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REPORT ON LEGISLATIVE ACTIVITIES
OF THE
COMMITTEE ON
LABOR AND HUMAN RESOURCES

UNITED STATES SENATE

DURING THE

104TH CONGRESS

1995-96

PURSUANT TO

SECTION 136 OF THE LEGISLATIVE REORGANIZATION ACT OF
1946, AS AMENDED BY THE LEGISLATIVE REORGANIZATION ACT
OF 1970



FEBRUARY 24, 1997.—Ordered to be printed

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[104TH CONGRESS]

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[105TH CONGRESS]

COMMITTEE ON LABOR AND HUMAN RESOURCES

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FOREWORD

This report on the legislative review of the Committee on Labor and Human Resources during the 104th Congress is submitted pursuant to section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d), as amended by Public Laws 91-050, 92-136, and 93-344. The statute requires standing committees of the House and Senate to “review and study, on a continuing basis, the application, administration, and execution” of laws within their jurisdiction and to submit biennial reports to the Congress. The full text of section 136 follows:

SEC. 136. (a) In order to assist the Congress—

(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, 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, each standing committee of the Senate and the House of Representatives shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee. Such committees may carry out the required analysis appraisal, and evaluation themselves, or by contract, or may require a government agency to do so and furnish a report thereon to the Congress. Such committees may rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.

(b) In each odd-numbered year beginning on or after January 1, 1973, each standing committee of the Senate shall submit, not later than March 31, to the Senate, and each standing committee of the House shall submit, not later than January 2, to the House, a report on the activities of that committee under this section during the Congress ending at noon on January 3 of such year.

(c) The preceding provisions of the section do not apply to the Committees on Appropriations and the Budget of the Senate and the Committees on Appropriations, the Budget, House Administration, Rules, and Standards of Official Conduct of the House.

JAMES M. JEFFORDS, *Chairman.*

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REPORT ON LEGISLATIVE ACTIVITIES OF THE
COMMITTEE ON LABOR AND HUMAN RESOURCES

—————
FEBRUARY 24, 1997.—Ordered to be printed
—————

Mr. JEFFORDS, from the Committee on Labor and Human
Resources, submitted the following

R E P O R T

[Pursuant to section 136 of the Legislative Reorganization Act of 1946, as amended
by the Legislative Reorganization Act of 1970, as amended]

COMMITTEE JURISDICTION

The jurisdiction of the Labor and Human Resources Committee in the 104th Congress was set forth in paragraph 1.(1) of Rule XXV of the Standing Rules of the Senate as follows:

(m)(1) Committee on Labor and Human Resources, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, health, and public welfare.
2. Aging.
3. Agricultural colleges.
4. Arts and humanities.
5. Biomedical research and development.
6. Child labor.
7. Convict labor and the entry of goods made by convicts into interstate commerce.
8. Domestic activities of the American National Red Cross.
9. Equal employment opportunity.
10. Gallaudet College, Howard University, and Saint Elizabeths Hospital.
11. Handicapped individuals.
12. Labor standards and labor statistics.
13. Mediation and arbitration of labor disputes.

14. Occupational safety and health, including the welfare of miners.
15. Private pension plans.
16. Public health.
17. Railway labor and retirement.
18. Regulation of foreign laborers.
19. Student loans.
20. Wages and hours of labor.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to health, education and training, and public welfare, and report thereon from time to time.

COMMITTEE ORGANIZATION

During the 104th Congress, the committee was organized into the following subcommittees:

EDUCATION, ARTS AND HUMANITIES

Mr. Jeffords, *Chairman*

Mrs. Kassebaum	Mr. Pell
Mr. Coats	Mr. Kennedy
Mr. Gregg	Mr. Dodd
Dr. Frist	Mr. Simon
Mr. DeWine	Mr. Harkin
Mr. Ashcroft	Ms. Mikulski
Mr. Gorton	Mr. Wellstone
Mr. Faircloth	

CHILDREN AND FAMILIES

Mr. Coats, *Chairman*

Mr. Jeffords	Mr. Dodd
Mr. DeWine	Mr. Pell
Mr. Ashcroft	Mr. Harkin
Mr. Faircloth	Mr. Wellstone
Mrs. Kassebaum (ex officio)	Mr. Kennedy (ex officio)

DISABILITY POLICY

Dr. Frist, *Chairman*

Mr. Jeffords	Mr. Harkin
Mr. DeWine	Mr. Kennedy
Mr. Gorton	Mr. Simon
Mrs. Kassebaum (ex officio)	

AGING

Mr. Gregg, *Chairman*

Mrs. Kassebaum
Mr. Coats
Mr. Ashcroft

Ms. Mikulski
Mr. Simon
Mr. Wellstone
Mr. Kennedy (ex officio)

LEGISLATIVE REVIEW ACTIVITY

The Committee on Labor and Human Resources has jurisdiction over approximately 1,000 Federal programs relating to health, education, labor, disability policy, children and families, older Americans, pensions, and public welfare. These programs are administered by the Departments of Labor, Education, and Health and Human Services, as well as by 123 independent agencies, councils, and bureaus.

During the 104th Congress, over 200 bills and resolutions were referred to the committee, representing the broad range of issues under its purview. Among the major accomplishments of the committee was enactment of the Health Insurance Portability and Accountability Act. The health insurance reforms developed by the committee and incorporated into this new public law will assist an estimated 25 million Americans in obtaining or maintaining health insurance coverage. The committee also developed a significant child care initiative which was incorporated in the new welfare reform law. This initiative streamlines and consolidates Federal programs providing subsidized child care for low-income families. These improvements, in combination with the additional child care funding included in the welfare bill, will strengthen needed supports for children and their parents.

The committee also took important steps to streamline its own operations, reducing its budget by 25-percent and reducing the number of subcommittees from six to four. Activities previously conducted by the Subcommittee on Labor and the Subcommittee on Employment and Productivity were assumed by the full committee.

FULL COMMITTEE ACTIVITIES

A total of 205 bills and resolutions were referred to the Committee on Labor and Human Resources during the 104th Congress. The committee also received 18 Presidential messages and 254 other executive communications during the 104th Congress.

Thirty-six legislative initiatives under the jurisdiction of the committee were passed by the Senate, with 28 of them enacted into law. Two bills were vetoed. The committee filed reports on 28 bills, including conference reports.

Also, 437 nominations, including appointees to high offices in the government and a number of nominations and promotions in the U.S. Public Health Service Corps, were referred to the committee. Of these, 404 were reported to the Senate and 388 were confirmed by the Senate. Six nominations were withdrawn and 43 were returned to the President at the adjournment of the 104th Congress.

The committee and its subcommittees conducted 85 days of public hearings, held 29 executive sessions and met 4 days in conference with the House, for a total of 33 executive meetings.

**I. BILLS FROM THE LABOR AND HUMAN RESOURCES
COMMITTEE ENACTED INTO LAW IN THE 104th CONGRESS**

A. Health Care

**HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF
1996**

The Health Insurance Portability and Accountability Act of 1996, also known as the Kassebaum-Kennedy bill, is designed to reduce current barriers to obtaining health coverage by making it easier for people who change jobs or lose their jobs to maintain adequate coverage. It guarantees the availability and renewability of health insurance coverage for certain employees and individuals, and it limits the use of preexisting condition restrictions. An amended version of the bill (S. 1028) was reported favorably by the committee on August 2, 1995, by a unanimous roll call vote of 16 to 0. (Senate Report 104-156)

During Senate consideration of the measure, provisions were added dealing with health care fraud and abuse, administrative simplification, tax treatment of long-term care insurance, tax deductions for the self-employed, the extension of Federal Tort Claims Act coverage to certain medical volunteers in free clinics, and mental health parity. The measure was approved 100 to 0 by the Senate on April 17, 1996.

The House version of the legislation included insurance reforms, as well as provisions dealing with Medical Savings Accounts (MSAs), malpractice insurance reform, and Multiple Employer Welfare Arrangements (MEWAs).

The final version of the bill includes provisions dealing with insurance reform, fraud and abuse, administrative simplification, taxes, and medical volunteers. It also includes a 4-year pilot MSA program. Provisions dealing with mental health parity, malpractice insurance, and MEWAs were dropped from the measure. [*Public Law 104-191, enacted 8/21/96. H.R. 3103 (S. 1028).*]

RYAN WHITE CARE ACT REAUTHORIZATION

This legislation amends the Public Health Service Act to revise and extend programs established pursuant to the Ryan White Comprehensive AIDS Resources Act of 1990. It authorizes programs to provide health care and support services for individuals suffering from HIV and AIDS. Generally, the recipients of these programs are low-income. The current four-title structure is maintained. New equity funding formulas are authorized for Titles I and II based on an estimation of the number of individuals living with AIDS. Provisions are also included to help reduce HIV transmission from mother to child. [*Public Law 104-146, enacted 5/20/96. S. 641 (H.R. 1872).*]

ANIMAL DRUG AVAILABILITY ACT OF 1996

The Animal Drug Availability Act of 1996 is designed to address the severe shortage of new animal drugs. The measure modernizes clinical testing requirements and makes them more predictable for new animal drug sponsors. It establishes a collaborative process be-

tween the Food and Drug Administration (FDA) and new animal drug sponsors to foster the development, testing, and review of new animal drugs. It will also improve the efficiency and timeliness of the FDA's review of applications for the approval of new animal drugs, while at the same time ensuring that these drugs are safe and effective.

In addition to reforming the regulation of clinical testing and the review process, the measure creates a new category of animal drugs—veterinary feed directive drugs—to improve veterinary oversight of the use of antibiotics in animal feed. Finally, it streamlines current regulatory requirements on feed mills while ensuring stronger FDA oversight. [*Public Law 104-250, enacted 10/9/96. H.R. 2508 (S. 773).*]

HEALTH CENTERS CONSOLIDATION ACT OF 1996

The Health Centers Consolidation Act of 1996 reauthorizes, consolidates into one authority, and streamlines the four Federal health center programs: community and migrant health centers, health care for the homeless, and health care for residents of public housing. It provides health centers with the incentives and tools to continue to serve the poor and uninsured in a health care system increasingly characterized by managed care. For example, it establishes a new Federal loan guarantee program to assist centers to leverage the capital they need to form networks and insurance plans.

The measure also includes several provisions which will make it easier to establish community health centers in sparsely populated rural areas. Finally, it authorizes the “Rural Health Outreach, Network Development, and Telemedicine Grant” program.

These programs are authorized through fiscal year 2001. The consolidated health center program is authorized at \$804,124,000 in fiscal year 1997 and “such sums” in fiscal years 1998 through 2001. The Rural Health Outreach, Network Development, and Telemedicine Grant program is authorized at \$36 million in fiscal year 1997 and “such sums” in fiscal years 1998 through 2001. [*Public Law 104-299, enacted 10/11/96. S. 1044.*]

FEDERALLY SUPPORTED HEALTH CENTERS ASSISTANCE ACT OF 1995

The Federally Supported Health Centers Assistance Act of 1995 amends the Public Health Service Act to make permanent federal tort claim coverage for employees of federally supported health centers. In addition, the measure extends this coverage to members of the governing boards of the centers.

Further, it clarifies that center practitioners have, in certain circumstances, Federal tort claim coverage when they are caring for individuals who are not patients of the centers. For example, as part of their service to their communities, center practitioners may agree to cover a community hospital emergency room on a rotating basis with other physicians in the community. Under this measure, the health center practitioner would have Federal tort claim coverage. [*Public Law 104-73, enacted 12/26/95. H.R. 1747.*]

FOOD AND DRUG ADMINISTRATION EXPORT REFORM AND
ENHANCEMENT ACT OF 1995

The Food and Drug Administration (FDA) Export Reform and Enhancement Act eliminates restrictions on the export of drugs and devices which have not been approved by the FDA but which have been approved by a country on a defined list of industrialized nations. Such drugs and devices may be exported to any country in the world that wishes to import them. Second, the measure permits the export of unapproved drugs and devices directly to countries which are not on the defined list of industrialized nations, but which have been determined to have regulatory systems in place which are adequate to protect the health and safety of their citizens.

The Food and Drug Administration Export Reform and Enhancement Act of 1995, S. 593, was approved by the committee on August 2, 1995. Its provisions were subsequently incorporated—in modified form—in H.R. 3019, the fiscal year 1996 continuing resolution passed on April 25, 1996 [*Public Law 104-134*]. Technical corrections to this legislation were approved as part of the fiscal year 1997 agricultural appropriations bill [*Public Law 104-180*].

TRAUMATIC BRAIN INJURY ACT OF 1996

The Traumatic Brain Injury Act of 1996 amends the Public Health Service Act to authorize grants and contracts for research and public information projects to reduce the incidence of traumatic brain injury (TBI). It requires a study concerning traumatic brain injuries and a national consensus conference on managing TBI and rehabilitation. An authorization for State demonstration projects is also included. [*Public Law 104-166, enacted 7/29/96. H.R. 248 (TBI provisions included in S. 555.)*]

THE NEWBORNS' AND MOTHERS' HEALTH PROTECTION ACT OF 1995

The Newborns' and Mothers' Health Protection Act requires health insurers who offer benefits for hospital stays in connection with childbirth to allow mothers and their infants to remain in the hospital for 48 hours after a normal birth, and 96 hours after a cesarean-section delivery. The mother and newborn child may be discharged prior to the minimum length of stay only if the attending provider, in consultation with the mother, determines that a shorter stay is appropriate.

The legislation does not preempt certain state health insurance laws which provide for similar requirements to the federal provision. The effective date for group health plans, and health insurance issuers offering group health insurance coverage, is for plan years beginning on or after January 1, 1998. With respect to health insurance coverage in the individual market, the effective date is on or after January 1, 1998.

This legislation was originally introduced in the Senate as S. 969—an amended version of which was approved by the committee by a vote of 14 to 2 on April 17, 1996. The provisions of the bill were offered as a Bradley/Kassebaum/Frist amendment to H.R. 3666, the VA/HUD appropriations bill, and were approved by voice

vote on September 5, 1996. [*Public Law 104-204, enacted 9/26/96.*]

THE MENTAL HEALTH PARITY ACT OF 1996

The Mental Health Parity Act of 1996 prohibits group health plans and health insurance issuers in the group market which provide mental health benefits from establishing a lesser aggregate lifetime or aggregate limit for mental health benefits than for medical/surgical benefits. The bill allows group health plans and issuers to define the amount, duration, and scope of the mental health benefits under the plan, except as specifically provided in regard to parity of lifetime and annual limits.

Small employers (50 or fewer employees) and health insurance issuers in the individual market are exempt from the requirements of the Act. In addition, it provides for an exemption for group health plans if the application of the provision results in a cost increase under the plan of at least one percent. The effective date is for plan years beginning on or after January 1, 1998. The provision sunsets on September 30, 2001.

