best practices" being used in several regional offices as well as central office dissemination of these practices. Summer 1995, Spring 1996.

3. **VBA Computer Modernization.** VBA is modernizing its benefits processing computer system. Questions have been raised concerning the use of technology to assist in reducing the claims backlog as well as the lack of progress in establishing a master veteran record accessible throughout VA. The subcommittee will hold a series of hearings which will review VBA's three-phase project and progress in developing a master veterans record. Summer 1995, Winter 1995, Spring 1996.

4. **Claims Processing at the Board of Veterans Appeals (BVA) and Court of Veterans Appeals (COVA).** BVA has a large case backlog and the decisions of COVA have

significant administrative and judicial impact on the operation of the entire claims processing system. The subcommittee will review BVA and COVA procedures and organization to address the backlog. Fall 1995, Summer 1996.

**5. Adjudication of Post-Traumatic Stress Disorder (PTSD) Claims.** A statistical analysis indicates there is wide variation among VBA Regional Offices in adjudicating PTSD claims. VBA has responded by offering additional training to its specialists. The subcommittee will review what changes have resulted from this approach. Summer 1995.

**6. Implementation of *Brown v. Gardner*, 115 S. Ct. 552 (1994).** A recent U.S. Supreme Court decision regarding VA patients who incur additional disabilities while under VA hospital care has created significant fiscal and administrative demands upon VA. The subcommittee will review implementation of the decision. Summer 1995.

**7. Agent Orange/Ionizing Radiation.** There continues to be controversy surrounding access to treatment and compensation for veterans exposed to these environmental hazards. The subcommittee will review VA efforts to determine the effects of exposure. Winter 1995.

**8. National Cemetery System (NCS) Operations.** NCS faces an escalating workload on a flat-line budget. The subcommittee will explore the system's capacity to absorb future increases in workload and options for ensuring that veterans have the opportunity to use their burial benefits. Summer 1996.

**9. VA Insurance Programs.** VA operates several life and mortgage insurance programs for veterans. Many veterans rely upon these programs for their entire insurance needs. The subcommittee will review the solvency and operations of the programs. Summer 1996.

**10. VA Pension Programs.** The subcommittee will explore the adequacy of pension benefits and how they relate to other disability benefits. Winter 1996.

**11. VA and Veterans Employment and Training Service (VETS) Customer Service Standards.** Both VA and VETS have developed customer service standards. It is anticipated that the subcommittee will review the effectiveness of those standards jointly with the Subcommittee on Education, Training, Employment and Housing. Summer 1996.

#### SUBCOMMITTEE ON EDUCATION, TRAINING, EMPLOYMENT AND HOUSING

**1. Adequacy of VA's Vocational Rehabilitation and Counseling Program; Coordination between the Veterans Vocational Rehabilitation and Counseling Service (VRCS) and the Veterans Employment and Training Service (VETS).** VRCS and VETS are charged with assisting veterans and disabled veterans in finding employment. Coordination between

the two agencies is important. The subcommittee will review VRCS and VETS efforts as well as the adequacy of the basic vocational rehabilitation and counseling program. Spring 1995.

