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REPORT ON THE ACTIVITIES
OF THE
COMMITTEE ON EDUCATION AND
THE WORKFORCE
DURING THE
109TH CONGRESS



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One Hundred Ninth Congress

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¹ Appointed February 2, 2005.

² Resigned as Chairman February 8, 2006.

³ Appointed as Chairman February 16, 2006.

⁴ Resigned February 28, 2006.

⁵ Appointed November 15, 2006.

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¹ Appointed as Chairman of the Full Committee on February 16, 2006.

² Resigned February 8, 2006.

³ Appointed as Chairman of the Subcommittee on 21st Century Competitiveness March 1, 2006.

⁴ Resigned February 28, 2006.

LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, January 2, 2007.

Hon. KAREN L. HAAS,
Clerk of the House of Representatives,
Washington, DC.

DEAR MS. HAAS: Pursuant to Rule XI, clause 1, paragraph (d) of the Rules of the U.S. House of Representatives, I am hereby transmitting the Activities Report of the Committee on Education and the Workforce for the 109th Congress. I circulated this report to all members of the Committee on December 21, 2006 and received no views before transmitting this report to the House today.

This report summarizes the activities of the Committee and its subcommittees with respect to its legislative and oversight responsibilities.

Sincerely,

HOWARD P. "BUCK" MCKEON,
Chairman.

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INTRODUCTION

The Committee on Education and the Workforce, under the leadership of Chairmen John Boehner (R–OH) and Howard P. “Buck” McKeon (R–CA)—who became full committee chair in February 2006 when Rep. Boehner became House Majority Leader, worked tirelessly with President George W. Bush during the 109th Congress to maximize security and prosperity for American families in a changing economy.

The Committee and its five subcommittees oversee education and workforce programs that affect and support hundreds of millions of Americans, from school teachers and small business operators to students and retirees. In a changing economy increasingly driven by technology, competition, and knowledge, the Education and the Workforce Committee worked during 2005 and 2006 to build on vital reforms set in motion by President Bush during the previous Congress—pressing for constant improvement in education; modernization of outdated federal rules that stifle freedom and innovation; and secure access to health care, retirement security, and training for American workers.

During the 109th Congress—working with President Bush, his administration, and other Members of the House—the Education and the Workforce Committee:

- Gave college students access to more financial aid. To better reflect current student need, Congress increased Stafford loan limits for first- and second-year college students. These limits, last adjusted in 1986 and 1992, respectively, are now set at \$3,500 for first-year students and \$4,500 for second-year students. Congress also slashed—from as much as four percent to one percent—loan fees so students can keep more of what they borrow.
- Established new grant aid for low- and middle-income college students. Congress established Academic Competitiveness Grants to reward low-income, high achieving high school students heading into college. Congress also established SMART Grants to reward low-income, high achieving students pursuing degrees in math, science, and critical foreign languages in their third and fourth years in college.
- Provided relief to students impacted by the Gulf Coast hurricanes. Congress delivered significant relief to rebuild the educational systems damaged as a result of Hurricanes Katrina and Rita, as well as to assist the schools that have enrolled displaced students in the aftermath of the storms. Congressional action provided funds to help damaged schools reopen; reimbursed public, private, and charter schools that have enrolled displaced students; and provided assistance to colleges and universities in the damaged region and those higher education institutions enrolling displaced students.

- Continued a commitment to federal education resources. Congress again committed unprecedented levels of federal education dollars. In 2006, states and local school districts received \$23.3 billion in federal funds to help implement the No Child Left Behind Act (NCLB)—a one-third increase in funding since President Bush signed NCLB into law. Title I aid for disadvantaged students, the cornerstone of NCLB, has increased forty-five percent since NCLB was signed into law. For higher education, the commitment is just as strong, providing some \$90 billion in federal resources provided to students in 2006—nearly triple what it was just a decade ago. Included is an annual \$13 billion congressional commitment for low- and middle-income students receiving Pell Grants.

- Made “529” college savings plans permanent. Congress extended the features of highly-popular college savings plans—commonly referred to as “529 plans”—which had been set to expire in 2010. These 529 college savings plans allow parents to invest after-tax dollars in state-sponsored funds, and earnings on the investment are free from federal taxes, as are distributions when used to help pay for college.

- Repealed the “single holder rule” to reduce student loan payments. Congress has repealed a federal rule—known as the “single-holder rule”—that limited a consumer’s ability to shop for the best deal on student consolidation loans. As a result of the repeal, borrowers will now have the ability to shop around among lenders for the best terms and services, while ensuring the original holder of their loans can and must compete to retain the loan.

- Strengthened career and technical education programs. Congress reauthorized the highly popular Perkins Career and Technical Education program. The renewal of the Perkins Act, which serves secondary and postsecondary students, will help states better utilize federal funds for secondary and postsecondary vocational education programs; increase accountability and emphasize student achievement; and strengthen opportunities for coordination between secondary and postsecondary career and technical education.

- Permanently expanded student loan relief for high demand teachers. Building on efforts in recent years to help schools recruit and retain highly qualified teachers in key subjects, Congress has more than tripled—from \$5,000 to \$17,500—the maximum amount of loan relief for highly qualified math, science, and special education teachers who commit to teaching in high-need K–12 schools for five years.

- Demonstrated a continued commitment to high student achievement. Nearly four years after the No Child Left Behind Act became law, achievement gaps between disadvantaged students and their peers are narrowing and student achievement is at its highest level in decades. However, some opponents of reform still seek to weaken the law. To lay the foundation to NCLB’s reauthorization in 2007 and demonstrate a commitment to the law’s principles, the House Education and the Workforce Committee has launched a new series of hearings to study key aspects of NCLB. These hearings have examined the

successes and challenges of the law's implementation in urban and suburban districts; ways to increase awareness of key parental choice options; and the impact of the law on students with disabilities and limited English proficient students.

- Exposed Senate Democrat attempts to provide in-state tuition to illegals. The House Education and the Workforce Committee held a hearing that examined—and exposed—a troubling provision in the Senate Democrat immigration bill that would allow states to provide in-state college tuition to illegal immigrants. The Senate legislation—called “misguided” and “shockingly bad policy” by witnesses during the hearing—would repeal a 1996 law that prohibits states from providing in-state tuition rates to illegal aliens unless the state also offers the same benefit to all U.S. citizens.

- Required that employers fully fund worker pension plans. The 109th Congress enacted the most significant reforms to worker pension laws in a generation. Yesterday's outdated pension rules no longer served the interests of today's workers who count on their retirement savings being there for them when they need it. Included in the reform law are requirements that employers make more cash contributions to their worker pension funds as well as measures to close loopholes that allow underfunded plans to skip pension payments.

- Protected America's miners. Though the number of mining fatalities and injuries reached record lows in 2005, tragedies at the Sago Mine in West Virginia and others that followed in 2006 served to bring the issue of mine health and safety into sharper focus. The 109th Congress passed the first comprehensive overhaul of mine safety laws in nearly a generation, providing for better communications technology; modernized safety practices inside U.S. mines; and strengthening the enforcement of current mine safety laws.

- Encouraged more savings in 401(k) retirement plans. Studies show that many employees who have access to employer-provided pension plans never enroll, and their retirement savings suffer as a result. Congress took steps to encourage employers to automatically enroll workers in defined contribution pension plans, such as the highly-popular 401(k) retirement plans. At the same time, workers will retain the option to opt-out of the plans.

- Gave workers access to independent retirement investment advice. Now more than ever, rank-and-file workers need access to high quality investment advice to help steer them through today's maze of investment options in their defined contribution 401(k)s. To respond, Congress updated a flawed law that prohibited employers from providing rank-and-file workers with access to a qualified, independent investment adviser. At the same time, tough new fiduciary and disclosure safeguards were established to ensure that advice provided to employees is solely in their best interests.