This legislation, originally introduced as S. 2031, was approved by the Senate as a Domenici/Wellstone amendment to H.R. 3666, the VA/HUD appropriations bill, on September 5, 1996, by a vote of 82 to 15. [*Public Law 104-204, enacted 9/26/96.*]

REPEAL OF SACCHARIN NOTICE REQUIREMENT

Under the Saccharin Study and Labeling Act (Public Law 95-203), stores selling products containing saccharin were required to post notices to that effect. This provision was meant to be an interim measure until product labels could be changed to reflect the saccharin warning mandated under this law. This legislation, H.R. 1787, repealed the notice requirement. [*Public Law 104-124, enacted 4/1/96. H.R. 1787.*]

B. Children and Families

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT AMENDMENTS OF 1996

The 1996 reauthorization of the Child Care and Development Block Grant Act was designed to create a continuum of services for parents and children dependent upon Federal child care assistance. Prior to the bill's enactment, as part of the welfare reform legislation, there were four Federal programs providing subsidized child care for low-income families. Each of these programs utilized different rules and regulations which prevented both state administering agencies and families receiving federal child care assistance from providing children with the continuity of care which is critical to a positive child care experience.

In addition to streamlining and consolidating Federal child care assistance, the legislation provides States with greater flexibility in designing child care services, strengthens Federal support of parental choice of child care providers, and removes existing barriers to the provision of Federal child care assistance to Indian tribes.

The Child Care and Development Block Grant Act Amendments of 1996 (S. 850), approved by the committee, was incorporated into the “Personal Responsibility and Work Opportunity Reconciliation Act of 1996” as Title VI of the legislation. In addition to the improvements to the original 1990 act included in the bill approved by the labor committee, the law as enacted increased federal entitlement funding for child care from approximately \$1 billion a year to \$9.85 billion over 6 years and improved the data reporting requirements to provide a comprehensive view of Federal child care assistance in the future. [*Public Law 104-193, enacted 8/22/96. H.R. 3734 (S. 1956).*]

THE CHILD ABUSE PREVENTION AND TREATMENT ACT AMENDMENT OF 1995

The 1996 reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA) of 1974 focused on addressing problems in the identification, prosecution, and treatment of child abuse and neglect. Legislative changes emphasized that the safety of children in making decisions during the investigation and out-of-home placement of child suspected of being abused and neglected must be the paramount concern.

The legislation also consolidates related Federal family support and resource programs into a comprehensive community-based network focused on child abuse and neglect prevention, reauthorizes the Family Violence Prevention and Services Act, the Adoption Opportunities Act, the Abandoned Infants Assistance Act, the Missing Children’s Assistance Act, and the Victims of Child Abuse Act. [*Public Law 104-235, enacted 10/3/96. S. 919.*] (See report of the Subcommittee on Children and Families.)

REMOVAL OF BARRIERS TO INTERETHNIC ADOPTION

The Howard Metzenbaum Multiethnic Placement Act of 1994 [*Public Law 103-382; 42 U.S.C. 671(a)*] was amended in the Small Business Job Protection Act of 1996. This Metzenbaum act was originally approved by the Committee on Labor and Human Resources in the 103rd Congress to remove barriers to inter-ethnic and inter-racial adoptions. The 1996 amendments strengthened the law’s provisions regarding the denial or delay of out-of-home placements due to differences in the race or ethnic background between a child and prospective foster or adoptive parents. The sanctions that can be enforced by the Federal Government for violation of this act were substantially increased. [*Public Law 104-188, enacted 8/20/96. H.R. 3448.*]

C. Disability Policy

DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT AMENDMENTS OF 1996

The Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996, S. 1757, provides for a 3-year reauthorization of the Act (through fiscal year 1999). This Act promotes independence, productivity, integration, and inclusion in community life for individuals with developmental disabilities. It authorizes funding

for State developmental disability councils to develop comprehensive systems of service for individuals with disabilities and their families. It also authorizes funds for programs to provide legal and advocacy services, training, technical assistance, and direct services including school-to-work transition assistance. [*Public Law 104-183, enacted 8/6/96. S. 1757 (H.R. 3867).*] (See also report of Subcommittee on Disability Policy.)

D. Education

HISTORICALLY BLACK GRADUATE PROFESSIONAL SCHOOLS

Congress approved legislation to eliminate the provision under section 326 of Title III of the Higher Education Act (HEA) which limits grants to certain postgraduate institutions to no more than two 5-year grants. Eleven Historically Black Graduate and Professional Schools are eligible to receive funds under section 326 in order to improve graduate education opportunities for black and low-income students.

The two-time grant limitation was imposed during the 1992 reauthorization of the HEA. This limitation would have had the effect of preventing five institutions from receiving additional Title III funds. Many of the programs which would have lost eligibility are medical programs, whose graduates make substantial contributions to the health of minorities and disadvantaged individuals. [*Public Law 104-141, enacted 6/6/96. H.R. 3055.*]

REPEAL OF NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL

Two measures proposing amendments to the Goals 2000: Educate America Act were introduced and referred to the committee. Senator Nancy Landon Kassebaum introduced S. 323, which propose to eliminate the National Education Standards and Improvement Council (NESIC) and other Goals 2000 provisions related to national standards. Senators Judd Gregg and Dan Coats introduced S. 469, which proposed to eliminate the NESIC and any mention of opportunity-to-learn standards in all Federal education laws.

Related legislation (H.R. 1045) was approved by the House of Representatives. The Senate did not act on separate legislation dealing with this subject; however, these provisions were largely adopted as part of the Omnibus Continuing Appropriations bill for fiscal year 1996. Specifically, that measure:

(1) Eliminated all of Part B of Title II of the Goals 2000: Educate America Act, which includes the authority for the establishment of the National Education Standards and Improvement Council (NESIC);

(2) Eliminated the National Education Goals Panel's Federal authority to approve or endorse voluntary national standards;

(3) Prohibited the Federal Government from funding the development or dissemination of model or national content, student performance, or opportunity-to-learn standards;

(4) Eliminated references throughout the Goals 2000 Act and the Improving America's Schools Act to funding of and priorities for projects supporting national standards; and

(5) Eliminated all language in the Goals 2000 Act and Improving America's Schools Act referring to or requiring State or local development and implementation of opportunity-to-learn standards. [*Public Law 104-134, enacted 4/26/96. H.R. 3019.*]

IMPACT AID TECHNICAL AMENDMENTS ACT OF 1996

The Impact Aid Technical Amendments Act of 1996 made a number of minor adjustments to impact aid, a federal program designed to assist schools by compensating for property tax losses due to a Federal presence. The measure: provided a hold-harmless for Section 8002 ("Section 2 ") schools; maintained Section 2 eligibility for consolidated school districts; restored eligibility to two school districts in South Dakota which lost it due to a clerical error; made adjustments relating to renovations of military housing; clarified congressional intent that each of Hawaii's seven administrative districts may receive funding as individual districts; provided for use of prior-year data in calculating subsection (f) payments; established a priority for the use of Section 2 funds near West Point; addressed an equalization issue involving Nebraska; clarified that a school pension escrow account should not be considered as available cash balance for a school district in New Jersey; permitted the Department of Education to make revised payments to several districts in Wyoming where the local contribution had been miscalculated; and provided that the current 25 percent disparity rate in determining "equalized" States will remain in effect through fiscal year 1999. [*Public Law 104-195, enacted 9/16/96. H.R. 3269 (S. 1509/S. 1543).*]

GEORGE BUSH SCHOOL OF GOVERNMENT AND PUBLIC SERVICE

The George Bush School of Government and Public Service Act, H.R. 3803, provided for a one-time authorization of \$3 million in funding for the establishment of the George Bush Fellowship Program at Texas A&M University.

The legislation was approved by the House on September 17, 1996. In the Senate, the provisions of H.R. 3803 were added as an amendment to H.R. 4036, legislation dealing with internationally recognized human rights, refugees, and foreign relations. Additional Senate amendments to H.R. 4036 included: (1) an authorization of \$3 million in funding for the establishment and operation of the Claiborne Pell Institute for International Relations and Public Policy at Salve Regina University in Newport, Rhode Island; (2) an authorization of grant support from the Department of Education to assist in the establishment of the Edmund S. Muskie Foundation; and (3) an authorization of \$1 million in funding for the support of educational, archival, or preservation activities of the Calvin Coolidge Memorial Foundation. [*Public Law 104-319, enacted 10/19/96. H.R. 4036.*]

PRIVATIZATION OF SALLIE MAE AND CONNIE LEE

Legislative proposals to privatize the Student Loan Marketing Association (Sallie Mae) and the College Construction Loan Insurance Association (Connie Lee) were included in the House CAREERS bill (H.R. 1617). During the conference on the House CA-

REERS bill and the Senate Workforce Development Act (S. 143), these two proposals were modified and included in the conference bill. This bill was reported out of conference but was not considered by either the House or Senate. However, the conference language regarding Sallie Mae and Connie Lee was subsequently added to the omnibus appropriations bill for fiscal year 1997, H.R. 3610, and signed into law on September 30, 1996. [*Public Law 104-208.*] (See report of the Subcommittee on Education, Arts and Humanities for greater detail.)

INSTITUTE OF MUSEUM AND LIBRARY SERVICES (IMLS)

The Institute of Museum Services and programs under the Library Services and Construction Act were merged to form a new Institute of Museum and Library Services. Final provisions related to the IMLS were included in H.R. 3610, the Omnibus Consolidated Appropriations Act for fiscal year 1997. [*Public Law 104-208.*] (See report of the Subcommittee on Education, Arts and Humanities for greater detail.)

E. Labor

MINIMUM WAGE INCREASE

The Congress approved legislation [included in Title II of the Small Business Job Protection Act, H.R. 3448] to raise the minimum wage in two increments: beginning October 1, 1996, the minimum wage would increase from \$4.25/hour to \$4.75/hour; beginning September 1, 1997, the minimum wage would increase from \$4.75/hour to \$5.15/hour. The legislation also included a training wage for individuals under 20 years of age. Those workers may be paid \$4.25/hour for the first 90 calendar days of work.

In addition, the legislation provided an exemption from overtime laws for computer professionals who earn over \$27.63/hour. It also maintained the tip credit at \$2.13/hour for tipped employees. [*Public Law 104-188, enacted 8/20/96. H.R. 3448.*]

THE BALERS AND COMPACTORS SAFETY STANDARDS MODERNIZATION ACT

The Balers and Compactors Safety Standards Modernization Act allows minors who are covered by the child labor provisions of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into, but not operate or unload materials from, scrap paper balers or paper box compactors that: (1) meet appropriate American National Standards Institute design safety standards and (2) meet other specified standards regarding on-off switches and employee notification. It requires employers to make reports to the Secretary of Labor on injuries or fatalities of minors under age 18 resulting from their contact with a scrap paper baler or compactor. [*Public Law 104-174, enacted 8/6/96. H.R. 1114 (S. 744).*]

COURT REPORTER FAIR LABOR AMENDMENTS OF 1995

The Court Reporter Fair Labor Amendments of 1995 amends the Fair Labor Standards Act of 1938 to provide an exemption from

certain Federal wage and hour requirements for official court reporters while they are performing transcription duties for a private party. Court reporters would not be entitled to overtime pay for private transcription services if: (1) they are paid not less than the maximum rate established by the court or a rate freely negotiated between the reporter and the party requesting the transcript and (2) the hours spent performing such duties are outside those during which the reporter performs official court reporting duties. [*Public Law 104-26, enacted 9/6/95. H.R. 1225 (S. 190).*]

EMPLOYEE COMMUTING FLEXIBILITY ACT OF 1996

The Employee Commuting Flexibility Act of 1996 amends the Portal-to-Portal Act of 1947 to provide that an employer does not have to pay minimum wages or overtime compensation to an employee when the employee uses an employer-owned vehicle for commuting purposes. Such use of the employer-owned vehicle must be: (1) within the normal commuting area for the employer's business and (2) subject to an agreement between the employer and the employee or employee representative. The time for commuting use is not considered part of the employee's principal work activities, thus relieving the employer of liability under the Fair Labor Standards Act of 1938, the Walsh-Healey Act, and the Davis-Bacon Act, for failure to pay wages or compensation for the time of such use. Its provisions were incorporated into the Small Business Job Protection Act of 1996. [*Public Law 104-188, enacted 8/20/96. H.R. 3448.*]

THE RAILROAD UNEMPLOYMENT INSURANCE ACT (RUIA) AMENDMENTS OF 1995

The Railroad Unemployment Insurance Act (RUIA) Amendments of 1995 made several changes to the railroad unemployment insurance system. The waiting period for benefits was decreased from two weeks to 7 days. It established an earnings test which disqualifies an individual if he or she makes more than a formula amount during each 14-day period. It increased the daily benefit rate by 5 to 7 dollars a day. Finally, the law reduced the maximum number of days of benefits from 130 to 65 for workers with more than 10 years of service. [*Public Law 104-251, enacted 10/9/96. H.R. 2594.*]

THE AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA) AMENDMENTS OF 1995

The Age Discrimination in Employment Act (ADEA) Amendments of 1995 reinstated the public safety exemption to the Age Discrimination in Employment Act. The exemption allows State and local governments to set retirement ages as low as 55 for public safety officers and firefighters. The law also establishes a study of physical test standards to be done by the National Institutes of Safety and Health.

The Age Discrimination in Employment Act (ADEA) amendments of 1986 had provided a seven-year exemption from the ban on mandatory retirement requirements. During that seven-year period, the Equal Employment Opportunity Commission conducted a study to

determine whether job-related tests could be adequately designed and implemented. After publication of the study, the Congress concluded that job-related testing was not practicable.

The committee held a hearing on March 8, 1996, to examine the public safety exemption to the ADEA, and to consider legislation which would make the exemption permanent (H.R. 849/S. 553). This legislation was substantially adopted as part of the Omnibus Consolidated Appropriations bill for fiscal year 1997, H.R. 3610. [*Public Law 104-208, enacted 9/30/96.*]

F. Pensions

THE ERISA CLARIFICATION ACT OF 1995 (HARRIS TRUST)

The ERISA Clarification Act of 1995, S. 1400, required the U.S. Department of Labor to issue regulations clarifying how insurance companies should deal with pension plan assets held in the insurance companies' general asset accounts. Uncertainty as to how these accounts should be maintained arose after the Supreme Court's decision in *John Hancock v. Harris Trust* (1993). The legislation provided safeguards to assure that pension plan assets held by insurance companies are protected under Federal pension standards contained in ERISA.

The committee approved S. 1400 by a vote of 14 to 2 on June 26, 1996. Provisions of the legislation were subsequently included as a provision (Sec. 1460) in Title I of the Small Business Job Protection Act of 1996. [*Public Law 104-188, enacted 8/20/96. H.R. 3448.*]

G. Other

BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT OF 1996

The Bill Emerson Good Samaritan Food Donation Act of 1996, H.R. 2428, was designed to encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by protecting private donors from liability except in cases of gross negligence and intentional misconduct. The act does not supersede State or local health regulations.