2. **VETS Reorganization; Implementation of the Uniformed Services Employment and Reemployment Act (USERRA); and One Stop Employment Centers.** VETS is reorganizing under the National Performance Review. The subcommittee will review VETS operations, its implementation of USERRA, and its functional roles in the Department of Labor's One Stop Centers to ensure continued priority of services to veterans. Spring 1995, Spring 1996.
3. **Federal Employment of Veterans; Federal Contractor Employment of Veterans and its Enforcement by the Office of Federal Contract Compliance (OFCCP).** Compliance with veterans preference in Federal hiring has been questioned by veterans service organizations. The subcommittee will perform a comprehensive review of Federal hiring of veterans at all levels and functions of the executive, judicial and legislative branches. OFCCP is charged with enforcement of veterans hiring rules for certain Federal contractors. The subcommittee will review OFCCP enforcement activities. Summer 1995, Summer 1996.
4. **Adequacy of the Montgomery GI Bill (MGIB).** Education costs continue to escalate. The subcommittee will review the operation of the MGIB and possible improvements, including a review of the functions of state approving agencies. Summer 1995.
5. **Transition Assistance Programs/Disabled Transition Assistance Program (TAP/DTAP) Operations.** Continuing military downsizing and a tight job market create a need for quality transition services for those leaving the military. The subcommittee will review TAP/DTAP programs for the various military services. TAP/DTAP are programs operated jointly by VA, DoL and DoD. Fall 1995, Summer 1996.
6. **Service Member's Occupational Conversion and Training Act (SMOCTA).** SMOCTA is a joint program using DoD funds and administered by DoL and VA to assist in retraining veterans whose military occupations have no civilian equivalent. The program provides employer incentives to train and retain these veterans in long-term jobs. The subcommittee will review the program's performance. Winter 1996.
7. **VA and VETS Customer Service Standards (Possible Joint Hearing).** Both VA and VETS have developed customer service standards. It is anticipated that the subcommittee will review the effectiveness of those standards jointly with the Subcommittee on Compensation, Pension, Insurance and Memorial Affairs. Summer 1996.
8. **Small Business Administration (SBA) Programs for Veterans.** SBA is required to sponsor programs to assist veterans in starting up small businesses. The subcommittee will explore the agency's performance concerning veterans programs. Winter 1996.

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## COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6348

February 8, 1995

PHILLIP D. MOSELEY, CHIEF OF STAFF

JANICE MAYS, MINORITY CHIEF COUNSEL

The Honorable William F. Clinger, Jr.  
Chairman  
Committee on Government Reform  
and Oversight  
2157 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable William M. Thomas  
Chairman  
Committee on House Oversight  
1309 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Clinger and Chairman Thomas:

In accordance with the requirements of Clause 2 of Rule X of the Rules of the House, the following is a list of programs within the jurisdiction of the Committee on Ways and Means for which the Committee anticipates it will conduct oversight activities during the 104th Congress, as the Committee's schedule permits. The list has been broken down by Subcommittee and prioritized to reflect the likely order in which these activities are expected to occur.

### Subcommittee on Trade.

1. Hearing to examine the U.S. Customs Service reorganization plan (held on January 30, 1995).
2. Hearing to examine issues relating to NAFTA parity for Caribbean Basin Initiative countries (to be held on February 10, 1995).
3. Hearing to review the status of negotiations relating to China's accession to the World Trade Organization (WTO). Spring, 1995.
4. Hearing to examine current law requirements governing most-favored nation status for non-market economies and possible alternatives for updating the application of the law with respect to China. Spring, 1995.
5. Hearing to examine the effectiveness of the Trade Adjustment Assistance (TAA) program and the effects of international trade on employment and job creation. Spring, 1995.

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6. Hearing to examine the status of NAFTA implementation; emerging problems with Mexico. Spring, 1995.
7. Hearing to examine U.S.-Japan bilateral relations. Summer, 1995.
8. Hearing to follow up on the Summit for America and the Asia-Pacific Economic Cooperation (APEC) summit. Spring/Summer, 1995.
9. Hearing to examine benefits/problems associated with free trade areas (FTAs). Summer, 1995.
10. Hearing on trade and competition policy, and trade and investment. Summer, 1995.
11. Hearing to examine the economic relationship between the U.S. and Cuba. Late 1995 or early 1996.
12. Hearing to examine linkages between trade laws and the environment and international labor standards. Early 1996.

Subcommittee on Oversight.

1. Hearing to examine the effectiveness of current federal child welfare and foster care programs (held on January 23, 1995).
2. Hearing to examine the Federal Communications Commission's administration of Internal Revenue Code section 1071 (held on January 27, 1995).
3. Hearing to review the Administration's FY 1996 budget request for the Internal Revenue Service (IRS), the U.S. Tax Court and the Bureau of Alcohol, Tobacco, and Firearms. The hearing will focus on evaluation of the progress of and future funding requirements for the IRS's Tax Systems Modernization (TSM) program. Tentatively scheduled for late February, 1995.
4. Hearing on the 1995 tax return filing season, to examine the accuracy and availability of IRS's taxpayer telephone assistance, IRS's efforts to identify and reduce tax return preparation fraud and processing errors, and specific focus on electronic filing fraud. Tentatively scheduled for late February, 1995.
5. Hearing to examine the IRS's planned Tax Compliance Measurement Program (TCMP) audits. Spring, 1995.