- Made permanent the “Savers' Credit.” Facing a potential expiration at the end of 2006, Congress permanently extended the retirement security-friendly “Savers' Credit.” This credit allows eligible workers who make contributions to an individual

retirement account (IRA) or qualified pension plan to receive a federal “match” in the form of an income tax credit for the first \$2,000 of annual contributions, further bolstering retirement savings.

- Restricted anti-worker “golden parachute” executive compensation agreements. Congress took the unprecedented step of restricting an increasingly common practice in which executives of companies in financial difficulty were given lavish deferred compensation arrangements—commonly called “golden parachutes”—while the retirement security of rank-and-file workers remained at risk.

- Provided legal certainty for fast-growing hybrid cash balance plans. Hybrid retirement plans, such as increasingly popular cash balance plans, combine the best features of both defined benefit and defined contribution plans. Despite overwhelming evidence demonstrating the benefits of hybrid plans, the threat of liability for years created ongoing legal uncertainty and undermined the retirement security of American workers who rely on them. Congress took steps to resolve the legal uncertainty surrounding cash balance plans to ensure they remain a viable part of the defined benefit system, while prohibiting employers from reducing or cutting any vested benefits workers have earned.

- Empowered workers and retirees with more information about their pensions. Enron, WorldCom, and other corporate implosions led many workers and retirees to mistakenly believe their pension plans were well funded, only to receive a shock when the plan was terminated. Congress has required that workers and retirees are given timely, accurate, and straightforward information about the health of their plans and, thus, their own financial future. Learning lessons from the Enron-era scandals, Congress also took steps to prohibit companies from forcing workers to invest any of their own retirement savings in the stock of the employer.

- Enhanced health services for our nation’s seniors. The Older Americans Act has transformed into the first step for seniors to identify home- and community-based long-term care options, as well as other supportive services that can help prevent or delay expensive institutional care and generate significant savings in federal entitlement programs. Congress reauthorized the Older Americans Act in the 109th Congress to build on that progress by promoting measures that reduce seniors’ risk of injury, disease, or disability; improving access to health care by supporting resource centers in every community where older Americans and their families can go for reliable information about long-term care options, community support services, and important health benefits such as Medicare prescription drug coverage; and encouraging states and communities to plan for an increasing number of older Americans.

- Exposed Senate Democrat attempts to expand a controversial federal mandate. The House Education and the Workforce Committee held a hearing that examined—and exposed—a troubling provision in the Senate Democrat immigration bill that would expand a federal construction program mandate

(under the controversial Depression-era Davis-Bacon Act) to private sector projects—including those led by small businesses—as part of a new guest worker program. This expanded mandate would force employers to pay foreign guest workers more than American workers doing the same job in the same city.

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JANUARY 2, 2007.—Committed to the Committee of the Whole House on the State
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Mr. MCKEON, from the Committee on Education and the
Workforce, submitted the following

R E P O R T

FULL COMMITTEE

I. SUMMARY OF ACTIVITIES

A. FULL COMMITTEE ACCOMPLISHMENTS: EDUCATION POLICY

House Education and the Workforce Committee members devoted great energy and attention during the 109th Congress to the needs of American students and their parents. The 109th Congress saw action on several major education priorities, with Committee Republicans continuing to demand accountability in exchange for the significant federal investment in education. These include:

Expanding College Access for Low- and Middle-Income Students. Republicans moved forward with a comprehensive overhaul of the Higher Education Act to reform and strengthen federal student aid and higher education programs, adding new benefits for student loan borrowers, greater accountability to empower consumers, and stronger protections for American taxpayers. The bill, the College Access and Opportunity Act (H.R. 609), refocused the law back to its original mission by expanding college access for low- and middle-income students. H.R. 609, authored by House Majority Leader John Boehner (R-OH) and Education and the Workforce Committee Chairman Howard P. “Buck” McKeon (R-CA), was approved by the House on March 30, 2006. Student loan reforms were also included in the Deficit Reduction Act (S. 1932), signed into law in February 2006, as part of Republican efforts to rein in out-of-control federal spending and demand greater efficiency and effectiveness from federal programs. The student loan reforms included in

the College Access and Opportunity Act and Deficit Reduction Act provide strong protections for students and taxpayers alike.

Examining Border Security and Immigration Enforcement on Behalf of U.S. Students. As Congress worked to send President Bush illegal immigration legislation that secures our borders and strengthens enforcement of immigration law, the Education and the Workforce Committee conducted a series of hearings examining the issue's impact on American students and workers. Specific to education, the Committee examined a troubling provision in the Senate Democrat immigration bill that would allow states to provide in-state college tuition to illegal immigrants. Moreover, the Committee heard varying perspectives on the topic of English as the official language. Some argued that a Senate Democrat bill would actually undermine, rather than promote, the use of the English language. That bill reaffirmed a Clinton-era executive order that allows illegals to request communication with the federal government in any language—and at taxpayer expense.

Extending the Features of "529" College Savings Plans. Signed into law by President Bush on August 17, 2006, the Pension Protection Act (H.R. 4) represents the most comprehensive overhaul of traditional pension laws in more than a generation. In addition to its countless retirement security benefits, the new law also represents a significant victory on other fronts as well. Chief among them is the extension of features of college savings plans—commonly referred to as "529 plans"—which had been set to expire in 2010. College 529 plans allow parents to invest after-tax dollars in state-sponsored funds, and earnings on the investment are free from federal taxes, as are distributions when used to help pay for college. The Pension Protection Act preserves tax-free withdrawals from 529 plans and also allows parents to continue rolling over their college savings to a different state plan once a year without requiring a change in beneficiary. Moreover, the law extends parents options to invest in both a 529 plan and a separate Coverdell Education Savings Account for the same beneficiary in the same year.

Providing Relief to Students and Schools Impacted by the Gulf Coast Hurricanes. Committee Republicans offered significant assistance and relief to help the educational systems damaged as a result of Hurricanes Katrina and Rita, as well as to assist the schools that have enrolled displaced students in the aftermath of the storms. On December 19, 2005, the House approved the FY 2006 Department of Defense appropriations bill, which included significant hurricane education relief. The bill provided funds to help damaged schools reopen; reimbursed public, private, and charter schools that have enrolled displaced students; and provided assistance to colleges and universities in the damaged region and those higher education institutions enrolling displaced students. This relief effort was built upon by 2006 Republican initiatives providing even more flexibility on behalf of students, families, and schools.

Continuing a Commitment to Education Resources for Reform. Central to congressional efforts on education has been the fundamental concept of reform—a principle that has been at the core of education-related legislation passed over the past several years, from education for students with disabilities to the landmark No

Child Left Behind Act (NCLB). Coupled with these significant reform efforts has been an unprecedented commitment to provide more resources for education as well. For example, in Fiscal Year 2006, states and local school districts will receive \$23.3 billion in federal funds this year to help implement NCLB. That is a one-third increase in federal elementary and secondary education funding since President Bush signed NCLB into law. Moreover, Title I aid for disadvantaged students, the cornerstone of NCLB, has increased forty-five percent since NCLB was signed into law. For higher education, the commitment is just as strong, with some \$90 billion in federal resources heading to students this year alone. That's nearly triple what it was just a decade ago. Within that \$90 billion is a record \$13 billion for Pell Grants for low- and middle-income students.

Strengthening the Head Start Early Childhood Education Program. Republicans have expressed outrage over reports of financial abuse and mismanagement within the Head Start early childhood program, responding with decisive action to correct weaknesses in the program that have allowed abuse of taxpayer resources, and have not served disadvantaged children well. On September 22, 2005, the U.S. House of Representatives approved the School Readiness Act (H.R. 2123), a bill authored by Education Reform Subcommittee Chairman Mike Castle (R-DE), to introduce greater competition into the federal Head Start early childhood program and use it to strengthen school readiness; increase the role of states and local communities in Head Start; and protect children and taxpayers against the abuse and mismanagement of federal Head Start funds. The bill aimed to strengthen the academic components of Head Start to help ensure disadvantaged children are prepared to succeed in school.