The National and Community Service Act of 1990 included a provision expressing the sense of Congress that the States consider enactment of the Model Good Samaritan Food Donation Act. Each State has enacted laws in this area; however, the variation among State laws has resulted in many potential donors' continued hesitation to donate food. In addition to converting the model food donation act to permanent law, H.R. 2428 transfers these provisions from the National and Community Service Act of 1990 to the Child Nutrition Act of 1966. [*Public Law 104-210, enacted 10/1/96. H.R. 2428.*]

II. VETOED LEGISLATION

TEAMWORK FOR EMPLOYEES AND MANAGEMENT (TEAM) ACT OF 1995

The Teamwork for Employees and Management (TEAM) Act, S. 295, proposed to amend Federal labor law and to remove the legal barriers that prevent supervisors and workers from meeting in

committees to discuss workplace issues, such as safety, productivity, and efficiency. The committee believed that workers have important contributions to improve the bottom line of the corporation as well as the quality of work life in the plant. Current Federal labor law prohibits employees from sharing ideas with managers regarding working conditions if the meetings occur in a formal structure such as a committee or a worker-management team.

On April 17, 1996, the committee voted to report S. 295 to the full Senate by a vote of 9 to 7. The legislation was reported to the Senate on May 1, 1996 (Senate Report 104-259), and the measure was approved and incorporated into the House version of the bill (H.R. 743) on July 10, 1996, by a vote of 53-46. It was vetoed by the president on July 30, 1996.

BUDGET RECONCILIATION

On October 3, 1995, the full committee reported by a vote of 8 to 7 its reconciliation submission to the Senate Budget Committee—meeting the instruction included in the budget resolution to produce approximately \$10.8 billion in savings over seven years. The principles underlying the committee's submission were to minimize hardships on students, to apply spending reductions to all parties involved with student loan programs, and to maintain the stability of Federal student loan programs.

Many of the provisions of the submission were based on the Student Loan Evaluation and Stabilization Act of 1995 (S. 495), introduced by Senator Kassebaum on March 3, 1995. That bill proposed to: (1) cap the direct loan program at 40% of the entire student loan program volume; (2) correct problems in the budget scoring process which result in an inaccurate accounting of the full costs of the direct loan program; (3) clarify congressional intent on a number of direct loan provisions; and (4) level the playing field with respect to direct loans and guaranteed loans so that the two programs could be evaluated based on the real differences in the administration, efficiency, and effectiveness between the two programs.

A significant difference between the reconciliation submission and S. 495 was its lower direct loan cap—20 percent of total loan volume. The reconciliation submission also included proposals to: (1) decrease Federal subsidies to lenders, guaranty agencies, and secondary markets; (2) charge institutions of higher education a user fee; (3) eliminate the interest subsidy for the six-month "grace period" following a student's departure from school; and (4) increase the interest rate parents would pay to borrow for their children's college education. The provisions concerning student interest subsidies, parent loans, and the institution fee were dropped when the full Senate considered the budget reconciliation bill, S. 1357.

The committee proposal was further modified in conference. The conference agreement would have: (1) capped the direct loan program at 10% of total student loan volume, leaving the remaining 90 percent of loan volume under the guaranteed loan program; (2) imposed a variety of fees and subsidy decreases on lenders, guaranty agencies, and secondary markets; (3) made the direct and guaranteed loan programs more comparable in terms of loan terms,

conditions, and repayment options; and (4) decreased the amounts parents could borrow to pay for their children's college.

The final version of the reconciliation bill, H.R. 2491, was adopted by the House and Senate but was vetoed by the President on December 6, 1995.

III. BILLS REPORTED FROM THE LABOR AND HUMAN RESOURCES COMMITTEE IN THE 104th CONGRESS NOT ENACTED INTO LAW

A. Health Care

NATIONAL INSTITUTES OF HEALTH (NIH) REVITALIZATION ACT OF 1996

The National Institutes of Health Revitalization Act of 1996, S. 1897, was introduced by Senators Kassebaum, Kennedy, Jeffords, Pell, Hatfield, and Mikulski on June 21, 1996. The measure proposed a 3-year reauthorization of the National Cancer Institute and the National

Heart, Lung, and Blood Institute. In addition, it would have: elevated the National Center for Genome Research to institute status; offered greater support for expert training of young biomedical scientists; streamlined the NIH infrastructure; and established a significant initiative in the area of Parkinson's disease research.

The measure also incorporated the provisions of S. 184, the Office for Rare Disease Research Act of 1995, legislation which would have codified the Office for Rare Disease Research within the Office of the NIH Director and established a national data base for use by medical professionals and the public regarding developments in rare disease research. The full Senate approved S. 184 on May 18, 1995, but it was not considered by the House of Representatives. (See Senate Report 104-79.)

The committee unanimously approved S. 1897 on July 17, 1996. A modified version of the bill, providing for a 1-year reauthorization, was approved by the Senate on September 26, 1996. The measure was not considered by the House of Representatives. [Senate Report 104-364.]

ORGAN AND BONE MARROW TRANSPLANT PROGRAM REAUTHORIZATION ACT OF 1995

The Organ and Bone Marrow Transplant Program Reauthorization Act of 1995, S. 1324, was introduced by Senator Nancy Landon Kassebaum on October 17, 1995. It proposed to extend for 5 years (FY 1997-FY 2001) the Solid Organ Transplant Program and the Bone Marrow Transplantation Program. The Solid Organ Transplant Program provides the authority for the Federal organ procurement and transplantation network, which distributes organs and provides policies regarding organ transplantation. The Bone Marrow Transplantation Program supports the bone marrow donor registry, which is used to facilitate unrelated-donor bone marrow transplants.

The measure proposed to modify the programs to improve public information about and access to their services, to increase participation of those directly affected by the programs, and to require

various evaluations and reports. The measure also proposed to permit the Secretary of Health and Human Services and the Organ Procurement and Transplantation Network to collect fees to cover the costs of providing certain services in the Solid Organ Transplant Program.

The committee unanimously approved S. 1324 on November 8, 1995, and the full Senate passed it on September 9, 1996. The measure was not considered by the House of Representatives. [Senate Report 104–256.]

HEALTH PROFESSIONS EDUCATION CONSOLIDATION AND REAUTHORIZATION ACT OF 1995

The Health Professions Education Consolidation and Reauthorization Act of 1995, S. 555, was introduced by Senator Nancy Landon Kassebaum on March 14, 1995. The legislation proposed to reauthorize and consolidate 44 Federal health professions training programs currently authorized under titles VII and VIII of the Public Health Service Act. Authorized funding for health professions programs would have been reduced from current appropriated levels by 7.5 percent over the 4-year reauthorization period.

The bill proposed to consolidate the 44 programs into six general authorities. These authorities include: (1) training of primary care providers; (2) training of minority and disadvantaged students; (3) education financial assistance; (4) establishment and operation of area health education centers; (5) nursing education; and (6) general health care workforce development.

In addition, S. 555 would have reauthorized other public health service programs, including the Office of Minority Health, State Offices of Rural Health, Health Services for Pacific Islanders, and Alzheimer's Disease Demonstration Projects. The measure also proposed to establish an enhanced intramural program for birth defects at the Centers for Disease Control and Prevention and a traumatic brain injury research program (see Public Law 104–166).

The committee approved S. 555 on March 29, 1995. It was approved by the full Senate on September 28, 1996, but was not considered by the House of Representatives. [Senate Report 104–93.]

HEALTH CARE LIABILITY REFORM AND QUALITY ASSURANCE ACT OF 1995

The Health Care Liability Reform and Quality Assurance Act of 1995, S. 454, was introduced by Senators McConnell, Lieberman, and Kassebaum on February 16, 1995. The measure included a uniform statute of limitations, limits on punitive damage awards and attorneys' fees, periodic payment, collateral source, and several liability reforms.

The committee reported S. 454 by a vote of 9 to 7 on April 25, 1995. [Senate Report 104–83] The full Senate adopted provisions of the measure by a vote of 53 to 47 as a McConnell/Lieberman/Kassebaum amendment to product liability legislation. Those provisions were subsequently deleted from that measure.

FOOD AND DRUG ADMINISTRATION (FDA) PERFORMANCE AND
ACCOUNTABILITY ACT OF 1996

The Food and Drug Administration Performance and Accountability Act of 1996, S. 1477, was designed to facilitate the development of and streamline the FDA's review processes for new human and animal drugs, biologics, devices, and food additives to ensure the public's timely access to safe and effective products.

The major provisions of the legislation were designed to: (1) establish a clearly defined, balanced mission for the FDA; (2) require public accountability by the FDA for its performance; (3) provide improved international management systems; (4) expedite access to products for seriously ill patients; (5) revitalize the investigation of new products; (6) establish a process for efficient, accountable, and fair product review; (7) streamline the drug and biological products regulatory process; (8) improve the regulation of medical devices; (9) reform animal drug approval requirements; and (10) simplify the food additive approval process and provide a more reasonable standard for some health claims.

The committee approved S. 1477 by a vote of 12 to 4 on March 28, 1996. [Senate Report 104–284.] The measure was not considered by the Senate. Modified versions of provisions in the bill dealing with FDA export reform and with animal drugs did become law. (See Public Law 104–134 and Public Law 104–250.)

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
(SAMHSA) REAUTHORIZATION, FLEXIBILITY ENHANCEMENT AND
CONSOLIDATION ACT OF 1995

The SAMHSA Reauthorization, Flexibility Enhancement and Consolidation Act of 1995, S. 1180, proposed a 4-year reauthorization (FY 1996–FY 1999) of SAMHSA programs, the National Institute of Alcohol Abuse and Alcoholism, the National Institute on Drug Abuse, and the National Institute of Mental Health. The legislation also proposed a four-year reauthorization of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (Public Law 99–319).

Under S. 1180, the Substance Abuse Prevention and Treatment Block Grant and the Community Mental Health Block Grant would be replaced with Substance Abuse and Mental Health Performance Partnerships. SAMHSA's existing 26 demonstration and training programs would be consolidated into three programs.

The committee approved S. 1180 by a vote of 16 to 0 on October 12, 1995, but it was not considered by the full Senate. [Senate Report 104–193]

B. Aging

OLDER AMERICANS ACT AMENDMENTS OF 1996

The Older Americans Act Amendments of 1996, S. 1643, provided for a 5-year reauthorization of the Older Americans Act. The proposal streamlined the Act, modified the funding formula, and made other revisions the nutrition, supportive services, and other programs serving the senior population. The bill was approved by the committee by a vote of 9 to 7 on May 8, 1996. (Senate Report 104–

344) It was not considered by the full Senate. (See also report of Subcommittee on Aging.)

NATIONAL SILVER HAired CONGRESS

A concurrent resolution, S. Con. Res. 52, was introduced by Senator Barbara Mikulski to recognize and encourage the convening of a National Silver Haired Congress. Based on the experiences of silver-haired legislatures formed in a number of States, the national silver haired congress is intended to provide a national forum for seniors to debate issues which affect them. The committee approved the concurrent resolution by voice vote on July 18, 1996. (Senate Report 104–345) It was approved by the Senate but was not considered by the House of Representatives.

C. Children and Families

YOUTH DEVELOPMENT COMMUNITY BLOCK GRANT ACT OF 1995

The Youth Development Community Block Grant Act of 1995 (S. 673) proposed to consolidate nineteen existing federal youth programs into a single, comprehensive strategy for community-based youth development and prevention. The legislation was designed to support programs to help youth aged 6–18 acquire the life skills which they need to make successful transitions from childhood to productive adulthood. These programs would be defined, created, and implemented by local communities.

The legislation proposed to restructure federal funding of youth programs by consolidating existing categorical programs and redistributing funds, based on a three-pronged formula allocation, to local communities. It proposed to establish local, state, and Federal mechanisms for building the capacity of communities to address the needs of youth, ensuring both programmatic and fiscal accountability of the funds, and facilitating broad-based, coordinated support for youth development activities.

The legislation was adopted by the committee on July 20, 1995, by a roll call vote of 9 yeas and 7 nays, but was not considered by the full Senate. [Senate Report 104–161]

D. Disability Policy

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) REAUTHORIZATION

Senator Bill Frist introduced S. 1578, the Individuals with Disabilities Education Act Amendments of 1996, on February 27, 1996. This bill restructured and consolidated the 14 discretionary grant programs that had expired and made revisions in the permanently authorized State preschool and elementary and secondary grant program for students with disabilities. The bill was reported unanimously by the committee with amendments on March 21, 1996, but it was not considered by the full Senate. (See also report of the Subcommittee on Disability Policy.)

E. Education and Training

THE WORKFORCE AND CAREER DEVELOPMENT ACT OF 1996

The purposes of the Workforce and Career Development Act of 1996 are to (1) eliminate duplication of effort and reduce the regulatory burdens created by numerous categorical Federal programs, (2) provide greater flexibility to States in designing workforce systems which fit their specific needs, (3) encourage greater coordination of job training and training-related education programs, and (4) improve the effectiveness of Federal workforce development efforts by focusing on program results.

The bill consolidates approximately 80 job training and training-related programs into a single grant to the States. Statewide workforce development systems would continue to support four basic Federal priorities: employment and training; vocational education; adult education; and services for at-risk youth. At the same time, the bill permits states to supplement the activities it needs most by reserving 20 percent of the funds in a “flex account” to be distributed among the four basic activities. Decisions regarding the allocation of funds from this “flex account” are made through a collaborative process involving, among others, the Governor, vocational and adult education agencies, local elected officials, and the private sector.

The bill fundamentally shifts the focus of accountability for workforce development efforts from process to results. States must establish benchmarks to measure their progress toward specific goals their programs are supposed to achieve. Incentives and sanctions are based on performance relative to the benchmarks.

The Workforce Development Act of 1995 (S. 143) was reported favorably by the committee on June 26, 1995, by a roll call vote of 10 to 6. The measure was approved 95 to 2 by the Senate on October 11, 1995. The conference report was filed on July 25, 1996, but it was not considered by either the Senate or the House. [House Report 104–707. H.R. 1617/S. 143.]

ARTS, HUMANITIES, AND MUSEUMS AMENDMENTS OF 1995

The Arts, Humanities, and Museums Amendments of 1995, S. 856, was introduced by Senator Jim Jeffords—chairman of the Subcommittee on Education, Arts and Humanities. The measure proposed to reauthorize the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH) for 5 years (FY 1996–FY 2000).

As approved by the committee on July 19, 1995, by a vote of 12 to 4, the legislation provided: declining authorized funding levels for the NEA and NEH over the 5-year reauthorization period. In addition, it established four NEA grant categories: partnership grants to States, local, and regional groups (40 percent); national significance grants (40 percent); direct grants to organizations and individuals (10 percent); and grants to arts education and underserved communities (10 percent). The Institute of Museum Services was merged with Library Services and Construction Act programs into a new Institute of Museum and Library Services (IMLS). (Senate Report 104–135)

The Senate did not consider S. 856. However, provisions relating to the establishment of the IMLS were included in H.R. 3610, the Omnibus Consolidated Appropriations Act for fiscal year 1997. (See report of Subcommittee on Education, Arts and Humanities for additional detail about IMLS.)