6. Hearing to receive testimony from the General Accounting Office and Inspectors Generals from the Departments of Treasury, Labor and Health and Human Services to receive updates on their analyses of the fraud and abuse "high risk" areas in programs under the Committee's jurisdiction. Spring, 1995.
7. Hearing to review IRS enforcement of federal tax laws relating to employment taxes and independent contractors. Spring, 1995.
8. Hearing (possibly to be held jointly with the Subcommittee on Trade) to review implementation of the NAFTA and WTO; international dispute resolution mechanisms; and compliance with existing bilateral tax and trade agreements. Spring, 1995.
9. Hearing to monitor the operation of the Social Security Administration, including issues relating to caseload management and adequacy of beneficiary services. Summer 1995.
10. Oversight Project. Comprehensive review of the compliance burden imposed by the federal tax laws for purposes of developing tax simplification legislation. Summer, 1995.
11. Hearing to examine expiring tax provisions including, among others, the research and development tax credit, the targeted jobs tax credit, and the exclusion for employer-provided educational expenses (expired). Summer, 1995.
12. Hearing to review the operation and administration of the Hazardous Substance Superfund. Summer, 1995.
13. Hearing to examine suggestions from the public and practitioners for provisions to include in a Taxpayer Bill of Rights II, to be followed by development of legislation. Summer, 1995.
14. Hearing to examine current laws regarding liability for and the IRS's enforcement and collection of federal excise taxes on diesel fuel. Summer, 1995.
15. Hearing to examine Subchapter S issues and proposals for reform. Summer, 1995.
16. Hearing to examine miscellaneous bills and proposals for technical and conforming changes to the tax code. Fall, 1995.

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17. Hearing to review provisions in the tax laws relating to tax-exempt municipal financing, including review of the restrictions imposed in the Tax Reform Act of 1986 and subsequent amendments, and potential problems associated with privatizing public facilities financed with municipal bonds. Fall, 1995.
18. Hearing to examine noncompliance with the tax laws applicable to public charities and other tax-exempt organizations (TEOs), and the IRS's enforcement of those laws. Late 1995.
19. Hearing (possibly to be held jointly with the Subcommittee on Health) to examine Medicare waste, fraud and abuse issues. Late 1995/Early 1996.
20. Hearing (possibly to be held jointly with the Subcommittee on Health) to examine implementation and enforcement of Physician Self-Referral anti-fraud and abuse measures, and issues relating to activities of physician-owned facilities and managed care companies. Late 1995/Early 1996.
21. Hearing to review miscellaneous pension issues, including the financial condition of federal, state and local government pension systems and the complexity of existing statutory and regulatory requirements on qualified public and private plans and their effect on private savings. Late 1995/Early 1996.
22. Hearing (possibly to be held jointly with the Subcommittee on Trade) to monitor operations of the U.S. Customs Service, including matters involving commercial operations and enforcement. Early 1996.
23. Field investigations generally, and as necessary under the Subcommittee on Oversight's authority under section 6103 of the Internal Revenue Code to review confidential tax return information for purposes of evaluating compliance with the tax laws and investigating allegations of tax evasion and schemes to defraud the nation's taxpayers.
24. Field hearings on issues to be determined, for the purpose of providing members of the public with input into the Congressional oversight process.

Subcommittee on Human Resources.

1. Hearing to examine the growth of spending on means-tested programs and the role of entitlements in this growth (held on January 23, 1995).