Updating and Improving Career and Technical Education. Continuing efforts to promote student achievement, President Bush signed legislation in August to add new reforms to the Perkins Career and Technical Education program, which serves secondary and postsecondary students, by increasing the focus on academic achievement and working to ease the transition from high school to postsecondary opportunities. Led by Education Reform Subcommittee Chairman Mike Castle (R-DE), Congress sent President Bush the Carl D. Perkins Career and Technical Education Improvement Act, which strengthens the Perkins program by helping states better utilize federal funds for secondary and postsecondary vocational education programs; increasing accountability and emphasizing student achievement; and strengthening opportunities for coordination between secondary and postsecondary career and technical education.

Laying the Foundation for Renewing the No Child Left Behind Act. On January 8, 2002, President Bush signed the No Child Left Behind Act (NCLB) into law and ushered in a new era of accountability and achievement in America's schools. Nearly four years later, the success of the law and its emphasis on accountability are unmistakable; achievement gaps between disadvantaged students and their peers are narrowing, and student achievement is at its highest level in decades. In 2006, the Education and the Workforce Committee launched a new series of hearings to study key aspects of the reform law and lay the foundation for the 2007 reauthoriza-

tion of NCLB. These bipartisan hearings have examined the successes and challenges of the law's implementation in urban and suburban districts; ways to increase parental awareness of supplemental educational services and other parental choice options; the potential impact of incorporating growth models into NCLB's accountability demands; and the impact of the law on students with disabilities and limited English proficient students.

Repealing the "Single Holder Rule." In June 2006, Congress repealed a federal rule that limited consumers' ability to shop for the best deal on student consolidation loans. As a result of the repeal, borrowers will now have the ability to shop around with other lenders for the best terms and services, while ensuring the original holder of their loans can and must compete to retain the loan.

Fighting Waste, Fraud, and Abuse in Federal Poverty Programs. The Community Services Block Grant (CSBG) program provides federal grants to states to help alleviate the effects of poverty. CSBG funds may be used for anti-poverty efforts such as helping individuals and families to find and retain employment, obtain housing, and access emergency food services. In the 109th Congress, Republicans worked to build upon improvements made during the last authorization of CSBG to promote increased quality and accountability in the community-based anti-poverty programs. Republicans also have investigated potential mismanagement in these federal poverty programs. Former Education and the Workforce Committee Chairman and House Majority Leader John Boehner (R-OH), Education Reform Subcommittee Chairman Mike Castle (R-DE), and subcommittee Vice-Chairman Tom Osborne (R-NE) in 2005 asked the independent Government Accountability Office (GAO) to look into the financial oversight structure of the CSBG program. The GAO report—delivered to the Committee in July 2006—confirms concerns about the effectiveness of that oversight structure and the possibility that fraud, abuse, or mismanagement could occur due to weaknesses in financial controls and program management, similar to documented mismanagement in local delivery of Head Start services.

Expanding Options for Children Trapped in Underperforming Schools. The No Child Left Behind Act has provided parents with more options than ever before regarding their children's education. The law allows children attending underachieving schools to seek supplemental education services—such as after-school tutoring—to assist them in making progress in the classroom. Some students may even have the opportunity to choose to attend a new public school as a result of No Child Left Behind's parental choice reforms. With substantial momentum on the side of parental choice advocates, in July 2006, Committee Republicans—led by Rep. Sam Johnson (R-TX)—introduced the America's Opportunity Scholarships for Kids Act to provide scholarships of up to \$4,000 to low-income children in persistently underperforming schools to attend the private school of their choice. States, school districts, and non-profit organizations would also be authorized to provide up to \$3,000 to low-income students for intensive, sustained supplemental educational services if students don't want to attend a different school. This would include high-quality tutoring, after-school or summer school programs designed to help improve the student's academic achievement.

Maintaining the Momentum of the D.C. Opportunity Scholarships Program. In 2004, Congress established the nation's first ever federally funded K–12 scholarship program, the D.C. Opportunity Scholarship Program. This program provides low-income students and families access to up to \$7,500 to cover tuition, fees, and any transportation expenses at a private elementary or high school in Washington. Written by Congress, signed by a Republican President, and embraced by a Democrat mayor of the District of Columbia, this school choice program is making a real difference for about 1,800 students this year. But for some, in the 2006–2007 school year, their participation was placed at risk if Congress did not act. Due to very small increases in income or changes in family structure, some participating families found themselves ineligible for the scholarships they received for the program's initial two years. As part of broad tax legislation, Congress increased the income eligibility threshold for renewing scholarship families that entered the program in its first two academic years from 200 percent to 300 percent of the federal poverty level, allowing participating students to remain eligible to attend the schools that they have called home for two years.

Supporting Quality Teachers, Increasing Loan Forgiveness, and Providing Recognition Pay. The No Child Left Behind Act calls for a highly qualified teacher in every public school classroom. To help meet that goal, Republicans proposed innovative ideas to support quality teachers, strengthen teacher training, and reward teacher performance. Congress continues to provide significant support for teacher quality enhancement under NCLB. In addition, through reauthorization of the Higher Education Act, Republicans: strengthened teacher training programs, providing a permanent increase in loan forgiveness to \$17,500 for math, science, and special education teachers, as well as reading specialists, who teach in disadvantaged schools for five years; and established pay-for-performance systems that will provide recognition pay to teachers and principals who demonstrate success in improving student achievement.

Examining Educational Solutions to Address the Nation's Nursing Shortage. In 2005, Republicans sought to examine the broad range of factors contributing to a national nursing shortage, including how a lack of higher education faculty in the nursing field may be contributing to the problem. The Select Education Subcommittee held two field hearings, in Colorado and Nevada, two states facing severe nursing shortages, to explore strategies to increase the number of nursing faculty in order to eliminate the bottleneck in nursing education. Republicans also worked to address educational cost factors that contribute to the nursing shortage, making nurses eligible for up to \$5,000 in student loan forgiveness for individuals in professions considered to be areas of national need.

Preserving Native American languages. Within existing programs, Congress passed legislation in 2006—the Esther Martinez Native American Languages Preservation Act (H.R. 4766)—to empower Native American tribes, organizations, colleges, and governing bodies as they seek to preserve Native languages and cultures. In many Native American communities, Native languages are disappearing at an alarming rate. It is estimated that only 20 indigenous languages will remain viable by the year 2050. The link between education, language, and culture is considered by many as

paramount to preserving the identity of Native Americans. By encouraging a greater focus on Native language programs, Congress also has encouraged greater academic performance among Native American students.

B. FULL COMMITTEE ACCOMPLISHMENTS: WORKFORCE POLICY

In the 109th Congress, the House Education and the Workforce Committee continually worked to enhance security and opportunity for working families in the growing U.S. economy. From reforming the nation's outdated worker pension laws to strengthening job training opportunities for American workers, and from expanding access to health care to improving workplace safety, Committee Republicans continued to offer innovative solutions on behalf of American families. These include:

Reforming and Strengthening America's Outdated Pension Laws. Financial troubles and pension terminations at several corporations underscored the need for fundamental reform of yesterday's outdated pension laws, and Congress acted. When worker pension plans are terminated as a result of yesterday's outdated laws and the financial burden is placed on the federal government, workers and taxpayers both stand to lose. Comprehensive reform of the American pension system was essential to ensure that millions of hard-working Americans who rely on these pension benefits can continue to count on them. Without comprehensive reform, more companies would have defaulted on their worker pension plans—increasing the likelihood of a multi-billion dollar taxpayer bailout—and more companies would have stopped providing defined benefit pension plans to their workers entirely.