F. Labor

LEGAL SERVICES CORPORATION (LSC) REFORM ACT

The Legal Services Corporation Reform Act, S. 1221, proposed to maintain the current structure of the legal services program: the federal Legal Services Corporation, with funding from an annual congressional appropriation, would provide federal funds to local grantees for the purpose of providing (non-criminal) legal assistance to low-income clients.

The legislation proposed important reforms to curtail undesired activity on the part of LSC grantees. For instance, under the bill, LSC grantees would be prohibited from representing drug dealers being evicted from public housing projects. In addition, LSC attorneys would be prohibited from litigating redistricting cases and challenging welfare reform efforts. Also, the bill contained administrative reforms, such as requiring grantees to maintain accurate records of the time spent on each client matter.

The committee approved the measure by a vote of 10 to 3 on June 26, 1996, and the legislation was reported to the Senate on September 30, 1996 (Senate Report 104-392). The full Senate did not consider the bill.

DAVIS-BACON REPEAL ACT

The Davis-Bacon Act of 1931, a depression-era labor standards statute, requires Federal contractors to pay their workers the “prevailing wage” on Federal construction projects. The act costs taxpayers over \$2.7 billion over a 5-year period in inflated wage costs for Federal public works projects. In addition, inflated wage scales make it more difficult for local contractors to bid for Federal construction projects—even though one of the original purposes of Davis-Bacon was to prevent out-of-town contractors from underbidding local wage scales.

On March 29, 1995, the committee approved legislation (S. 141) to repeal the Davis-Bacon Act by a vote of 9 to 7. The legislation was reported to the Senate on May 12, 1995 (Senate Report 104-80). The Senate did not act on the measure.

OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) REFORM

The OSHA Reform and Reinvention Act, S. 1423, proposed to provide positive incentives for employers to address health and safety on their own without relying upon Federal OSHA inspectors. Under the provisions of the bill, those employers that established comprehensive safety programs and could demonstrate an exemplary safety record would be exempt from surprise OSHA inspections for that year. Similarly, those employers using Labor Department certified private sector safety consultants to conduct onsite workplace inspections would be exempt from surprise OSHA in-

spections for that year. The legislation also codified important safety education and outreach programs administered at both the State and the Federal levels.

On February 28 and March 5, 1996, the committee met in executive session and ordered the OSHA Reform and Reinvention Act, S. 1423, to be favorably reported by a vote of 9 to 7. The legislation was reported to the full Senate on June 28, 1996 (Senate Report 104–308). The full Senate did not consider the measure.

IV. OTHER BILLS UNDER THE JURISDICTION OF THE LABOR AND HUMAN RESOURCES COMMITTEE CONSIDERED BY THE SENATE IN THE 104th CONGRESS

NATIONAL RIGHT TO WORK ACT

The National Right to Work Act, S. 1788, proposed to amend the National Labor Relations Act and the Railway Labor Act to repeal those provisions in Federal labor law requiring employees to pay union dues. On July 10, 1996, the Senate failed to invoke cloture on the motion to proceed to the legislation (roll call #188), which was sponsored by Sen. Lauch Faircloth. The cloture vote was 31–68.

EMPLOYMENT NONDISCRIMINATION ACT

The Employment Nondiscrimination Act, S. 2056, proposed to prohibit employers from discriminating against workers on the basis of sexual orientation. Sponsored by Senator Kennedy, the legislation was rejected by the Senate on September 10, 1996, by a vote of 49–50 (roll call #281).

PENSION AUDIT IMPROVEMENT

The Pension Audit Improvement Act, S. 1490, proposed to repeal the provision of Federal pension law (e.g. the limited scope audit provision of ERISA) permitting pension plan auditors to decline to review plan assets held by regulated financial institutions. As a result, under the legislation, pension plans would receive unqualified opinions as to the integrity of their financial statements. The General Accounting Office (GAO) recommended repeal of ERISA's limited scope audit provision in order to assure that plan assets were properly protected.

In addition, the legislation would have required pension plan auditors to participate in continuing education programs to upgrade their plan auditing skills. The bill also would have required auditors to report serious plan deficiencies to the Department of Labor within strict time constraints.

The committee met in executive session on July 31, 1996, to consider the legislation, but did not complete action on it. The provision of the bill dealing with the limited scope audit was offered as an amendment on the Senate floor to the Federal Aviation Administration (FAA) Reauthorization Act. The amendment was accepted by the floor managers of the FAA bill, but the limited scope audit provision was dropped in conference.

V. LIST OF PUBLIC LAWS OF THE 104th CONGRESS FROM THE LABOR AND HUMAN RESOURCES COMMITTEE

P.L. 104–26 [enacted 9/6/95], Court Reporters Fair Labor Amendments of 1995. (H.R. 1225/S. 190).

P.L. 104–49 [enacted 11/16/95], Migrant and Seasonal Agricultural Worker Protection Act Amendment Act of 1995. (H.R. 1715/S. 1326).

P.L. 104–73 [enacted 12/26/95], Federally Supported Health Centers Assistance Act of 1995. (H.R. 1747).

P.L. 104–124 [enacted 4/1/96], Federal Food, Drug, and Cosmetic Act Amendment Act. (H.R. 1787). (Saccharin notice repeal.)

P.L. 104–134 [enacted 4/26/96], Continuing Resolution, fiscal year 1996. (H.R. 3019) Includes modified version of FDA Export Reform and Enhancement Act of 1995 (S. 593) approved by committee on 8/2/95. Also includes the repeal of the National Education Standards and Improvement Council (NESIC) and eliminates references to opportunity-to-learn standards.

P.L. 104–141 [enacted 5/6/96], HBCU Graduate and Professional Schools. (H.R. 3055).

P.L. 104–146 [enacted 5/20/96], Ryan White CARE Act Reauthorization. (S. 641/H.R. 1872).

P.L. 104–166 [enacted 7/29/96], Traumatic Brain Injury Act. (H.R. 248/S.96, also included in S. 555).

P.L. 104–174 [enacted 8/6/96], The Balers and Compactors Safety Standards Modernization Act. (H.R. 1114/S. 744).

P.L. 104–183 [enacted 8/6/96], Developmental Disabilities Act Reauthorization. (S. 1757/H.R. 3867).

P.L. 104–188 [enacted 8/20/96], Small Business Job Protection Act of 1996. (H.R. 3448). Includes minimum wage increase, provisions dealing with the removal of barriers to interethnic adoption, as well as a modified version of the ERISA Clarification Act (S. 1400) approved by the committee on 6/26/96.

P.L. 104–191 [enacted 8/21/96], Health Insurance Portability and Accountability Act of 1996. (H.R. 3103/S. 1028).

P.L. 104–193 [enacted 8/22/96], Budget Reconciliation/ Personal Responsibility Act. (H.R. 3734) Includes modified version of Child Care and Development Block Grant Reauthorization (S. 850) reported by the committee on 6/8/95.

P.L. 104–195 [enacted 9/16/96], Impact Aid Technical Amendments. (H.R. 3269/S. 1509/S. 1543).

P.L. 104–204 [enacted 9/26/96], VA-HUD Appropriations, fiscal year 1997. (H.R. 3666). Includes modified versions of the Newborns' and Mother's Health Protection Act (S. 969) reported by the committee on 7/19/96 and the Mental Health Parity Act of 1996 (S. 2031).

P.L. 104–208 [enacted 9/30/96], Department of Defense Appropriations, fiscal year 1997 (Omnibus Consolidated Appropriations, fiscal year 1997). (H.R. 3610). Includes provisions from H.R. 1617/S. 143 dealing with the privatization of Sallie Mae and Connie Lee and with museum and library programs. It also includes the Age Discrimination in Employment Act (ADEA) Amendments Act of 1995 (H.R. 849/S. 553).

P.L. 104–210 [enacted 10/1/96], Bill Emerson Good Samaritan Food Donation Act. (H.R. 2428/S.1938).

P.L. 104–235 [enacted 10/3/96], Child Abuse Prevention and Treatment Act (CAPTA) Reauthorization. (S. 919).

P.L. 104–250 [enacted 10/9/96], Animal Drug Availability Act of 1996. (H.R. 2508/S. 773).

P.L. 104–251 [enacted 10/9/96], Railroad Unemployment Insurance Amendments Act of 1996. (H.R. 2594).

P.L. 104–299 [enacted 10/11/96], Health Centers Consolidation Act of 1995. (S. 1044).

P.L. 104–319 [enacted 10/19/96], Human Rights Restoration Act (H.R. 4036). Includes provisions dealing with activities honoring George Bush (H.R. 3803), Claiborne Pell, Edmund Muskie, and Calvin Coolidge.

VI. LIST OF FULL COMMITTEE HEARINGS OF THE LABOR AND HUMAN RESOURCES COMMITTEE

Federal Job Training Programs: The Need for Overhaul. (*January 10, 11, and 12, 1995*)

Job Corps Oversight. (*January 18 and 19, 1995*)

National Endowment for the Arts. (*January 26, 1995*)

Teamwork for Employees and Management Act of 1995. (*February 9, 1995; February 8, 1996*)
 Repeal of the Davis-Bacon Act. (*February 15, 1995*)
 Ryan White CARE Act Reauthorization. (*February 22, 1995*) Impact of Welfare Reform on Children and Their Families. (*February 28 and March 1, 1995*)
 Consolidation and Reauthorization of Health Professionals Programs. (*March 8, 1995*)
 Effective Health Care Reform in a Changing Marketplace. (*March 14 and 15, 1995*)
 Health Care Liability Reform and Quality Assurance Act of 1995. (*March 28, 1995*)
 The Food and Drug Administration Reform. (*April 6 and 7, 1995; February 21 and 22, 1996*)
 Nomination of Henry W. Foster, Jr., to be Surgeon General. (*May 2 and 3, 1995*)
 Primary Health Care Programs: Ensuring Access to Care in a Changing Health Care Delivery System. (*May 4, 1995*)
 Oversight of the Equal Employment Opportunity Commission. (*May 23, 1995*)
 Youth Development Community Block Grant Act of 1995. (*June 8, 1995*)
 Affirmative Action and the Office of Federal Contract Compliance. (*June 15, 1995*)
 Occupational Safety and Health Administration Reform. (*June 21 & 22, 1995; November 29, 1995*)
 The Future of the Legal Services Corporation. (*June 23, 1995*)
 Health Insurance Reform Act of 1995. (*July 18, 1995*)
 Reauthorization of the National Organ Transplant Act. (*July 20, 1995*)
 Employer Group Purchasing Reform Act of 1995. (*July 25, 1995*)
 Reauthorization of the Substance Abuse and Mental Health Services Administration. (*July 27, 1995*)
 Health Insurance and Domestic Violence. (*July 28, 1995*)
 Nomination of Harris Wofford to be Chief Executive Officer of the Corporation for National and Community Service. (*September 7, 1995*)
 Newborns' and Mothers' Health Protection Act of 1995. (*September 12, 1995*)
 Emerging Infections: A Significant Threat to the Nation's Health. (*October 18, 1995*)
 Medical Records Confidentiality Act of 1995. (*November 14, 1995*)
 Fair Labor Standards Act: The Minimum Wage. (*December 15, 1995*)
 Oversight of the Fair Labor Standards Act. (*February 27, 1996*)
 Reauthorization of the National Institutes of Health. (*March 6 and 7, 1996; May 7, 1996*)
 Age Discrimination in Employment Amendments of 1995. (*March 8, 1996*)
 National Right to Work Act of 1995. (*March 15, 1996*)
 School Bus Safety Issues. (*April 2, 1996*)
 Saving Lives: The Need to Increase Organ and Tissue Donation. (*April 23, 1996*)
 Affirmative Action, Preferences, and the Equal Employment Opportunity Act of 1995. (*April 30, 1996*)
 Oversight of the "Healthy Start" Demonstration Project. (*May 16, 1996*)
 Oversight of the Corporation for National and Community Service. (*May 21, 1996*)
 Advances in Genetics Research and Technologies: Challenges for Public Policy. (*July 25, 1996*)
 Access to Medical Treatment Act. (*July 30, 1996*)
 Oversight of the National Labor Relations Board. (*September 17, 1996*)
 Improving the Well-Being of Abused and Neglected Children. (*November 20, 1996*)

FULL COMMITTEE FIELD HEARINGS IN THE 104th CONGRESS

Ohio Job Training. *June 2, 1995*. Columbus, Ohio.
 School Bus Safety Issues. *August 31, 1995*. Columbus, Ohio.

JOINT HEARING IN THE 104th CONGRESS

Small Business and OSHA Reform. *December 6, 1995*. (With Committee on Small Business.)

VII. ANTICIPATED ACTIVITIES FOR 105th CONGRESS

During the 105th Congress, the committee plans to focus on oversight and reform of those programs under its jurisdiction that will

help the United States compete in an increasingly global environment. At the same time, it will focus on aiding the private sector in expanding the availability and quality of benefits that derive from the workplace, such as health care and retirement. Finally, it will explore means of assisting various vulnerable populations in our society.

Education

Legislative and oversight responsibilities previously under the jurisdiction of the Subcommittee on Education, Arts and the Humanities will be under the jurisdiction of the full committee in the 105th Congress. So, too, will many of the programs previously under the jurisdiction of the Subcommittee on Disability Policy, notably the Individuals with Disabilities Education Act (IDEA).

During the 105th Congress, the full committee must reauthorize almost every major Federal education statute, including IDEA, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, the Higher Education Act, and the National Foundation on Arts and Humanities Act. In addition, the committee must reauthorize the National Science Foundation, the National Literacy Act, the National Assessment of Educational Progress, the Education of the Deaf Act, the National and Community Service Act, and the Goals 2000: Educate America Act. These issues are discussed more fully below.

REAUTHORIZATION OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—This act authorizes education programs serving disabled students. Components of the act include the Office of Special Education Programs; the State grant program for disabled students; the preschool grant program for disabled children; personnel training; research; discretionary programs; and the disabled infant and toddlers grant program.

REAUTHORIZATION OF THE ADULT EDUCATION ACT.—This act allocates grants to States based primarily on their population of adults, ages 16 and older, who are no longer in school and do not have a high school diploma or its equivalent. States then distribute funds to local programs that provide instruction and support services. A key issue for consideration during reauthorization is coordinating adult education activities with employment training programs and vocational education initiatives.

REAUTHORIZATION OF THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY ACT.—This act provides Federal assistance for secondary and postsecondary vocational education. Reauthorization issues that will be examined include: greater flexibility for States and local school districts, greater emphasis regarding the integration of traditional academics and vocational instruction, the relationship of tech prep program to vocational education, and strengthening the transition between secondary and postsecondary vocational education activities. A key issue for consideration during reauthorization is coordinating adult education activities with employment training programs and vocational education initiatives.