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2. Hearing to examine historical changes in the rates of illegitimacy and the role illegitimacy has played in the growth of the welfare rolls (held on January 20, 1995).
3. Hearing to examine evidence regarding the length of stays on welfare and the effectiveness of programs that provide education, training, job search and work experience in helping families leave welfare (held on January 23, 1995).
4. Hearing to examine fraud and abuse in the Supplemental Security Income (SSI) program and proposals for reforming benefits (held on January 27, 1995).
5. Hearing (held jointly with Subcommittee on Each Childhood, Youth and Families of the Committee on Economic and Educational Opportunities) to examine child care and child welfare issues (held on February 3, 1995).
6. Hearing to examine possible reforms to the federal Child Support Enforcement program (held on February 6, 1995).
7. Hearing (to be held jointly with the Subcommittee on Oversight) to examine welfare waste, fraud and abuse issues and possible measures to address fraud and abuse. Summer, 1995.
8. Hearing (to be held jointly with the Subcommittee on Oversight) to examine Supplemental Security Income (SSI) waste, fraud and abuse issues and possible measures to address fraud and abuse. Summer, 1995.
9. Hearing (possibly to be held jointly with the Subcommittee on Oversight) to examine program trends under the federal Child Support Enforcement (CSE) program. Fall, 1995.
10. Hearing to examine current laws relating to unemployment compensation and possible reforms. Fall, 1995.

Subcommittee on Health

1. Hearing to examine areas of extraordinary growth in Medicare and the potential causes for such growth (held February 6, 1995).
2. Hearing to examine innovations in Medicare, including oversight of Medicare risk contract HMOs and Medicare Select (to be held on February 10, 1995).

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3. Hearing to examine the administration of Medicare policies by the Health Care Financing Administration (HCFA). Spring, 1995.
4. Hearing to examine current law hospital and physician payment policies under Medicare Parts A and B. Spring, 1995.
5. Hearing to examine current law policies relating to payment for graduate medical education under Medicare Part A. Spring/Summer, 1995.
6. Hearing to examine issues relating to Medicare intermediaries and carriers, including implementation of the Medicare transaction systems and funding for payment safeguards. Spring/Summer, 1995.
7. Hearing on Medicare Peer Review organizations. Spring/Summer, 1995.

Subcommittee on Social Security

1. Hearing to examine implementation of the Social Security Independence and Program Improvement Act, including an examination of the advisory and oversight role of the Social Security Advisory Board. Spring, 1995.
2. Hearing to examine the Social Security Administration's proposals for reengineering the Social Security Disability Insurance (SSDI) program. Summer, 1995.
3. Hearing to examine SSDI Continuing Disability Review issues. Summer, 1995.
4. Hearing to examine SSDI service delivery issues. Summer, 1995.
5. Hearing to examine SSDI caseload backlogs. Summer, 1995.
6. Hearing to examine continuing problems with deceptive mailings to senior citizens. Fall, 1995.

Full Committee.

In late 1995 or early 1996, the Committee anticipates that it will begin a series of hearings for the purpose of conducting a comprehensive examination of the current federal income tax code and proposals for fundamental tax reform.

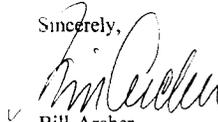
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Additional and Ongoing Monitoring Activities.

The Committee on Ways and Means anticipates that additional oversight activities will be scheduled in 1995 and 1996. This list is not intended to be exclusive; accordingly, the Committee will conduct hearings and site inspections on issues as they arise. In addition, several of the Committee's Subcommittees conduct ongoing monitoring of programs and agencies within the Committee's jurisdiction. For example, the Subcommittee on Oversight conducts ongoing monitoring activities to examine laws, programs and agencies under the Committee's jurisdiction, such as the Internal Revenue Service, U.S. Customs, the Bureau of Alcohol, Tobacco and Firearms, the Department of Health and Human Services (including the Health Care Financing Administration), the Social Security Administration, and the Department of Labor, including the Pension Benefit Guaranty Corporation.

In preparing this report, the staff of the Committee on Ways and Means has consulted with staff from the Committee on Commerce and the Committee on Economic and Educational Opportunities about the possibility of holding joint hearings where appropriate on programs over which the Committees share jurisdiction.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Archer".