For years, the House Education and the Workforce Committee worked to fix outdated worker pension laws that present a danger to taxpayers, workers, and retirees. Comprehensive legislation passed by Congress and signed by President Bush includes tough new funding requirements to ensure employers adequately and consistently fund their pensions, gives workers meaningful information about the financial status of their benefits, and protects taxpayers from a possible multi-billion dollar bailout of the Pension Benefit Guaranty Corporation (PBGC).

Protecting America's Miners. Though the number of mining fatalities and injuries reached record lows in 2005, the tragedies at the Sago Mine in West Virginia and the others that followed in 2006 have served to bring the issue of mine health and safety into a sharper focus. Throughout 2006, the House Education and the Workforce Committee—led by Chairman Howard P. “Buck” McKeon (R-CA) and Workforce Protections Subcommittee Chairman Charlie Norwood (R-GA)—held a comprehensive series of hearings and briefings on mine safety. The Committee's oversight activities pointed toward a very clear need for better communications technology, modernized safety practices inside U.S. mines, and strengthening the enforcement of current mine safety laws—needs addressed comprehensively by the Mine Improvement and New Emergency Response (MINER) Act, which was passed in May 2006 by the Senate without opposition and introduced separately in the House by Rep. Shelley Moore Capito (R-WV) that same month. Following Senate passage of the MINER Act (S. 2803), Chairman McKeon struck a deal with Norwood, Capito, Rep. Har-

old Rogers (R–KY), members of the West Virginia and Kentucky delegations, and the House leadership to bring to the House floor the Senate-passed measure under an expedited process. The House overwhelmingly passed the bill and sent it to President Bush, who signed it into law.

Examining Border Security and Immigration Enforcement on Behalf of U.S. Workers. As Congress worked to send President Bush legislation that secures the borders and strengthens enforcement of immigration law, the Education and the Workforce Committee launched a series of hearings to examine the issue's impact on American students and workers. Specific to the workforce, the Committee examined a troubling provision in the Senate Democrat immigration bill that would force employers to pay foreign guest workers more than American workers doing the same job in the same city. The Committee also studied the inherent need for reform in existing U.S. guest worker programs, as well as the need for a stronger, more workable employee verification system.

Strengthening Job Training for American Workers. Committee Republicans agree with Federal Reserve Board Chairman Alan Greenspan, who once testified before the Education and the Workforce Committee that strengthening worker training and education programs is critical to putting Americans back to work and creating high-wage American jobs. Through the Workforce Investment Act (WIA) system created in 1998, job seekers have access to job training services, counseling, and labor market information to help them get back on their feet. While the 1998 reforms have improved the overall job training system, areas of inefficiency and duplication remain.

On March 2, 2005 the House approved the Job Training Improvement Act (H.R. 27), legislation sponsored by Committee Chairman Howard P. “Buck” McKeon (R–CA) that would help job seekers access the resources and training they need to find good jobs. The bill would strengthen opportunities for Americans looking for work or looking to develop new skills to acquire better-paying jobs and streamline government bureaucracy in job training services. The bill also would protect the rights of faith-based service providers willing to participate in the job training system. Additionally, the bill incorporated stand-alone legislation, the Worker Reemployment Accounts Act (H.R. 26), introduced by Rep. Jon Porter (R–NV). Similar to a pilot project proposed by President Bush, the measure allows demonstration and pilot project funding under the Workforce Investment Act (WIA) to be used by states and local workforce investment boards to offer personal reemployment accounts (PRAs) of up to \$3,000 to help unemployed Americans return to work quickly. With the funds from these accounts, unemployed workers may purchase a variety of employment-related services (such as job training, child care, transportation, career counseling, relocation services, and case management) to help them find a new job and reenter the workforce.

Building on the Unprecedented Successes of the 1996 Welfare Reforms. One of the most successful social policies ever enacted, the 1996 welfare reforms have transformed the lives of millions of families and helped them achieve self-sufficiency. On October 20, 2005, the Education and the Workforce Committee passed the Personal Responsibility, Work, and Family Promotion Act (H.R. 240) to build

upon the 1996 reforms. The measure, based on President Bush's reform blueprint, would strengthen work requirements under the Temporary Assistance for Needy Families (TANF) block grant program to help move more welfare recipients into productive jobs and boosts child care funding. The measure also would make significant improvements to the Child Care and Development Block Grant (CCDBG) program and incorporate key elements of President Bush's Good Start, Grow Smart plan to improve early childhood education. Moreover, it would emphasize the quality of child care that welfare families receive while maximizing state flexibility.

The Deficit Reduction Act (S. 1932)—signed into law by President Bush in February 2006—also extended the Temporary Assistance for Needy Families (TANF) block grant at the current funding level—\$16.5 billion—through fiscal year 2010. TANF provides states with funding for a wide range of benefits and services to families with children, including cash welfare assistance. Just as importantly, the Deficit Reduction Act renews the intent of the 1996 statute by reinforcing work as the central requirement of the program.

Expanding Worker Access to Quality Health Care. More than 46 million Americans have no basic health insurance, and many of the newly uninsured are small business employees whose employers cannot afford to offer health care because of skyrocketing health insurance costs. Over the last several years, House Republicans and Democrats alike have supported legislation to improve access to health care for uninsured working families by creating association health plans (AHPs) that allow small businesses to join together to purchase health insurance at a lower cost. This legislation—the Small Business Health Fairness Act (H.R. 525)—was introduced by Employer-Employee Relations Subcommittee Chairman Sam Johnson (R-TX) along with a host of bipartisan cosponsors. The House passed the bill on July 26, 2005, by a vote of 263–165, with the support of 36 Democrats. Small businesses and their workers deserve the chance to obtain high quality health insurance at an affordable price, and House Republicans will continue to push AHPs so uninsured working families can access quality health care.

Enhancing Worker Safety and Fairness for Small Businesses. On July 12, 2005, the House passed four workers safety bills sponsored by Workforce Protections Subcommittee Chairman Charlie Norwood (R-GA) to improve worker safety by making it easier for employers to work voluntarily and proactively with the Occupational Safety and Health Administration (OSHA) to ensure workplaces are as safe and secure as possible. The measures ensure that OSHA enforcement efforts are fair for small businesses that make good faith efforts to comply with all health and safety laws. Workplace injuries and fatalities have declined significantly under the Bush Administration. Small businesses that make good faith efforts to comply with OSHA standards deserve to be treated fairly and have their day in court, and these commonsense bills will help ensure they receive that opportunity.

Examining the Health of State and Local Pension Plans. Approximately 2,300 public employee pension plans with more than \$2 trillion in assets cover some 15 million state and local government workers nationwide. Financial experts suggest that the largest state and local pension funds recently faced a funding gap of nearly

\$300 billion, with that gap possibly climbing as high as \$700 billion. Unlike private pension plans, which are required by the recently enacted Pension Protection Act to reach a funding level of 100 percent, public pension plans are not held to the same federal standard. In August, the Employer-Employee Relations Subcommittee held a hearing at the Illinois State Capitol to examine the health of these underfunded plans. With an unfunded liability of \$38 billion, the State of Illinois has the most underfunded pension system in the nation.

Promoting U.S. Jobs in the Recreational Boating Industry. The Recreational Marine Employment Act (H.R. 940), introduced by Rep. Ric Keller (R-FL), would help restore U.S. jobs in the recreational boating industry that have been lost to foreign competition overseas. In 1984, Congress exempted employees in the recreational boating industry, specifically boats 65 feet and under, from the Longshore Act, which provides workers' compensation benefits to maritime workers who are injured in the course of their employment on navigable waters of the U.S. Over the past 20 years, however, there has been tremendous growth in the number of recreational boats that measure 65 feet or longer (more than 400,000 currently in the U.S.), so current law is outdated and arbitrarily requires that some U.S. employers provide two sets of insurance—both Longshore and state workers' compensation coverage. H.R. 940 would clarify that workers in the recreational marine industry are exempt from the Longshore Act, thus ensuring that employers aren't required to maintain duplicative insurance coverage while also maintaining all existing state remedies and workers' compensation protections. The Education and the Workforce Committee approved the bill on April 12, 2005.