REAUTHORIZATION OF THE NATIONAL LITERACY ACT.—This act authorizes the National Institute for Literacy to establish an integrated literacy policy. The Institute, funded under the Department of Education, coordinates all national literacy programs. Specifi-

cally, the Institute provides technical assistance to literacy programs throughout the United States and provides financial aid to model family literacy and workplace literacy programs. The primary reauthorization issue will be assessing the impact of the National Literacy Act on adult education programs and the anticipated growth in workplace literacy initiatives.

REAUTHORIZATION OF THE HIGHER EDUCATION ACT.—This act authorizes Federal postsecondary education programs. The largest title of the Higher Education Act is Title IV, which involves the major student financial aid programs, including Pell Grants, Federal Family Education Loans, and Direct Loans. These three programs provide financial aid directly to the students. In addition, there are three programs that are campus-based financial aid initiatives which provide Federal assistance to postsecondary institutions. The institutions then allocate these funds to qualifying students.

Other components of the Higher Education Act focus on institutional aid (which includes funding for Historically Black Colleges and Universities), teacher preparation and training, international education activities, construction and renovation of academic institutions, graduate student programs, and special projects for postsecondary improvement. Reauthorization issues will include assessing the formula which determines student qualification for financial assistance, rising borrowing and debt levels for postsecondary students, analyzing the effectiveness of all current student financial aid programs as well as examining all non-Title IV sections and determining their effectiveness.

REAUTHORIZATION OF THE NATIONAL FOUNDATION FOR THE ARTS AND HUMANITIES ACT.—This act authorizes the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), and the Institute for Museum and Library Services (IMLS).

GOALS 2000: EDUCATE AMERICA ACT.—This act authorizes grants to States and local communities for elementary and secondary education reform activities. The committee will examine the impact of Goals 2000 at the national, State, and local levels.

REAUTHORIZATION OF THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP).—NAEP is the only nationally representative assessment of what children have learned on a subject-by-subject basis. Such information is vital so that communities and States may compare their progress with what other regions or even other countries have achieved.

REAUTHORIZATION OF THE EDUCATION OF THE DEAF ACT.—This act authorizes Galludet University and the National Technical Institute for the Deaf, the only two federally funded higher education institutions for students who are deaf.

REAUTHORIZATION OF THE NATIONAL AND COMMUNITY SERVICE ACT.—The act authorizes the administration of national and community service programs and also includes authorization for Federal domestic volunteer service programs administered by the ACTION agency (VISTA, Foster Grandparents, Senior Companions).

Employment and Training

Employment and training issues, which were within the jurisdiction of the full committee during the 104th Congress, will become the responsibility of the Subcommittee on Employment and Training in the 105th Congress. It is anticipated that the subcommittee will examine ways to amend the Fair Labor Standards Act to give workers the ability to design more flexible work schedules in order to better balance the competing demands of work and family.

The subcommittee may also renew the effort of the full committee in the 104th Congress to streamline the scores of separate training programs now operated by some 15 different agencies, while seeking greater integration with related educational programs. The subcommittee will also take up the reauthorization of the Vocational Rehabilitation Act.

The committee will again seek to remove artificial barriers to cooperation between employees and supervisors now erected by the National Labor Relations Act. Such cooperation is increasingly the hallmark of successful companies, in this country and abroad. Such cooperation should be aided rather than impeded, and can be aided in a way that will not undermine the rights of workers to form a union or bargain collectively.

Health

Legislative and oversight responsibilities during the 105th Congress relating to health care access, quality, cost, benefits, and delivery systems will be retained by the full committee, as will responsibility for the Food, Drug and Cosmetics Act. Other public health issues, as well as mine and occupational safety and health issues, will be under the jurisdiction of the Subcommittee on Public Health and Safety.

The following is a summary of legislation and reauthorization proposals that the committee will consider during the 105th Congress:

FOOD AND DRUG ADMINISTRATION (FDA) REFORM.—The committee will consider a variety of proposals related to the restructuring of the agency, risk standards, and means for improving the approval process and export policy for drugs, biologics, and devices.

GROUP HEALTH INSURANCE PURCHASING REFORM.—The committee will examine ways to promote the formation of purchasing cooperatives by small businesses as a means of increasing access to health care services.

MEDICAL RECORDS CONFIDENTIALITY.—The committee will seek to develop legislation that ensures the appropriate protection of a patient's health information—without halting innovations in health care and health research.

NATIONAL BONE MARROW DONOR PROGRAM AND REGISTRY.—This act would reauthorize a federally sponsored bone marrow donor registry used to facilitate bone marrow transplants between unrelated donors and recipients.

THE AGENCY FOR HEALTH CARE POLICY AND RESEARCH (AHCPR).—This agency is responsible for conducting health policy research, conducting technology effectiveness studies and creating practice guidelines.

HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) HEALTH PROFESSIONS TRAINING.—This legislation would reauthorize those programs administered by HRSA that improve the supply and distribution of health professionals.

NATIONAL INSTITUTES OF HEALTH (NIH).—NIH was last reauthorized in 1991. The NIH conducts and supports biomedical research focused on human illness and health. More than 80 percent of the \$12.7 billion appropriated to NIH in FY 1997 will flow out to an extramural research community of more than 50,000 investigators affiliated with some 1,700 university, hospital and other research facilities around the Nation.

ORGAN TRANSPLANT AMENDMENTS ACT.—This legislation would reauthorize the Federal organ procurement and transplantation network (OPTN) that, by contract, distributes organs and provides policies regarding organ transplantation.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMSHA).—This legislation would reauthorize the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) programs.

PRESCRIPTION DRUG USER FEE ACT (PDUFA).—This legislation would reauthorize the 1992 Prescription Drug User Fee Act, which will expire on September 30, 1997. The 1992 law was designed to establish a more efficient drug and biologics approval process.

Retirement Security

The committee will investigate the strengths and weaknesses of our current private retirement system, and will seek ways to improve both the security and soundness of the system, while expanding it to a greater number of individuals. With the strain on the Social Security system that will inevitably result from demographic changes over the next few decades, it is imperative that Congress act to shore up the other components of retirement income.

Social and Other Services

REAUTHORIZATION OF THE HUMAN SERVICES AMENDMENTS OF 1994.—This act, within the jurisdiction of the Subcommittee on Children and Families, authorizes a variety of human service programs designed to serve low-income children and families, including Head Start, Ready to Learn, the Community Services Block Grant, Low Income Home Energy Assistance, Stewart B. McKinney Homeless Assistance, the Family Resource Act and programs to address the problems caused by unemployment.

REAUTHORIZATION OF THE LEGAL SERVICES CORPORATION.—This act provides Federal funds for local grantees for the purpose of providing legal assistance in non-criminal cases to low-income clients. Legislation adopted by the committee but not considered by the Senate would have instituted certain programmatic and administrative reforms.

REAUTHORIZATION OF THE OLDER AMERICANS ACT.—This act, within the jurisdiction of the Subcommittee on Aging, authorizes a variety of social service programs for the elderly, including senior centers, nutrition and employment programs.

REAUTHORIZATION OF THE PROTECTION AND ADVOCACY OF THE MENTALLY ILL (PAMI) ACT.—This act authorizes a formula grant pro-

gram to assist protection and advocacy programs in the States. It authorizes State systems to investigate instances of abuse and neglect of individuals with mental illness.

REAUTHORIZATION OF THE TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT.—This act authorizes funding to facilitate the development of assistive technology and services to individuals with disabilities. Components of the act include a State grant program and projects of national significance which promote greater access to assistive technology and services through training and demonstration efforts.

Other Oversight Activities

The committee expects to examine several other issues, including:

THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996.—The Health Insurance Portability and Accountability Act (HIPAA) sets national standards for health insurance coverage—by guaranteeing the availability and portability of private health insurance coverage for certain groups and restricting the use of pre-existing condition restrictions. The committee intends to monitor the implementation of the Health Insurance Portability and Accountability Act, beginning with a hearing on the development of regulations by the Departments of Health and Human Services, Labor and Treasury.

HEALTH CARE QUALITY.—The committee will examine issues related to health care quality measures and consumer protection standards in order to determine if consumers, providers and purchasers have the information they need to make informed health care decisions.

HEALTH STATUS OF VULNERABLE POPULATIONS.—Over the next 2 years, the committee will examine the health status of our Nation's vulnerable populations, especially the very young, the very old, and the disabled, and their ability to access health care services. As an outcome of these hearings, the committee will develop strategies to improve the health status of these populations.

DAVIS-BACON ACT.—The committee intends to examine the Davis-Bacon Act to ensure that it remains true to its original purpose, to accurately reflect local wages and working conditions on federally assisted construction projects. The committee will seek to ensure that data collection yields an accurate picture of such conditions.

NATIONAL LABOR RELATIONS ACT.—The committee will seek to address issues relating to the operation of the act and the functioning of the National Labor Relations Board.

OCCUPATIONAL SAFETY AND HEALTH ACT.—The committee will continue its review of the effectiveness of the current approach to improving occupational safety and health, including an examination of whether better results might be achieved through greater emphasis on voluntary compliance efforts.

COMMITTEE PRINTING

The committee printed a total of 78 copies of hearings and committee prints during the 104th Congress. These encompassed 14,279 volumes, and consisted of 2,588,424 pages. The committee also bound 16 volumes of executive meetings of the 104th Congress and Legislative Calendars in hardback books for its permanent records. The committee also has on Micro Fiche the legislative hearings, bills, and public laws.

APPENDIX**I. REPORTS OF THE SUBCOMMITTEES, COMMITTEE ON LABOR AND HUMAN RESOURCES****EDUCATION, ARTS AND HUMANITIES****Subcommittee on Education, Arts and Humanities****James M. Jeffords, Chairman**

The Subcommittee on Education, Arts and Humanities has authorizing jurisdiction and oversight of Federal education programs. These include elementary and secondary education, vocational and adult education, student financial assistance and higher education programs. In addition, the subcommittee has responsibility for the National Endowment for the Arts, National Endowment for the Humanities, the Institute for Museum Services, and public libraries.

PRIVATIZATION OF SALLIE MAE AND CONNIE LEE

On June 20, 1995, the subcommittee held a hearing on the Student Loan Marketing Association (Sallie Mae) and the College Construction Loan Insurance Association (Connie Lee), to begin the privatization process.

The House first acted on the issue by including privatization legislation as part of H.R. 1617, the Consolidated and Reformed Education and Employment, and Rehabilitations System Act (CAREERS). The U.S. House of Representatives passed CAREERS on September 19, 1995. The Senate did not include comparable provisions in S. 143, the Workforce Development Act. The Senate passed its workforce consolidation legislation on October 11, 1995. The House and Senate subsequently met in conference on the two different bills to resolve items in disagreement. During conference negotiation, the conference committee agreed upon language authorizing the privatization of Sallie Mae and Connie Lee. The conference report was filed on July 25, 1996. No further action was taken on this legislation.

Final legislation privatizing Sallie Mae and Connie Lee was included in the final version of H.R. 3610, the Omnibus Consolidated Appropriations Act for fiscal year 1997. The privatization legislation was modified from the version that had been included in the conference report to accompany H.R. 1617. The House passed the conference report to accompany H.R. 3610 on September 28, 1996, and the Senate passed it on September 30, 1996. The President signed H.R. 3610 on September 30, 1996.

The final legislation provides that Sallie Mae shall either vote to reorganize as a private company or shall be dissolved. In either instance Sallie Mae, as a Government Sponsored Entity with implicit Federal financial backing, would cease to exist. Within 18 months following the date of enactment, Sallie Mae's Board of Directors must develop a plan for reorganization and present such plan to its shareholders for approval. Sallie Mae's proceeds from the privatization will be deposited into an account created by the District of Co-

lumbia Financial Control Board to be used for the purpose of financing public elementary and secondary school reform and facility repair and renovation within the District of Columbia.

In regard to the privatization of Connie Lee, the legislation repealed Part D of Title VII of the Higher Education Act. The repeal removed statutory limitation on the corporation's business activities and allows Connie Lee to operate as a private, for-profit company. The legislation requires the Secretary of Treasury to sell the Secretary of Education's stock in Connie Lee as soon as possible but no later than 6 months after the date of enactment. In the event the Secretary of Treasury is unable to sell the stock, Connie Lee must buy back the stock at a price that is acceptable to the corporation and that cannot exceed the value of the Secretary's stock as determined by the Congressional Budget Office. Proceeds from the sale of Connie Lee stock will be deposited into an account created by the District of Columbia Financial Control Board to be used for the sole purpose of financing public elementary and secondary school facility repair and renovation within the District of Columbia.

AUTHORIZATION OF THE MERGER OF THE LIBRARY SERVICES AND CONSTRUCTION ACT AND THE INSTITUTE FOR MUSEUM SERVICES

On March 10, 1995, the subcommittee held a hearing on the reauthorization of the Institute for Museum Services (IMS). The hearing was held at the Alexandria Black History Resource Center in Alexandria, VA. This hearing was part of a series of hearings held prior to the development of legislation reauthorizing the National Foundation for the Arts and Humanities Act of 1965. Senator Jeffords introduced S. 856, the Arts, Humanities and Museum Amendments of 1995 on May 25, 1995. S. 856 merged the IMS and the Federal library programs funded under the Library Services and Construction Act (LSCA) to form the Institute for Museum and Library Services (IMLS). A substitute to S. 856 was considered by the full committee on July 19, 1995, and passed by the full committee with amendments by a vote of 12-4. No further action was taken on S. 856 during the 104th Congress.

The museum and library provisions of S. 856 were included as an amendment to S. 143, the Workforce Development Act during Senate floor consideration. The House version of the workforce consolidation bill, H.R. 1617, included an authorization for LSCA.

The House and Senate subsequently met in conference on the two different bills to resolve items in disagreement. The conference report was filed on July 25, 1996. The conference agreed upon the Senate structure, with a merger of the Federal library and museum programs under one agency. No further action was taken on this legislation.

Finally, the library and museum provisions from the conference report to H.R. 1617 were incorporated into H.R. 3610, the Omnibus Consolidated Appropriations Act for fiscal year 1997, with minor modification. The House passed the conference report to accompany H.R. 3610 on September 28, 1996 and the Senate passed it on September 30, 1996. The President signed H.R. 3610 on September 30, 1996.

ANTICIPATED ACTIVITIES FOR THE 105th CONGRESS

In the reorganization of the Labor and Human Resources Committee at the outset of the 105th Congress, the functions of the Subcommittee on Education, Arts and the Humanities were transferred to the full committee.

CHILDREN AND FAMILIES

Subcommittee on Children and Families

Dan Coats, Chairman

The Subcommittee on Children and Families, chaired by Senator Dan Coats, has jurisdiction over a variety of Federal programs related to children and families. During the 104th Congress, the subcommittee focused its efforts on consolidating and reauthorizing the following legislative programs: the Child Abuse Prevention and Treatment Act, the Community-Based Family Resource and Support Grants, the Family Violence Prevention and Services Act, the Adoption Opportunities Act, Abandoned Infants Assistance Act, the Missing Children's Assistance Act, and Section 214 B of the Victims of Child Abuse Act.