Bill Archer  
Chairman

ONE HUNDRED FOURTH CONGRESS  
 BILL ARCHER, TEXAS, CHAIRMAN

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COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES  
 WASHINGTON, DC 20515-6348

February 10, 1995

PHILLIP D. MOSELEY, CHIEF OF STAFF  
 JANICE MAYS, MINORITY CHIEF COUNSEL

RECEIVED

FEB 13 1996

HOUSE COMMITTEE ON  
 GOVERNMENT OPERATIONS

The Honorable William F. Clinger, Jr.  
 Chairman, Committee on Government  
 Reform and Oversight  
 U.S. House of Representatives  
 2157 Rayburn House Office Building  
 Washington, D.C. 20515

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

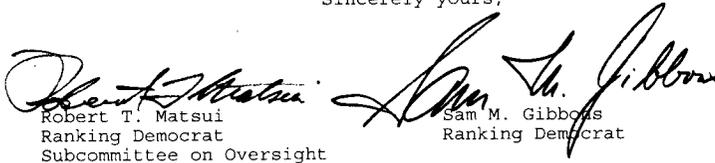
Dear Chairman Clinger and Chairman Thomas:

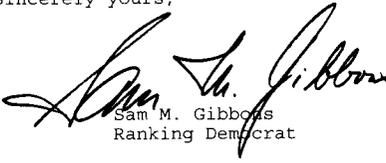
We are writing with regard to approval by the Committee on  
 Ways and Means, on February 8, 1995, of the Committee's oversight  
 agenda for the 104th Congress pursuant to House Rule X.

As the Committee agreed, we are providing you with our  
 companion views in connection with the Committee's planned  
 agenda.

We ask that the attached statement be included accordingly.

Sincerely yours,

  
 Robert T. Matsui  
 Ranking Democrat  
 Subcommittee on Oversight

  
 Sam M. Gibbons  
 Ranking Democrat

Attachment

cc: The Honorable Bill Archer  
 Members, Committee on Ways and Means

IEWS OF THE HONORABLE SAM M. GIBBONS  
AND THE HONORABLE ROBERT T. MATSUI  
ON THE COMMITTEE ON WAYS AND MEANS  
OVERSIGHT AGENDA FOR THE 104TH CONGRESS

As the Committee on Ways and Means moves forward during the 104th Congress, we believe it is important that the oversight activities of the Committee be thoroughly and aggressively undertaken. It is important that all major areas of the Committee's jurisdiction be subject to oversight review by the Committee over the next two years. This is necessary to insure that the broad range of laws this Committee has developed are being properly administered by our Federal agencies, and that the underlying goals and purposes are being met. It is critical that, as the Committee's legislative priorities proceed, the importance of oversight is not lost.

In conducting oversight of issues involving the tax, trade, health, social security, human resource and other laws under the Committee's jurisdiction, we must make sure that the Committee's oversight efforts go beyond merely soliciting hearing testimony and accepting it "on its face" as complete and conclusive. Meaningful oversight requires very time-consuming and extensive research, field investigations, and documentation requests and analyses. Also, the Committee's oversight efforts must include matters which cut-across various aspects of the Committee's jurisdiction and involve overlapping Federal agency programs. We urge the Committee leadership to adopt such a comprehensive approach.

During the 103rd Congress, for example, the Subcommittee on Oversight investigated issues relating to abuse by tax-exempt organizations, tax refund fraud, abusive insurance sales practices involving the earned income tax credit, administration of the Superfund, underfunding of pension plans insured by the Federal Government, lack of coordination between IRS and Customs in valuing imports, and welfare fraud. Each of these oversight efforts required months of research and staff field investigative work, as well as extensive demands for documents. These oversight activities served as the basis for the Subcommittee hearings and "good government" reforms which followed. Importantly, this effort provided the public, Committee, and Congress with fundamental information and analyses which otherwise did not exist. Following its investigations and hearings, the Subcommittee routinely and on a bipartisan basis approved reports to the full Committee which contained recommendations for legislative and administrative reform. This process proved to be very effective and should be continued.

We urge that the Committee leadership develop a specific plan for the 104th Congress to implement true oversight of the programs under the Committee's jurisdiction. This should include an analysis of the amount and type of staff resources needed to accomplish such a goal, and an end-of-the-year report to the Committee Members describing the tangible results of the Committee's oversight activities.