Examining the Crisis in Employer-Sponsored Retiree Health Benefits. The House Employer-Employee Relations Subcommittee held a hearing on April 28, 2005, to examine the impact of the Erie County federal court decision and whether it is jeopardizing retiree health benefits for millions of Americans. In 2000, a federal court ruled that employers may not coordinate health benefits for retirees who turn age 65 and take into account the additional benefits they receive from Medicare. The court's decision prompted serious concerns from lawmakers on both sides of the aisle who fear it will encourage employers to reduce or drop coverage altogether. The Equal Employment Opportunity Commission (EEOC) in April 2004 voted to move forward with a regulation to reverse the Erie County decision, a decision that is consistent with a letter sent to the EEOC by top committee members expressing bipartisan support for the regulation. The letter was signed by then-Education and the Workforce Committee Chairman John Boehner (R-OH), Employer-Employee Relations Subcommittee Chairman Sam Johnson (R-TX), and Rep. Robert Andrews (D-NJ), the subcommittee's ranking Democrat. Before the regulation took final effect, a federal judge in March 2005 struck down the regulation in response to an AARP lawsuit. However, in September 2005, the federal judge reversed her March decision in light of recent Supreme Court case law.

Examining State Mandates on Employer-Provided Health Benefits. On May 4, 2006, the Employer-Employee Relations Subcommittee, chaired by Rep. Sam Johnson (R-TX), heard a variety of concerns from industry leaders on the impact of state mandates

on employer-provided health care coverage. During the past several months, the states of Maryland and Massachusetts have enacted laws that could significantly alter the way in which employers provide health benefits to their employees. With some 30 similar legislative efforts pending in state legislatures, the potential impact of these mandates on employers, workers, and the chief federal law governing health benefits—the Employee Retirement Income Security Act (ERISA)—is an issue of increasing interest for many.

Exploring the Need for Additional Protections of Workplace Religious Freedom. On November 10, 2005, the Subcommittee on Employer-Employee Relations held a hearing on the need for and impact of legislation such as the Workplace Religious Freedom Act (H.R. 1445), sponsored by Committee Member Rep. Mark Souder (R-IN). The Workplace Religious Freedom Act would amend the 1964 Civil Rights Act by requiring employers to make an affirmative and bona fide effort to accommodate the religious practices of employees, unless doing so would create an undue hardship. Subcommittee Chairman Sam Johnson (R-TX) noted the issue, while of great importance and deep interest to Members on both sides of the aisle, must be seen in the context of how Congress should protect the rights of people of faith adhering to their beliefs in an increasingly diverse workplace while ensuring that businesses—often small businesses—are able to staff and run their operations in a productive manner while respecting all employees.

Enhancing Services for Our Nation's Seniors. Initially established in 1965, the Older Americans Act has transformed into the first stop for seniors to identify home- and community-based long term care options, as well as other supportive services that can help prevent or delay expensive institutional care and generate significant savings in federal entitlement programs. Led by Select Education Subcommittee Chairman Pat Tiberi (R-OH), Congress has moved forward on a measure to build on that progress. Specifically, the bipartisan reauthorization of the Older Americans Act will promote measures that reduce seniors' risk of injury, disease, or disability; improve access to health care by supporting resource centers in every community where older Americans and their families can go for reliable information about long-term care options, community support services, and important health benefits such as Medicare prescription drug coverage; and encourage states and communities to plan for an increasing number of older Americans.

C. OVERSIGHT PLAN AND ACTIVITIES

Pursuant to House rule XI, Clause 1, the following specifies the oversight plan activities and are discussed within the body of this report. Under House rule X 2(d)(1), each standing committee of the U.S. House of Representatives is required to formally adopt an oversight plan at the beginning of each session of Congress. Specifically, Rule X, 2(d)(1) states in part:

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

on Government Reform and to the Committee on House Administration.”

Under rule X of the Rules of the House, the Committee on Education and the Workforce (Committee) is vested with jurisdiction over issues dealing with students, education, workers, and workplace policy, including, but not limited to:

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

Accordingly, the Committee is responsible for overseeing approximately 24,000 federal employees and more than \$125 billion in annual spending. More importantly, the Education and the Workforce Committee has a dual mission: empowering parents and teachers to provide our students with the best education possible and giving American workers access to the tools and protections they need to meet the challenges and opportunities of the New Economy.

General Oversight Responsibilities

According to House rule X, Clause 2(a):

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

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

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

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

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

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

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

Exercise of Oversight Responsibilities

The Committee takes seriously its responsibility to conduct oversight and investigations.

The Committee is therefore committed to ensuring that government agencies, departments and programs within in its jurisdiction:

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

Accordingly and in keeping with the Rules of the House and the principles of oversight and investigations, the Committee has identified 6 major projects for the 108th Congress. These projects include:

Improving Financial Management in Head Start Programs. Responding to troubling reports of financial mismanagement in many local Head Start programs, the Committee aimed a spotlight at these abuses, then crafted the School Readiness Act (H.R. 2123), a measure to reauthorize and strengthen the Head Start early childhood education programs. This bill would require all Head Start grantees to publish an annual report detailing how money was spent, the sources from which funds were received, and how the agency has performed in terms of meeting the requirements of the law. An independent financial audit also will be required annually.

Reducing Taxpayer Subsidies to College Lending Companies. Building on Republican efforts to protect students and taxpayers, excess lender subsidies known as “floor income,” any rate of return higher than the guaranteed minimum, have been eliminated by the Deficit Reduction Act (P.L. 109–171). In addition, the 9.5 percent minimum rate of return, which was previously available to some lenders but was closed off through Republican efforts in 2004, has been eliminated permanently and comprehensively.

Safeguarding Privacy of U.S. College Students. The College Access and Opportunity Act (H.R. 609) would explicitly prohibit the creation of a Student Unit Database, as proposed by the U.S. Department of Education. Such a massive federal database would compile and maintain personally identifiable information about individual college students, including Social Security number, address, date of birth, attendance record, and financial information.

Preventing Fraud and Abuse in Student Aid Programs. In order to ensure that the billions of taxpayer dollars invested annually in federal student aid programs are reaching those truly eligible for the aid, the Deficit Reduction Act (P.L. 109–171) includes an IRS data match system. This system will verify financial aid information to make certain student financial aid is reaching those who need it the most, so federal funds are not wasted or misused.

Evaluating Existing Federal Math and Science Programs. Before blindly throwing billions at scores of new federal math and science programs in the name of “competitiveness,” the Deficit Reduction Act (P.L. 109–171) established a body to identify, evaluate, and rec-

commend ways to integrate more than 200 federal math and science programs already on the books. A report submitted by this Academic Competitiveness Council will allow Congress to determine how to better coordinate these programs across the federal government, ensuring funds are being spent effectively and the programs themselves are operating efficiently.

Investigating Potential Mismanagement in Federal Poverty Programs. Former Education and the Workforce Committee Chairman and current House Majority Leader John Boehner (R-OH), Education Reform Subcommittee Chairman Mike Castle (R-DE), and subcommittee Vice-Chairman Tom Osborne (R-NE) in 2005 asked the independent Government Accountability Office (GAO) to look into the financial oversight structure of the Community Services Block Grant (CSBG) program, a federally funded initiative to combat poverty in local communities. The GAO report—delivered to the Committee in July 2006—confirms concerns about the effectiveness of that oversight structure and the possibility that fraud, abuse, or mismanagement could occur due to weaknesses in financial controls and program management, similar to documented mismanagement in local delivery of Head Start services.