During the course of the 104th Congress the subcommittee also conducted seven hearings on a variety of child and family related issues. Of particular interest to the subcommittee was how to support and better engage nongovernmental/charitable efforts to address the significant social problems affecting children and their families. As chairman of the subcommittee, Senator Coats introduced the Project for American Renewal to highlight and encourage the value shaping institutions of American society by shifting authority and resources beyond the government to families, community organizations, and private and religious charities.

LEGISLATION CONSIDERED BY THE SUBCOMMITTEE

The subcommittee considered the following legislation during the 104th Congress:

S. 919, the Child Abuse Prevention and Treatment Act Amendments of 1996 assists states in the assessment, investigation, and delivery of services relating to child abuse prevention and treatment and provides Federal leadership for various research activities including innovative demonstrations and technical assistance. The bill was introduced by Senator Coats on June 13, 1995, and was ordered reported with an amendment in the nature of a substitute by the Committee on Labor and Human Resources on July 20, 1995. (Rep. No. 104-117). On July 18, 1996, the bill was laid before the Senate by unanimous consent. An amendment proposed by Senator Coats was adopted by unanimous consent and the bill subsequently passed the Senate by unanimous consent. On September 27, 1996, the Senate agreed to the House amendment to S. 919 by unanimous consent and cleared the bill for White House approval. S. 919 was signed into law on October 3, 1996 (P.L. 104-235).

HEARINGS CONDUCTED BY THE SUBCOMMITTEE

Child Care and Development Block Grant: How Is It Working?—February 16, 1995. Examining the effectiveness of the Federal Child Care and Development Block Grant Program.

Child Protection: Balancing Divergent Interests—May 25, 1995. Examining programs authorized by the Child Abuse Prevention

and Treatment Act and its impact on State child protection reform measures.

Private Efforts to Reshape America—September 28, 1995. Examining the effectiveness of private organizations in providing social services.

Filling the Gap: Can Private Institutions Do It?—March 26, 1996. Examining the capacity of American Charitable Organizations to Fill the Gap in the Funding of Certain Social Programs.

Oversight of the Family and Medical Leave Act—May 9, 1996. Examining the implementation and effectiveness of the Family and Medical Leave Act.

Encouraging Responsible Fatherhood—May 23, 1996. Examining initiatives to encourage responsible fatherhood.

Youth Violence—July 18, 1996. Examining the role of the Federal Government and nongovernment organizations in establishing solutions for combating juvenile crime.

ANTICIPATED ACTIVITIES FOR THE 105TH CONGRESS

The subcommittee's top legislative priorities include reauthorization of Head Start, the Community Services Block Grant, the Low-Income Home Energy Assistance program and the Demonstration Partnerships for the Poor. The subcommittee intends to conduct several oversight hearings on these programs as we prepare for their 1998 reauthorization.

The subcommittee is also planning hearings which may include the following: An examination of programs serving at-risk youth and an analysis of their effectiveness; the importance of family stability for child well being; an evaluation of State-sponsored out of home placement services; effectively responding to teen sexual activity; the importance of parental involvement in education; and the impact of gambling on the family.

DISABILITY POLICY**Subcommittee on Disability Policy****Bill Frist, Chairman**

The Subcommittee on Disability Policy, chaired by Senator Bill Frist, has jurisdiction over a variety of Federal programs related to disability policy, including the Americans with Disabilities Act, the Individuals with Disabilities Education Act, the Rehabilitation Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Protection and Advocacy for Mentally Ill Individuals Act, the Technology-Related Assistance for Individuals with Disabilities Act, the Education of the Deaf Act, the Javits-Wagner O-Day Act, and the Randolph-Shepherd Act.

LEGISLATION CONSIDERED BY THE SUBCOMMITTEE

S. 1578, the Individuals with Disabilities Education Act Amendments of 1996, was introduced by Senator Frist on February 27, 1996. The bill amended the act, which requires that children with disabilities receive a free appropriate public education (part B, State grant programs for preschool and school-age children with disabilities) and authorizes special purpose programs (parts C through H of the act) for personnel training, research, parent information and training, technical assistance, information dissemination, and demonstration; and a State grant program for infants and toddlers with disabilities. The authorizations for special purpose programs expired September 30, 1994. Part B is permanently authorized; it has no expiration date. S. 1578 preserved the right of children with disabilities to a free appropriate public education, while, for the first time, giving school districts new forms of administrative, procedural, and fiscal flexibility with regard to delivering educational opportunities to such children. It also streamlined the special purpose programs to make them more clearly complement and support the State grant programs.

The subcommittee held four hearings related to the Individuals with Disabilities Education Act (IDEA) on May 9, 11, and 16, 1995, including a special hearing related exclusively to the issue of disciplining of children with disabilities on July 11, 1995.

The Committee on Labor and Human Resources reported out S. 1578, on a vote of 16 yeas, 0 nays, on March 21, 1996. The committee report for S. 1578 (104-275) was filed on May 20, 1996. The House of Representatives passed its companion bill (H.R. 3268) on June 11, 1996. No action on the legislation was taken by the full Senate.

S. 1757, the Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996, was introduced by Senator Frist on May 14, 1996. The act promotes independence, productivity, integration and inclusion in community life for individuals with developmental disabilities. It supports State developmental disability councils to develop comprehensive systems of services for service for individuals with disabilities and their families. It funds programs to provide legal and advocacy services, training, technical assistance, and direct services including school-to-work transition

assistance. S. 1757 was a simple 3-year extension of the act with no substantive amendments. It was passed by the Senate, under the unanimous consent calendar on July 12, 1996, and passed by the House of Representatives under the suspension of the rules on July 22, 1996. The legislation was signed into law on August 6, 1996 (Public Law 104-183).

OTHER SUBCOMMITTEE INVOLVEMENTS

Senator Frist, the chair of the subcommittee, drafted the provisions in S. 143, the Workforce Development Act of 1995, pertaining to the Rehabilitation Act and other provisions which also affected training and employment-related assistance for individuals with disabilities. These provisions ensured that individuals with disabilities, either through State vocational rehabilitation agencies or State one-stop job training and assistance centers, would have access to the same training and employment-related assistance as other citizens in a State. These provisions were retained in the bill reported out by the Committee on Labor and Human Resources on June 21, 1995, and in the measure passed by the Senate on October 11, 1995. Consolidation of Federal job training programs, the primary purpose of S. 143 and the companion bill of the House of Representatives, H.R. 1617, was not enacted in the 104th Congress. A more detailed description of S. 143 is contained elsewhere in this report.

On July 26, 1995, Senator Frist held a forum on the Americans with Disabilities Act (ADA) in honor of the fifth anniversary of the legislation. The focus of the forum was to capture the impact of the ADA through the personal stories of individuals with disabilities and statistics provided by Executive Branch entities—the National Council on Disability, the Equal Employment Opportunity Commission, the Department of Justice, and the Office of Civil Rights in the U.S. Department of Education.

ANTICIPATED ACTIVITIES FOR THE 105TH CONGRESS

In the reorganization of the Labor and Human Resources Committee at the outset of the 105th Congress, the functions of the Subcommittee on Disability Policy were, for the most part, transferred to the full committee. Responsibility for the Vocational Rehabilitation Act will be assumed by the Employment and Training Subcommittee.

AGING**Subcommittee on Aging****Judd Gregg, Chairman**

The Subcommittee on Aging, chaired by Senator Gregg, has legislative jurisdiction over the Older Americans Act of 1965. During the 104th Congress the subcommittee focused largely on the reauthorization of the Older Americans Act and issues relating to the health and quality of life of our senior population. Among the quality of life issues covered by the Subcommittee were investigations of the aging population's preparation for their retirement. The subcommittee also put significant emphasis on the barriers that stand in the way of public-private partnership in meeting the needs of our seniors, looking for a way to allow the aging Americans to direct their own futures. The subcommittee also focused on improving seniors' access to advanced medical technologies.

HEARINGS AND BRIEFINGS

The subcommittee held 6 hearings in Washington, DC, during the 104th Congress to examine a broad range of issues. The six hearings included: "Reauthorization of the Senior Nutrition Programs Under Title III of the Older Americans Act" (March 21, 1995); "Maximizing Resources in the Face of Growing Demands" (June 29, 1995); "FDA Reform and Enhancement Act: Do Aging Americans Have Access to the Most Advanced Medical Technologies" (July 13, 1995); "Confronting Challenges Presented by and Aging Population" (May 14, 1996); "Is Working America Adequately Preparing for Retirement" (June 13, 1996); and "Proposals for Reform: Ensuring Our Worker's Retirement Security" (July 16, 1996).

OLDER AMERICANS ACT

As part of the subcommittee's principle legislative responsibility, the Chairman responded to the task of reauthorizing the Older Americans Act by restructuring the act to make it more efficient. The Chairman's proposal included reducing the act from its original 7 titles to 4 titles with particular emphasis on improving nutritional and supportive services supported by the act, reforming the Senior Community Service Employment Program, rationalizing the Federal funding formula and supporting research and demonstration grants.

After learning the strengths and weaknesses of the current program from the people who work hard each day to deliver senior services at the State and local level through various hearings, Senator Gregg introduced the Older Americans Act Reauthorization, S. 1643, to the Committee on Labor and Human Resources on March 26, 1996. On April 24, 1996, the committee held a mark up session and on May 8, 1996, the bill was ordered to be favorably reported with an amendment in the nature of a substitute. On July 31, 1996, the Older Americans Act Reauthorization was reported to the Senate, S. Rept. 104-344 and was placed on the legislative calendar under general orders (Calendar No. 553).

QUALITY OF LIFE ISSUES

The quality of life and issues covered by the subcommittee for the 104th Congress focused on the situation our aging population will confront in the coming years. Chairman Gregg spent a considerable amount of time during the 104th Congress listening to testimony from several different perspectives about the status of the nation's public and private retirement support system. The subcommittee's hearing focused both on the implications of coming demographic shifts and on potential solutions to the impending retirement challenge.

FDA EXPORT ISSUES

During the 104th Congress the Chairman held a hearing on the legislation introduced by Senators Hatch and Gregg, the FDA Export Reform and Enhancement Act of 1995, S. 593. The goal of this legislation was to markedly improve the ability of dynamic industries to export their newest and best technologies to accessible marketplaces abroad. This new-found ability would directly assist in attaining American jobs and investment dollars and will subsequently help U.S. companies to meet the needs of American patients, especially the needs of our senior population.

S. 593 was introduced in the Senate on March 22, 1995, and was referred to the Committee on Labor and Human Resources. The Subcommittee on Aging held hearings on July 13, 1995, and produced the hearing report S. Hrg. 104-142. The legislation was then referred back to the full committee where it was marked-up on August 2, 1995, and was ordered to be reported with an amendment in the nature of a substitute. These provisions were passed as part of P.L. 104-134. Technical corrections were made to the law as part of P.L. 104-180.

ANTICIPATED ACTIVITIES FOR THE 105TH CONGRESS

During the 105th Congress the Subcommittee on Aging plans to finalize its work on the Reauthorization of the Older Americans Act.

The subcommittee would also like to continue its focus on the quality of life of our seniors by studying issues surrounding how the Nation can best assure comfortable lifestyles for future retirees in light of the inevitable aging of the baby boom generation.

The subcommittee would further like to put emphasis on the health issues affecting our older Americans across geographical and gender lines. In an effort to learn more about the effectiveness of our current approach to such challenges, the Chairman has requested a study on the Federal funding of Alzheimer's Disease research by the General Accounting Office.

**II. REPORTS OF THE COMMITTEE ON LABOR AND HUMAN
RESOURCES**

***Report of Committee on Conference**

104-22

Report on Legislative Activities of the Committee on Labor and
Human Resources During the One Hundred Third Congress 1993-
94

Reported: Mar. 30, 1995. (Committee).

Related reports:

Remarks: Pursuant to the Legislative Reorganization Act.

104-25

S. 641

Ryan White CARE Reauthorization Act of 1995

Reported: Apr. 3, 1995.

Related reports: H. Rept. 104-245 (H.R. 1872), and H. Rept. 104-
545*.

Remarks: Public Law 104-146.

104-79

S. 184

Office For Rare Disease Research Act of 1995

Reported: May 4, 1995.

Related reports: S. Rept. 104-364.

Remarks: Provisions were incorporated in S. 1897—NIH reauthoriza-
tion bill.

104-80

S. 141

Repeal of the Davis-Bacon Act.

Reported: May 12, 1995.

Related reports:

Remarks:

104-83

S. 454

Health Care Liability Reform and Quality Assurance Act of 1995

Reported: May 16, 1995.

Related reports:

Remarks:

104-93 **S. 555**

Health Professions Consolidation and Reauthorization Act of 1995

Reported: June 6, 1995.

Related reports:

Remarks: Passed by Senate.

104-94 **S. 850**

Child Care and Development Block Grant Amendments of 1995

Reported: June 8, 1995.

Related reports: H. Rept. 104-651; and H. Rept. 104-725*.

Remarks: Public Law 104-193 (H.R. 3734) (Welfare Reform).

104-117 **S. 919**

Child Abuse Prevention and Treatment Act Amendments of 1995

Reported: July 19, 1995.

Related reports:

Remarks: Public Law 104-235.

104-118 **S. 143**

Job Training Consolidation Act of 1995

Reported: July 24, 1995.

Related reports: H. Rept. 104-152 and H. Rept. 104-707*.

Remarks:

104-135 **S. 856**

Arts, Humanities, and Museums Amendments of 1995

Reported: Aug. 30, 1995.

Related reports: H. Rept. 104-170 (H.R. 1557).

Remarks: Placed on House Calendar.

104-156 **S. 1028**

Health Insurance Reform Act of 1995

Reported: Oct. 12, 1995.

Related reports: H. Rept. 104-496, Part 1, and H. Rept. 104-736*.

Remarks: Public Law 104-191 (H.R. 3103).

104-161 **S. 673**

Youth Development Community Block Grant Act of 1995

Reported: Oct. 19, 1995.

Related reports:

Remarks:

104-186 **S. 1044**

Health Centers Consolidation Act of 1995

Reported: Dec. 15, 1995.

Related reports:

Remarks: Public Law 104-299.

104-193 **S. 1180**

SAMHSA Reauthorization, Flexibility, Enhancement, and Consolidation Act of 1995

Reported: Dec. 19, 1995.

Related reports:

Remarks:

104-256 **S. 1324**

Organ and Bone Marrow Transplant Program Reauthorization Act of 1995

Reported: Apr. 22, 1996.

Related reports:

Remarks: Referred to House Committee on Commerce.

104-259 **S. 295**

Teamwork for Employees and Management Act of 1995

Reported: May 1, 1996.

Related reports: H. Rept. 104-248.

Remarks: Vetoed July 30, 1996 (H.R. 743).