Protecting Pension Plan Assets From Being Used for Political Purposes. In early 2005, former Education and the Workforce Committee Chairman and current House Majority Leader John Boehner (R-OH) and Employer-Employee Relations Subcommittee Chairman Sam Johnson (R-TX) urged the U.S. Labor Department to investigate reports of labor union leaders threatening to withdraw pension plan assets from firms that demonstrated support for Social Security policies of the Bush Administration. The Labor Department responded, saying that—indeed—such practices likely violate the Employee Retirement Income Security Act (ERISA) and cautioned labor leaders to ensure its affiliates nationwide were aware of this fact.

II. HEARINGS HELD BY THE FULL COMMITTEE

109th Congress, First Session

March 1, 2005—Hearing on “Enforcement of Federal Anti-Fraud Laws in For-Profit Education” (109–2).

March 2, 2005—Hearing on “The Retirement Security Crisis: The Administration’s Proposal for Pension Reform and its Implications for Workers and Taxpayers” (109–3).

April 5, 2005—Hearing on “Financial Accountability in the Head Start Early Childhood Program” (109–6).

April 19, 2005—Hearing on “College Access: Is Government Part of the Solution, or Part of the Problem?” (109–8).

April 26, 2005—Hearing on “No Child Left Behind: Supplemental Tutoring for Children in Underachieving Schools” (109–11).

May 17, 2005—Hearing on “High School Reform: Examining State and Local Efforts” (109–16).

June 15, 2005—Hearing on “H.R. 2830, Pension Protection Act of 2005” (109–22).

September 29, 2005—Hearing on “Closing the Achievement Gap in America’s Schools: the No Child Left Behind Act” (109–25).

November 16, 2005.—Hearing on “U.S. Immigration Policy and Its Impact on the American Economy” (109–27).

109th Congress, Second Session

April 6, 2006—Hearing on “Building America’s Competitiveness: Examining What is Needed to Compete in a Global Economy” (109–34).

April 26, 2006—Hearing on “Gulf Coast Recovery: Facing Challenges and Coming Back Stronger in Education” (109–35).

May 3, 2006—Hearing on “Building American Competitiveness: Examining the Scope and Success of Existing Federal Math and Science Programs” (109–39).

May 18, 2006—Hearing on “No Child Left Behind: How Innovative Educators Are Integrating Subject Matter to Improve Student Achievement” (109–41).

June 13, 2006—Hearing on “No Child Left Behind: Disaggregating Student Achievement by Subgroups to Ensure All Students Are Learning” (109–43).

June 28, 2006—Hearing on “The First Tee and Schools: Working to Build Character Education” (109–45).

July 12, 2006—Hearing on “No Child Left Behind: Ensuring High Academic Achievement for Limited English Proficient Students and Students with Disabilities” (109–46).

July 19, 2006—Hearing on “Guest Worker Programs: Impact on the American Workforce and U.S. Immigration Policy” (109–47).

July 27, 2006—Hearing on “No Child Left Behind: Can Growth Models Ensure Improved Education for All Students” (109–50).

August 31, 2006—Field hearing on “Recovery and Preservation of Native American Languages,” in Albuquerque, New Mexico (109–55).

September 1, 2006—Field hearing on “Paying for College: Higher Education and the American Taxpayer,” in Greeley, Colorado (109–56).

September 21, 2006—Hearing on “No Child Left Behind: How Can We Increase Parental Awareness of Supplemental Education Services?” (109–57).

December 15, 2006—Field Hearing on “An Examination of the NCAA’s Relationship with Member Institutions,” in Champaign, Illinois (109–61).

III. MARKUPS HELD BY THE FULL COMMITTEE

109th Congress, First Session

February 2, 2005—Organizational Meeting. The Committee Rules for the 109th Congress along with the Oversight Plan were adopted by voice vote. Subcommittee Assignments were announced.

February 16, 17, 2005—H.R. 27, Job Training Improvement Act of 2005, was ordered favorably reported, as amended, by a vote of 26–20.

March 9, 2005—H.R. 366, Vocational and Technical Education for the Future Act, was ordered favorably reported, as amended, by voice vote.

March 16, 2005—H.R. 525, Small Business Health Fairness Act of 2005, was ordered favorably reported by a vote of 25–22.

April 6, 2005—H.Res. 134 was ordered reported unfavorably by Unanimous Consent.

April 13, 2005—H.R. 739, Occupational Safety and Health Small Business Day in Court Act, was ordered favorably reported by a

vote of 27–19; H.R. 740, Occupational Safety and Health Review Commission Efficiency Act, was ordered favorably reported, as amended, by a vote of 27–19; H.R. 741, Occupational Safety and Health Independent Review of OSHA Citations Act, was ordered favorably reported, as amended, by a vote of 27–19; H.R. 742, Occupational Safety and Health Small Employer Access to Justice Act, was ordered favorably reported by a vote of 27–18; and H.R. 940, Recreational Marine Employment Act of 2005, was ordered favorably reported, as amended, by a vote of 27–18.

May 18, 2005—H.R. 2123, School Readiness Act of 2005, was ordered favorably reported, as amended, by a vote of 48–0.

June 29, 30, 2005—H.R. 2830, Pension Protection Act of 2005, was ordered favorably reported, as amended, by a vote of 27 ayes and 22 voting present.

July 20, 21, 22, 2005—H.R. 609, College Access and Opportunity Act of 2005, was ordered favorably reported, as amended, by a vote of 27–20, 1 present.

October 19, 20, 2005—Committee Print of Amendments to the Social Security Act and Welfare Reform regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget by a vote of 23–20. H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005, was ordered favorably reported, as amended, by a vote of 23–20.

October 20, 2005—H. Res. 467, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers, was ordered unfavorably reported by a vote of 25–20.

October 26, 2005—Committee Print of Amendments to the Employee Retirement Income Security Act (ERISA) regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget by voice vote. Committee Print of Amendments to the Higher Education Act regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget.

October 27, 2005—Committee Print of Family Education Reimbursement Act of 2005 regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was not agreed to by a vote of 21–26.

109th Congress, Second Session

May 17, 2006—H.R. 5293, Senior Independence Act of 2006 was ordered favorably reported, as amended, by voice vote.

IV. LEGISLATIVE ACTIVITIES

A. LEGISLATION ENACTED INTO LAW (BILLS REFERRED TO COMMITTEE)

H.R. 4 (Public Law 109–280) Pension Protection Act of 2006. Sponsor: Rep. Boehner, John A.

H.R. 6 (Public Law 109–58) Energy Policy Act of 2005. Sponsor: Rep. Barton, Joe.

H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005. Sponsor: Rep. Pryce, Deborah. TANF Provisions were enacted in S. 1932, Deficit Reduction Act of 2005 (Public Law 109–171).

H.R. 609, College Access and Opportunity Act of 2006. Sponsor: Rep. Boehner, John A. Provisions of H.R. 609 were enacted in S. 1932 (Public Law 109–171), Title VIII, Subtitle A—Higher Education Provisions; Provisions of H.R. 609 (sec. 425) were enacted in H.R. 4939 (Public Law 109–234) in section 7015 (a) and (b).

H.R. 758 (Public Law 109–420) To establish an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation. Sponsor: Sponsor: Rep. Ehlers, Vernon J.

H.R. 2132 (Public Law 109–78) To extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency. Sponsor: Rep. Kline, John.

H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005. Provisions of H.R. 2829 in section 6 were enacted in sec. 105 of H.R. 6344, Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law number unavailable at time of this report).

H.R. 2830, Pension Security and Transparency Act of 2005. Sponsor: Rep. Boehner, John A. Modified provisions were enacted in sec. 401 of H.R. 4, Pension Protection Act of 2006 (Public Law 109–280).

H.R. 2831, Pension Preservation and Portability Act of 2005. Sponsor: Rep. Boehner, John A. Modified provisions were enacted in H.R. 4, Pension Protection Act of 2006 (Public Law 109–280).

H.R. 2875, Public Lands Corps Healthy Forests Restoration Act of 2005. Sponsor: Rep. Walden, Greg. H.R. 2875 was enacted in S. 1238 (Public Law 109–154).

H.R. 2876, Violence Against Women Reauthorization Act of 2005. Sponsor: Rep. Green, Mark. Provisions of H.R. 2876 were enacted in H.R. 3402, Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162).

H.R. 3169 (Public Law 109–66) Pell Grant Hurricane and Disaster Relief Act. Sponsor: Rep. Keller, Ric.

H.R. 3668 (Public Law 109–67) Student Grant Hurricane and Disaster Relief Act. Sponsor: Rep. Jindal, Bobby.

H.R. 3761 (Public Law 109–72) Flexibility for Displaced Workers Act. Sponsor: Rep. Boustany, Charles W., Jr.

H.R. 3784 (Public Law 109–81) Higher Education Extension Act of 2005. Sponsor: Rep. Boehner, John A.

H.R. 3863 (Public Law 109–86) Natural Disaster Student Aid Fairness Act. Sponsor: Rep. Jindal, Bobby.

H.R. 3864 (Public Law 109–82) Assistance for Individuals with Disabilities Affected by Hurricanes Katrina or Rita Act of 2005. Sponsor: Rep. Boustany, Charles W., Jr.

H.R. 3975, Hurricane Regulatory Relief Act of 2005. Provisions of H.R. 3975 were enacted in H.R. 2863 (Public Law 109–148) Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 in Title IV, Subtitle A and B. Additionally, provisions of

H.R. 3975 section 133(b) were enacted in S. 1932 (Public Law 109-171), Deficit Reduction Act of 2005 in section 8018(a)(3).

H.R. 4525 (Public Law 109-150) Second Higher Education Extension Act of 2005. Sponsor: Rep. Boehner, John A.

H.R. 4579 (Public Law 109-151) Employee Retirement Preservation Act. Sponsor: Rep. Boehner, John A.

H.R. 4766 (Public Law 109-394) Esther Martinez Native American Languages Preservation Act of 2006. Sponsor: Rep. Wilson, Heather

H.R. 4793, To make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Act of 1981 program for fiscal year 2006, and for other purposes. Sponsor: Rep. LaTourette, Steve C. H.R. 4793 was enacted in S. 2320 (Public Law 109-204).

H.R. 4785, To make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Act of 1981 program for fiscal year 2006, and for other purposes. Sponsor: Rep. DeLauro, Rosa L. H.R. 4785 was enacted in S. 2320 (Public Law 109-204).

H.R. 4911 (Public Law 109-212) Higher Education Extension Act of 2006. Sponsor: Rep. McKeon, Howard P. (Buck).

H.R. 4919, To extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999. Sponsor: Rep. Castle, Michael N. H.R. 4919 was enacted in S. 2363 (Public Law 109-211).

H.R. 5354, Hurricane Relief Extension Act of 2006. Similar provisions were enacted in H.R. 4939 (Public Law 109-234).

H.R. 5603 (Public Law 109-238) Second Higher Education Extension Act of 2006, Sponsor: Rep. Keller, Ric.

H.R. 5837, YouthBuild Transfer Act. Sponsor: Rep. Castle, Michael N. H.R. 5837 was enacted in S. 3534 (Public Law 109-281).

H.R. 6031, September 11 Survivors Student Loan Relief Act. Sponsor: Rep. McCarthy, Carolyn. H.R. 6031 was enacted in H.R. 6138, Third Higher Education Extension Act of 2006 (Public Law 109-292).

H.R. 6106 (Public Law 109-323) To extend the waiver authority for the Secretary of Education under title IV, section 105, of Public Law 109-148. Sponsor: Rep. Jindal, Bobby.

H.R. 6138 (Public Law 109-292) Third Higher Education Extension Act of 2006. Sponsor: Rep. Keller, Ric.

H.R. 6197 (Public Law 109-365) Older Americans Act Amendments of 2006. Sponsor: Rep. Tiberi, Patrick J.

H.R. 6326 (Public Law 109-368) To clarify the provision of nutrition services to older Americans. Sponsor: Rep. Tiberi, Patrick J.

S. 136 (Public Law 109-131) A bill to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park, and for other purposes. Sponsor: Sen. Feinstein, Dianne

S. 335 (Public Law 109-143) A bill to reauthorize the Congressional Award Act. Sponsor: Sen. Lieberman, Joseph I.

S. 2320 (Public Law 109–204) A bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes. Sponsor: Sen. Snowe, Olympia J.

S. 2803 (Public Law 109–236) Mine Improvement and New Emergency Response Act of 2006. Sponsor: Sen. Enzi, Michael B.

B. LEGISLATION ENACTED INTO LAW (BILLS NOT REFERRED TO COMMITTEE)

H.R. 3 (Public Law 109–59) Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005. Sponsor: Rep. Young, Don. Contains provisions in sections 1307, 1409, 1602, 3013, 3019, 3031 and section 9003.

H.R. 1160 (Public Law 109–4) Welfare Reform Extension Act of 2005. Sponsor: Rep. Herger, Wally. Extends provisions within the committee's jurisdiction.

H.R. 1815 (Public Law 109–163) National Defense Authorization Act for Fiscal Year 2006. Sponsor: Rep. Hunter, Duncan. Contains provisions in sections 537, 545, 571, 572, 573, 574, 582 and section 848.

H.R. 2863 (Public Law 109–148) Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006. Sponsor: Rep. Young, C. W. Bill. Contains provisions in Title IV, Hurricane Education Recovery Act, Subtitle A, sections 102, 104, 105, 107; Subtitle B, sections 206, 207, 208, and 209; Subtitle C, sections 301, 302 and 303. Provisions of H.R. 3975, Hurricane Regulatory Relief Act of 2005 were enacted in H.R. 2863 (Public Law 109–148).

H.R. 2876, Violence Against Women Reauthorization Act of 2005. Provisions in Title III, sections 301, 305 and Title IV, sec. 41402 were incorporated into H.R. 3402, Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162).

H.R. 3021 (Public Law 109–19) TANF Extension Act of 2005. Sponsor: Rep. Herger, Wally. Extends provisions in the committee's jurisdiction.

H.R. 3402 (Public Law 109–162) Violence Against Women and Department of Justice Reauthorization Act of 2005. Sponsor: Rep. Sensenbrenner, F. James, Jr. Contains provisions in the committee's jurisdiction in sections 112, 206, 304, 305 and 701.

H.R. 3672 (Public Law 109–68) TANF Emergency Response and Recovery Act of 2005. Sponsor: Rep. McCrery, Jim. Contains provisions relating to waiver of TANF penalties in Hurricane Damaged States.

H.R. 4472 (Public Law 109–248) Adam Walsh Child Protection and Safety Act of 2006. Sponsor: Rep. Sensenbrenner, F. James, Jr. Contains provisions in the committee's jurisdiction in sec. 603, Authorization for Big Brothers/Big Sisters and sec. 633, National Registry of Substantiated Cases of Child Abuse.

H.R. 4635 (Public Law 109–161) TANF and Child Care Continuation Act of 2005. Sponsor: Rep. Herger, Wally. Contains provisions to extend provisions under the committee's jurisdiction.

H.R. 4939 (Public Law 109–234) Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006. Sponsor: Rep. Lewis, Jerry. Contains provi-

sions within the committee's jurisdiction in Title II, Further Hurricane Disaster Relief and Recovery, Chapter 6; Title VII, General Provisions and Technical Corrections, sec. 7008 (mine safety MSHA inspectors). Provisions in section 425 of H.R. 609, College Access and Opportunity Act of 2006 were enacted in section 7015(a) and (b) of H.R. 4939 (Public Law 109-234). Similar provisions of H.R. 5354, Hurricane Relief Extension Act were enacted in H.R. 4939 (Public Law 109-234).