104-275 **S. 1578**

Individuals with Disabilities Education Act Amendments of 1996

Reported: May 20, 1996.

Related reports: H. Rept. 104-614 (H.R. 3268).

Remarks:

104-284**S. 1477**

Food and Drug Administration Performance Accountability Act of 1995

Reported: June 20, 1996.
 Related reports: Errata filed.
 Remarks:

104-308**S. 1423**

Occupational Safety and Health Reform and Reinvention Act

Reported: June 28, 1996.
 Related reports:
 Remarks:

104-326**S. 969**

Newborns' and Mothers' Health Protection Act of 1996

Reported: July 19, 1996.
 Related reports: H. Rept. 104-812*.
 Remarks: Public Law 104-204 (H.R. 3666).

104-707***H.R. 1617**

Workforce and Career Development Act.

Reported: July 25, 1996.
 Related reports: S. Rept. 104-118 (S. 143); H. Rept. 104-152.
 Remarks:

104-344**S. 1643**

Older Americans Act Amendments of 1996

Reported: July 31, 1996.
 Related reports: H. Rept. 104-539 (H.R. 2570).
 Remarks:

104-345**S. Con. Res. 52**

National Silver Haired Congress Legislation

Reported: July 31, 1996.
 Related reports:
 Remarks:

104-736*

H.R. 3103

Health Insurance Reform Act of 1995

(Health Insurance Portability and Accountability Act of 1996.)

Reported: July 31, 1996.

Related reports: S. Rept. 104-156 (S. 1028); H. Rept. 104-496, Pt. 1.

Remarks: Public Law 104-191.

104-737*

H.R. 3448

Small Business Job Protection Act of 1996

Reported: Aug. 1, 1996.

Related reports: S. Rept. 104-281; H. Rept. 104-586.

Remarks: Public Law 104-188.

104-364

S. 1897

National Institutes of Health Reauthorization Act of 1996

Reported: Sept. 9, 1996.

Remarks: Referred to House Committee on Commerce.

104-392

S. 1221

Legal Services Reform Act of 1996

Reported: Sept. 30, 1996.

Remarks:

**III. BILLS AND RESOLUTIONS REPORTED BY THE SENATE
COMMITTEE ON LABOR AND HUMAN RESOURCES AND EN-
ACTED INTO PUBLIC LAW**

H.R. 1225

Court Reporters Fair Labor Amendments of 1995.

Sept. 6, 1995. PUBLIC LAW 104-26.

H.R. 1715

Migrant and Seasonal Agricultural Worker Protection Act Amendment
Act of 1995.

Nov. 16, 1995. PUBLIC LAW 104-49.

H.R. 1747

Federally Supported Health Centers Assistance Act of 1995.

Dec. 26, 1995. PUBLIC LAW 104-73.

H.R. 1787

Federal Food, Drug, and Cosmetic Act Amendment Act.

Apr. 1, 1996. PUBLIC LAW 104-124.

H.R. 3019

Continuing Resolution, fiscal year 1996 (includes modified version
of FDA Export Reform and Enhancement Act of 1995).

Apr. 26, 1996. PUBLIC LAW 104-134.

H.R. 3055

To amend section 326 of the Higher Education Act of 1965 to permit
continued participation by Historically Black Graduate Professional
Schools in the grant program authorized by that section.

May 6, 1996. PUBLIC LAW 104-141.

S. 641

Ryan White CARE Act Amendments of 1996

May 20, 1996. PUBLIC LAW 104-146.

H.R. 248

Traumatic Brain Injury Act.

July 29, 1996. PUBLIC LAW 104-166.

H.R. 1114

Compactors and Balers Safety Standards Modernization Act.

Aug. 6, 1996. PUBLIC LAW 104-174.

S. 1757

Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996.

Aug. 6, 1996. PUBLIC LAW 104-183.

H.R. 3448

Small Business Job Protection Act of 1996

Aug. 20, 1996. PUBLIC LAW 104-188.

H.R. 3103

Health Insurance Portability and Accountability Act of 1996.

Aug. 21, 1996. PUBLIC LAW 104-191.

H.R. 3734

Welfare and Medicaid Reform Act of 1996 (Budget Reconciliation)
(Includes S. 850.)

Aug. 22, 1996. **PUBLIC LAW 104-193.**

H.R. 3269

Impact Aid Technical Amendments

Sept. 16, 1996. **PUBLIC LAW 104-195.**

H.R. 3666

Department of Veterans Affairs and Housing and Urban Development,
and Independent Agencies Appropriations Act, 1997 Newborns'
and Mothers' Health Protection Act of 1996 Mental Health Parity
Act of 1996

Sept. 26, 1996. **PUBLIC LAW 104-204.**

H.R. 3610

Omnibus Consolidated Appropriations, fiscal year 1997 (includes
SLMA, Connie Lee privatization; IMLS; ADEA Amnds. Act).

Sept. 30, 1996. **PUBLIC LAW 104-208.**

H.R. 2428

Bill Emerson Good Samaritan Food Donation Act

Oct. 1, 1996. **PUBLIC LAW 104-210.**

S. 919

Child Abuse Prevention and Treatment Act Amendments of 1995

Oct. 10, 1996. **PUBLIC LAW 104-235.**

H.R. 2508

Animal Drug Availability Act

Oct. 9, 1996. **PUBLIC LAW 104-250.**

H.R. 2594

Railroad Unemployment Insurance Amendments Act of 1996

Oct. 9, 1996. PUBLIC LAW 104-251.

S. 1044

Health Centers Consolidation Act of 1995

Oct. 11, 1996. PUBLIC LAW 104-299.

H.R. 4036

Human Rights Restoration Act. (Incorporates provisions of George Bush School of Government and Public Service Act and authorizes programs honoring Claiborne Pell, Edmund Muskie, and Calvin Coolidge.)

Oct. 19, 1996. PUBLIC LAW 104-319.

IV. HEARINGS BY FULL COMMITTEE AND SUBCOMMITTEES

HEARINGS BY THE FULL COMMITTEE

**FEDERAL JOB TRAINING PROGRAMS: THE NEED
FOR OVERHAUL**

Examining the effectiveness of the Federal employment training programs.

Dates: Jan. 10, 11, and 12, 1995.

Number of volumes: One (S. Hrg. 104-4).

JOB CORPS OVERSIGHT

Examining performance, accountability, and the incidence of violence at Job Corps sites.

Dates: Jan. 18 and 19, 1995.

Number of volumes: One (S. Hrg. 104-12).

NATIONAL ENDOWMENT FOR THE ARTS

Examining the activities of the National Endowment for the Arts.

Date: Jan. 26, 1995.

Number of volumes: One (S. Hrg. 104-13).

**TEAMWORK FOR EMPLOYEES AND MANAGEMENT
ACT OF 1995**

S. 295. Mrs. Kassebaum (for herself and others).

Permitting labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

Date: Feb. 9, 1995.

Number of volumes: One (S. Hrg. 104-20).

REPEAL OF THE DAVIS-BACON ACT

S. 141. Mrs. Kassebaum (for herself and others).

To repeal the Davis-Bacon Act of 1931 to provide new job opportunities, effect significant cost savings on Federal construction contracts, promote small business participation in Federal contracting; reduce unnecessary paperwork and reporting requirements, and for other purposes.

Date: Feb. 15, 1995.

Number of volumes: One (S. Hrg. 104-18).

RYAN WHITE CARE ACT REAUTHORIZATION

S. 641. Mrs. Kassebaum (for herself and others).

To reauthorize the Ryan White CARE Act of 1990, and for other purposes.

Date: Feb. 22, 1995.

Number of volumes: One (S. Hrg. 104-19).

IMPACT OF WELFARE REFORM ON CHILDREN AND THEIR FAMILIES

Examining proposals to reform the welfare system, focusing on programs for children and their families.

Dates: Feb. 28 and Mar. 1, 1995.

Number of volumes: One (S. Hrg. 104-25).

CONSOLIDATION AND REAUTHORIZATION OF HEALTH PROFESSIONS PROGRAMS

Examining proposed legislation authorizing funds for the health professions programs of the Public Health Service Act, focusing on the current status of the health professions and the Federal role in this area.

Date: Mar. 8, 1995.

Number of volumes: One (S. Hrg. 104-27).

**EFFECTIVE HEALTH CARE REFORM IN A
CHANGING MARKETPLACE**

Examining health care reform in a changing marketplace.

Dates: Mar. 14 and 15, 1995.

Number of volumes: One (S. Hrg. 104-73).

**HEALTH CARE LIABILITY REFORM AND QUALITY
ASSURANCE ACT OF 1995**

S. 454. Mr. McConnell (for himself and others).

To reform the health care liability system and improve health care quality through the establishment of quality assurance programs.

Date: Mar. 28, 1995.

Number of volumes: One (S. Hrg. 104-44).

**THE FDA AND THE FUTURE OF AMERICAN
BIOMEDICAL AND FOOD INDUSTRIES**

Examining activities of the Food and Drug Administration, focusing on the challenges and opportunities facing the pharmaceutical, biotech, medical device, and food industries, and FDA's regulation of these industries.

Dates: Apr. 6 and 7, 1995.

Number of volumes: One (S. Hrg. 104-45).

**PRIMARY HEALTH CARE PROGRAMS: ENSURING
ACCESS TO CARE IN A CHANGING HEALTH
CARE DELIVERY SYSTEM**

Examining proposed legislation to authorize funds for the Public Health Service's Community and Migrant Health Center programs, the Health Care for the Homeless Program, and the Health Services for Residents of Public Housing Programs. In addition, it focused on the extent to which the Community and Migrant Health Center Programs are effective in meeting the unique challenges of ensuring access to community-based care in sparsely populated areas.

Date: May 4, 1995.

Number of volumes: One (S. Hrg. 104-55).

**OVERSIGHT OF THE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Examining the role of the Equal Employment Opportunity Commission and efforts to address in a meaningful way, the extraordinary backlog that exists.

Date: May 23, 1995.

Number of volumes: One (S. Hrg. 104-67).

OHIO JOB TRAINING

Fundamental re-examination of our programs that train America's workers.

Date: June 2, 1995 (Columbus, OH).

Number of volumes: One (S. Hrg. 104-91).

**YOUTH DEVELOPMENT COMMUNITY BLOCK
GRANT ACT OF 1995**

S. 673. Mrs. Kassebaum (for herself and others):

To establish a youth development grant program, and for other purposes.

Date: June 8, 1995.

Number of volumes: One (S. Hrg. 104-94).

**AFFIRMATIVE ACTION AND THE OFFICE OF
FEDERAL CONTRACT COMPLIANCE**

Examining affirmative action in employment, focusing on Executive Order 11246, which prohibits employers with Federal contracts from discriminating against job applicants or employees on the basis of race, sex, national origin or religion, and requires Federal contractors to take affirmative action to ensure equal opportunity.

Date: June 15, 1995.

Number of volumes: One (S. Hrg. 104-114).

OSHA REFORM

S. 526. Mr. Gregg (for himself and others).

S. 592. Mrs. Hutchison.

Oversight hearings on activities of the Occupational Safety and Health Administration. (OSHA), focusing on proposals to reform OSHA regulations to improve workplace safety, including related measures S. 526 and S. 592.

Dates: June 21 and 22, 1995.

Number of volumes: One (S. Hrg. 104-116).

**THE FUTURE OF THE LEGAL SERVICES
CORPORATION**

Examining issues relating to the Legal Services Corporation.

Date: June 23, 1995.

Number of volumes: One (S. Hrg. 104-106).

HEALTH INSURANCE REFORM ACT OF 1995

S. 1028. Mrs. Kassebaum (for herself and others).

To provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, and to increase the purchasing power of individuals and small employers, and for other purposes.

Date: July 18, 1995.

Number of volumes: One (S. Hrg. 104-138).

REAUTHORIZATION OF THE NATIONAL ORGAN TRANSPLANT ACT

Examining the authorization of funds for programs of the National Organ Transplant Act, and to examine the Federal Government's role in the oversight and funding of solid organ and unrelated donor marrow transplantation.

Date: July 20, 1995.

Number of volumes: One (S. Hrg. 104-169).

EMPLOYER GROUP PURCHASING REFORM ACT OF 1995

S. 1062. Mr. Jeffords (for himself and others).

To amend the Employee Retirement Income Security Act of 1974 to increase the purchasing power of individuals and employers, to protect employees whose health benefits are provided through multiple employer welfare arrangements, to provide increased security of health care benefits, and for other purposes.

Date: July 25, 1995.

Number of volumes: One (S. Hrg. 104-146).

**REAUTHORIZATION OF THE SUBSTANCE ABUSE
AND MENTAL HEALTH SERVICES ADMINISTRATION**

Examining proposed legislation authorizing funds for the Substance Abuse and Mental Health Services Administration.

Date: July 27, 1995.

Number of volumes: One (S. Hrg. 104-192).

HEALTH INSURANCE AND DOMESTIC VIOLENCE

Examining proposals to prohibit insurers from denying health insurance coverage, benefits, or varying premiums based on the status of an individual as a victim of domestic violence, including related provisions of S. 524, S. 1028, and H.R. 1201.

Date: July 28, 1995.

Number of volumes: One (S. Hrg. 104-199).

SCHOOL BUS SAFETY ISSUES

Examining a major issue affecting the safety of our schoolchildren in this country.

Date: Aug. 31, 1995, Columbus, OH.

Number of volumes: One (S. Hrg. 104-201).

**NEWBORNS' AND MOTHERS' HEALTH
PROTECTION ACT OF 1995**

S. 969. Mr. Bradley (for himself and others).

To require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child.

Date: Sept. 12, 1995.

Number of volumes: One (S. Hrg. 104-237).

**EMERGING INFECTIONS: A SIGNIFICANT THREAT
TO THE NATION'S HEALTH**

Examining the threat and risk of certain old and new infectious diseases on the Nation's health.

Date: Oct. 18, 1995.

Number of volumes: One. (S. Hrg. 104-298).

**MEDICAL RECORDS CONFIDENTIALITY ACT OF
1995**

S. 1360. Mr. Bennett (for himself and others).

To ensure personal privacy with respect to medical records and health care-related information, and for other purposes.

Date: Nov. 14, 1995.

Number of volumes: One (S. Hrg. 104-320).

**OCCUPATIONAL SAFETY AND HEALTH REFORM
AND REINVENTION ACT**

S. 1423. Mr. Gregg (for himself and others).

To amend the Occupational Safety and Health Act of 1970 to make modifications to certain provisions, and for other purposes.

Date: Nov. 29, 1995.

Number of volumes: One (S. Hrg. 104-353).

SMALL BUSINESS AND OSHA REFORM

**FAIR LABOR STANDARDS ACT: THE MINIMUM
WAGE**

Examining proposed legislation to increase the Federal minimum wage.

Date: Dec. 15, 1995.

Number of volumes: One (S. Hrg. 104-315).

**TEAM ACT: LEGAL PROBLEMS WITH EMPLOYEE
INVOLVEMENT PROGRAMS**

S. 295. Mrs. Kassebaum (for herself and others).

To permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

Date: Feb. 8, 1996.

Number of volumes: One (S. Hrg. 104-386).

**REVITALIZING NEW PRODUCT DEVELOPMENT-
FROM CLINICAL TRIALS THROUGH FDA REVIEW**

S. 1477. Mrs. Kassebaum.

To amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products.

Date: Feb. 21, 1996.

Number of volumes: One (S. Hrg. 104-444).

**MORE INFORMATION FOR BETTER PATIENT
CARE.**

S. 1477. Mrs. Kassebaum.

To amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products. The hearing focused on the issue of the dissemination by manufacturers of information about new uses for approved products.

Date: Feb. 22, 1996.

Number of volumes: One (S. Hrg. 104-445).

**OVERSIGHT OF THE FAIR LABOR STANDARDS
ACT**

Oversight hearing on the purpose, history, and regulatory requirements of the Fair Labor Standards Act as applied in the public and private sectors.

Date: Feb. 27, 1996.

Number of volumes: One (S. Hrg. 104-397).

**REAUTHORIZATION OF THE NATIONAL
INSTITUTES OF HEALTH**

Oversight hearings on the National Institutes of Health in preparation for the agency's reauthorization this year.

Dates: Mar. 6 and 7, 1996.

Number of volumes: One (S. Hrg. 104-465).

**AGE DISCRIMINATION IN EMPLOYMENT
AMENDMENTS OF 1995**

S. 553. Ms. Moseley-Braun (for herself and others).

To amend the Age Discrimination in Employment Act of 1967 to reinstate an exemption for certain bona fide hiring and retirement plans applicable to State and local firefighters and law enforcement officers, and for other purposes.

Date: Mar. 8, 1996.

Number of volumes: One (S. Hrg. 104-404).

NATIONAL RIGHT TO WORK ACT OF 1995

S. 581. Mr. Faircloth (for himself and others).

To amend the National Labor Relations Act and the Railway Labor Act to repeal those provisions of Federal law that require employees to pay union dues or fees as a condition of employment, and for other purposes.

Date: Mar. 15, 1996.

Number of volumes: One (S. Hrg. 104-454).

SCHOOL BUS SAFETY ISSUES

Examining defective handrails which have been found on school buses across the country, the need for a school bus specific commercial driver's license, and the use of public transportation by students.

Date: April 2, 1996.

Number of volumes: One (S. Hrg. 104-429).

**SAVING LIVES: THE NEED TO INCREASE ORGAN
AND TISSUE DONATION**

Examining the increased need for organ and tissue donations.

Date: April 23, 1996.

Number of volumes: One (S. Hrg. 104-482).

**AFFIRMATIVE ACTION, PREFERENCES, AND THE
EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1995**

S. 1085. Mr. Dole (for himself and others).

To prohibit discrimination and preferential treatment on the basis of race, color, national origin, or sex with respect to Federal employment, contracts, and programs, and for other purposes.

Date: April 30, 1996.

Number of volumes: One (S. Hrg. 104-470).

NIH REAUTHORIZATION ACT OF 1996

Examining support for biological research in the era of health care reform and budget restraint.

Date: May 7, 1996.

Number of volumes: One (S. Hrg. 104-484).

**OVERSIGHT OF THE "HEALTHY START"
DEMONSTRATION PROJECT**

The implementation of the Healthy Start Demonstration Project of the Department of Health and Human Services, created to reduce infant mortality, and its proposed authorization for fiscal year 1997.

Date: May 16, 1996.

Number of volumes: One (S. Hrg. 104-466).

**OVERSIGHT OF THE CORPORATION FOR
NATIONAL AND COMMUNITY SERVICE**

Oversight hearings of activities of the Corporation of National and Community Service. Witnesses provided Federal and State perspectives on how the program was operating; the results of recently completed audits and evaluations were discussed; and different viewpoints were presented on the basic concept of volunteerism versus paid service.

Date: May 21, 1996.

Number of volumes: One (S. Hrg. 104-494).

ADVANCES IN GENETICS RESEARCH AND TECHNOLOGIES: CHALLENGES FOR PUBLIC POLICY

Examining recent developments in genetics research, public policy issues with regard to access to and use of genetic information, and the impact of genetic technologies on certain sectors of industry, health care delivery systems, and the public.

Date: July 25, 1996.

Number of volumes: One (S. Hrg. 104-556).

ACCESS TO MEDICAL TREATMENT ACT

S. 1035. Mr. Daschle (for himself and others).

To permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes.

Date: July 30, 1996.

Number of volumes: One (S. Hrg. 104-558).

OVERSIGHT OF THE NATIONAL LABOR RELATIONS BOARD

Examination of the activities and progress of the National Labor Relations Board.

Date: Sept. 17, 1996.

Number of volumes: One (S. Hrg. 104-655).

IMPROVING THE WELL-BEING OF ABUSED AND NEGLECTED CHILDREN

Exploring how the well-being of abused and neglected children can be improved through clarifying the reasonable efforts requirement of the Adoption Assistance and Child Welfare Act to make the child's health and safety the primary concern.

Date: Nov. 20, 1996.

Number of volumes: One (S. Hrg. 104-692).

**HEARINGS BY THE SUBCOMMITTEE ON EDUCATION, ARTS
AND HUMANITIES**

**EDUCATION'S IMPACT ON ECONOMIC
COMPETITIVENESS**

Examining education's impact on economic competitiveness.

Date: Feb. 2, 1995.

Number of volumes: One (S. Hrg. 104-23).

**REAUTHORIZATION OF THE NATIONAL FOUNDATION
ON THE ARTS AND HUMANITIES ACT OF
1965**

Examining proposed legislation authorizing funds for programs of the National Foundation on the Arts and Humanities Act of 1965, focusing on the National Endowment for the Arts, National Endowment for the Humanities, and Institute of Museum Services.

Dates: Feb. 23, Mar. 2, (Washington, DC); and March 10, 1995 (Alexandria, Va.).

Number of volumes: One (S. Hrg. 104-32).

**OVERSIGHT OF THE DIRECT STUDENT LOAN
PROGRAM**

Examination of the implementation and administration of the Federal Direct Student Loan Program, focusing on the loan disbursement process, including collection and servicing issues.

Date: Mar. 30, 1995.

Number of volumes: One (S. Hrg. 104-28).

OVERVIEW OF VOCATIONAL EDUCATION

Proposed legislation authorizing funds for programs of the Carl D. Perkins Vocational and Applied Technology Act of 1990, focusing on the Federal and State role in the vocational education process.

Dates: Apr. 27 and May 25, 1995.

Number of volumes: One (S. Hrg. 104-95).

**ADULT EDUCATION AND FAMILY LITERACY
REFORM ACT**

S. 797. Mr. Kennedy.

Authorizing funds for fiscal years 1996 through 2005 to improve and reform literacy services for adults and families.

Date: May 19, 1995.

Number of volumes: One (S. Hrg. 104-79).

**PRIVATIZATION OF SALLIE MAE AND CONNIE
LEE**

Examining proposed legislation to allow for an orderly transition of the Student Loan Marketing Association (Sallie Mae) to private status while protecting the interests of the Federal Government, borrowers and other participants in the student loan program, the holders of Sallie Mae's debt, Sallie Mae's shareholders and the American taxpayer, and a proposal to privatize the College Construction Loan Insurance Association (Connie Lee).

Date: June 20, 1995.

Number of volumes: One (S. Hrg. 104-85).

**EVALUATION OF TITLE I, EDUCATION FOR THE
DISADVANTAGED PROGRAMS**

Examining the Title I assessment and evaluation system.

Date: Feb. 20, 1996.

Number of volumes: One (S. Hrg. 104-379).

**HEARINGS BY THE SUBCOMMITTEE ON CHILDREN AND
FAMILIES**

**CHILD CARE AND DEVELOPMENT BLOCK GRANT:
HOW IS IT WORKING?**

Examining the effectiveness of the Federal child care development block grant program.

Date: Feb. 16, 1995.

Number of volumes: One (S. Hrg. 104-17).

**CHILD PROTECTION: BALANCING DIVERGENT
INTERESTS**

Authorizing funds for programs of the Child Abuse Prevention and Treatment Act, focusing on child protection reform measures.

Date: May 25, 1995.

Number of volumes: One (S. Hrg. 104-77).

PRIVATE EFFORTS TO RESHAPE AMERICA

Examining the effectiveness of private organizations in providing social services.

Date: Sept. 28, 1995.

Number of volumes: One (S. Hrg. 104-231).

**FILLING THE GAP: CAN PRIVATE INSTITUTIONS
DO IT?**

Examining the capacity of American charitable organizations to fill the gap in the funding of certain social programs.

Mar. 26, 1996.

Number of volumes: One (S. Hrg. 104-472).

**OVERSIGHT OF THE FAMILY AND MEDICAL
LEAVE ACT**

The implementation of the Family and Medical Leave Act.

May 9, 1996.

Number of volumes: One (S. Hrg. 104-503).

ENCOURAGING RESPONSIBLE FATHERHOOD

Examining initiatives to encourage responsible fatherhood.

May 23, 1996.

Number of volumes: One (S. Hrg. 104-474).

YOUTH VIOLENCE

Examining the role of the Federal Government and nongovernment organizations in establishing solutions for combatting juvenile crime.

July 18, 1996.

Number of volumes: One (S. Hrg. 104-536).

HEARINGS BY THE SUBCOMMITTEE ON DISABILITY POLICY

**20TH ANNIVERSARY OF THE INDIVIDUALS WITH
DISABILITIES EDUCATION ACT (PART B)**

(Joint with House Committee on Economic and Education Opportunity Committee's Subcommittee on Early Childhood, Youth and Families)

The 20th Anniversary of the Individuals With Disabilities Education Act, focusing on its implementation and recommendations for improvement.

Date: May 9, 1995.

Number of volumes: One (S. Hrg. 104-58).

REAUTHORIZATION HEARINGS OF THE IDEA

Examining proposed legislation relating to the education of individuals with disabilities.

Dates: May 11 and 16, 1995.

Number of volumes: One (S. Hrg. 104-88).

REAUTHORIZATION OF THE IDEA: DISCIPLINE ISSUES

Examining the effect of Federal policy on the ability of school systems to discipline students with disabilities.

Date: July 11, 1995.

Number of volumes: One (S. Hrg. 104-129).

HEARINGS BY THE SUBCOMMITTEE ON AGING

REAUTHORIZATION OF SENIOR NUTRITION PROGRAMS UNDER TITLE III OF THE OLDER AMERICANS ACT

Examining proposed legislation authorizing funds for the Older Americans Act, focusing on senior nutrition programs under Title III.

Date: Mar. 21, 1995.

Number of volumes: One (S. Hrg. 104-36).

REAUTHORIZATION OF THE OLDER AMERICANS ACT: MAXIMIZING RESOURCES IN THE FACE OF GROWING DEMANDS

Examining proposed legislation authorizing funds for programs of the Older Americans Act.

Date: June 29, 1995.

Number of volumes: One (S. Hrg. 104-173).

**FDA EXPORT REFORM AND ENHANCEMENT ACT
OF 1995**

S. 593. Mr. Hatch (for himself and others).

To amend the Federal Food, Drug, and Cosmetic Act to authorize the export of new drugs and for other purposes.

Date: July 13, 1995.

Number of volumes: One (S. Hrg. 104-142).

**CONFRONTING THE CHALLENGES PRESENTED BY
AN AGING POPULATION**

Confronting the challenges faced by an aging society: The scope of the public and private challenges being posed.

Date: May 14, 1996.

Number of volumes: One (S. Hrg. 104-488).

**IS WORKING AMERICA PREPARING FOR
RETIREMENT?**

Examining the retirement pressures confronting today's lower and middle class workers.

Date: June 13, 1996.

Number of volumes: One (S. Hrg. 104-508).

**ENSURING OUR WORKERS' RETIREMENT
SECURITY: PROPOSALS FOR REFORM**

Examining reform proposals to ensure retirement security for the American work force, focusing on whether Americans are adequately preparing for retirement and what may impede their ability to do so.

Date: July 16, 1996.

Number of volumes: One (S. Hrg. 104-523).

HEARINGS ON NOMINATIONS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Henry W. Foster Jr., of Tennessee, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service.

Dates: May 2 and 3, 1995.

Number of volumes: One (S. Hrg. 104-66).

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Harris Wofford, of Pennsylvania, to be Chief Executive Officer of the Corporation for National and Community Service.

Date: Sept. 7, 1995.

Number of volumes: One (S. Hrg. 104-190).

V. STATISTICAL SUMMARY

ACTIVITIES OF THE COMMITTEE ON LABOR AND HUMAN RESOURCES, 104TH CONGRESS

	1995 1ST SESS.	1996 2D SESS.	TOTALS
Nominations			
Referred to Committee	231	206	437
Reported to Senate	68	336	404
Confirmed by Senate	64	324	388
Withdrawn (by White House or personal request)	2	4	6
Returned to President (pursuant to Rule XXXI of Senate)	0	43	43
Communications			
Presidential messages	11	7	18
Executive/reports	93	161	254
Petitions and Memorials	28	15	43
Total	132	183	315
Bills and Resolutions*			
Senate bills and joint resolutions	138	53	191
Senate resolutions and concurrent resolutions	3	1	4
House-passed bills, joint resolutions, and concurrent resolutions	5	5	10
Total	146	59	205

Hearing Days Held

Full Committee:			
In Washington, DC	38	18	56
Out of town	2	000	2
Subcommittees:			
In Washington, DC	18	8	26
Out of town	1	000	1
Total	59	26	85

Executive Meetings

Full committees			
Subcommittees	14	15	29
Conference sessions	000	000	000
.....	000	4	4
Total	14	19	33

Reported to the Senate

Senate bills and joint resolutions			
House-passed bills	13	11	24
Senate resolutions, concurrent resolutions, and special reports	0	3	3
.....	1	1	2
Total	14	15	29

Presidential Action

Public laws			
Vetoed	3	19	22
Presidential vetoes overridden and enacted into law	000	1	1
.....	000	000	000

*Including bills acted upon introduction and Senate and House bills taken from the Calendar or desk.

**VI. RULES OF PROCEDURE FOR THE COMMITTEE ON LABOR
AND HUMAN RESOURCES**

(As agreed to January 18, 1995)

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD-430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is actually present at the time such action is taken.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies

may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

- (1) Do you agree or disagree to poll the proposal; and
- (2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a “yea and nay” vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk’s designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing it intends to hold at least one week prior to the commencement of such hearing.

Rule 9.—The committee or a subcommittee shall, so far as practicable, require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than

members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the committee or a subcommittee for final consideration, the clerk shall place before each member of the committee or subcommittee a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and in italics, the matter proposed to be added.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own

choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of (a) candidates for appointment and promotion in the Public Health Service Corps; and (b) nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.