H.R. 5122 (Public Law 109-364) John Warner National Defense Authorization Act for Fiscal Year 2007. Sponsor: Rep. Hunter, Duncan. Contains provisions in Subtitle H, Impact Aid and Defense Dependents Education System—sections 571, 572, 573, 574, 575; and section 856, Contracting with Employers of Persons with Disabilities.

H.R. 6111 (Public Law 109-432) An act to amend the Internal Revenue Code of 1986 to extend expiring provisions, and for other purposes. Contains provisions in sec. 115, Parity in Application of Certain Limits to Mental Health Benefits.

H.R. 6344 (Public Law number unavailable at time of this report) Office of National Drug Control Policy Reauthorization Act of 2006. Contains provisions in the committee's jurisdiction in sect. 105, Budgetary Matters (c)(2)(C)(vi).

S. 250 (Public Law 109-270) Carl D. Perkins Career and Technical Education Improvement Act of 2006. Sponsor: Sen. Enzi, Michael B. Contains provisions of H.R. 366, Vocational and Technical Education for the Future Act.

S. 707 (Public Law 109-450) PREEMIE Act (Prematurity Research Expansion and Education for Mothers Who Deliver Infants Early Act). Contains provisions in the committee's jurisdiction in sec. 7, Effective Date of Certain Head Start Regulations.

S. 843 (Public Law 109-416) Combating Autism Act of 2006. Contains provisions in section 399BB including Head Start Act, the Early Start Act, the Child Care and Development Act, the Individuals With Disabilities Act, the Child Nutrition Act, and the Rehabilitation Act.

S. 1238 (Public Law 109-154) Public Lands Corps Healthy Forests Restoration Act of 2005. Sponsor: Sen. Feinstein, Dianne. Contains provisions of similar House companion bill, H.R. 2875).

S. 1932 / H.R. 4241 (Public Law 109-171) Deficit Reduction Act of 2005. Sponsor: Sen. Gregg, Judd. Provisions of H.R. 240 Personal Responsibility, Work, and Family Promotion Act of 2005 were enacted in Title VII, Subtitle A—TANF; Provisions of H.R. 609 College Access and Opportunity Act of 2006 were enacted in Title VIII, Subtitle A—Higher Education Provisions.; Provisions of H.R. 2830, Pension Security and Transparency Act of 2005 were enacted in sec. 8101, relating to single-employer and multi-employer premiums; Provisions in sec. 133(b) of H.R. 3975, Hurricane Regulatory Relief Act of 2005 were enacted in S. 1932 (Public Law 109-171) sec. 8018(a)(3).

S. 2363 (Public Law 109-211) A bill to extend the educational flexibility program under sec. 4 of the Education Flexibility Partnership Act of 1999. Sponsor: Sen. Burr, Richard. Contains provisions of similar House companion bill, H.R. 4919.

S. 3534 (Public Law 109–281) YouthBuild Transfer Act. Sponsor: Sen. Enzi, Michael B.. Contains provisions of a similar House companion bill, H.R. 5837.

C. LEGISLATION PASSED THE HOUSE (BILLS REFERRED TO COMMITTEE)

H. Con. Res. 36, Expressing the continued support of Congress for equal access of military recruiters to institutions of higher education. Sponsor: Rep. Rogers, Mike D.

H. Con. Res. 45, Recognizing the benefits and importance of school-based music education, and for other purposes. Sponsor: Rep. Cooper, Jim.

H. Con. Res. 47, Commending the establishment in College Point, New York, of the first free, public kindergarten in the United States. Sponsor: Rep. Crowley, Joseph.

H. Con. Res. 126, Expressing the condolences and deepest sympathies of the Congress in the aftermath of the recent school shooting at Red Lake High School in Red Lake, Minnesota. Sponsor: Rep. Peterson, Collin C.

H. Con. Res. 163, Honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary. Sponsor: Rep. Gerlach, Jim.

H. Con. Res. 288, Recognizing the 30th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 and reaffirming support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education in the least restrictive environment. Sponsor: Rep. Castle, Michael N.

H. Con. Res. 300, Paying tribute to Shirley Horn in recognition of her many achievements and contributions to the world of jazz and American culture. Sponsor: Rep. Conyers, John, Jr.

H. Con. Res. 331, Honoring the sacrifice and courage of the 16 coal miners killed in various mine disasters in West Virginia, and recognizing the rescue crews for their outstanding efforts in the aftermath of the tragedies. Sponsor: Rep. Capito, Shelley Moore.

H. Con. Res. 343, Recognizing the 50th anniversary of the Commission on Independent Colleges and Universities. Sponsor: Rep. Boehlert, Sherwood.

H. Con. Res. 354, Expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds. Sponsor: Rep. Pombo, Richard W.

H. Con. Res. 355, Recognizing the benefits and importance of school-based music education, and for other purposes. Sponsor: Rep. Cooper, Jim.

H. Con. Res. 384, Recognizing and honoring the 100th anniversary of the founding of the Alpha Phi Alpha Fraternity, Incorporated, the first intercollegiate Greek-letter fraternity established for African Americans. Sponsor: Rep. Hinchey, Maurice D.

H. Con. Res. 421, Expressing the sense of Congress and support for Greater Opportunities for Science, Technology, Engineering, and Mathematics (GO-STEM) programs. Sponsor: Rep. Price, Tom.

H. Con. Res. 438, Expressing the sense of the Congress that continuation of the welfare reforms provided for in the Personal Re-

sponsibility and Work Opportunity Reconciliation Act of 1996 should remain a priority. Sponsor: Rep. Shaw, E. Clay, Jr.

H. Con. Res. 478, Supporting the goals and ideals of “Lights On Afterschool!”, a national celebration of after-school programs. Sponsor: Rep. Lowey, Nita M.

H. Con. Res. 484, Commending the New York Institute for Special Education for providing excellent education for students with blindness and visual disabilities for 175 years, and for broadening its mission to provide the same quality education to students with emotional and learning disabilities. Sponsor: Rep. Crowley, Joseph.

H.J. Res. 66, Supporting the goals and ideals of “Lights on Afterschool!” a national celebration of after-school programs. Sponsor: Rep. Lowey, Nita M.

H. Res. 23, Honoring the contributions of Catholic schools. Sponsor: Rep. Kennedy, Mark R.

H. Res. 46, Supporting the goals and ideals of National Mentoring Month. Sponsor: Rep. Osborne, Tom.

H. Res. 122, Expressing the sense of the House of Representatives regarding the study of languages and supporting the designation of a Year of Languages. Sponsor: Rep. Holt, Rush D.

H. Res. 207, Recognizing the 100th anniversary of FarmHouse Fraternity, Inc. Sponsor: Rep. Hulshof, Kenny C.

H. Res. 216, To honor the late playwright Arthur Miller and the University of Michigan for its intention of building a theatre in his name. Sponsor: Rep. Schwarz, John J.H. “Joe”.

H. Res. 218, Congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes. Sponsor: Rep. Porter, Jon C.

H. Res. 295, Expressing the sense of the House of Representatives supporting the establishment of September as Campus Fire Safety Month, and for other purposes. Sponsor: Rep. Jones, Stephanie Tubbs.

H. Res. 302, Recognizing and commending the continuing dedication and commitment of employers of the members of the National Guard and the other reserve components who have been mobilized during the Global War on Terrorism and in defense of the United States. Sponsor: Rep. Pombo, Richard W.

H. Res. 318, Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father’s Day. Sponsor: Rep. Sullivan, John.

H. Res. 484, Supporting efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth. Sponsor: Rep. Porter, Jon C.

H. Res. 576, Asserting that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority, and for other purposes. Sponsor: Rep. Cantor, Eric.

H. Res. 657, Honoring the contributions of Catholic schools. Sponsor: Rep. Kennedy, Mark R.

H. Res. 660, Supporting the goals and ideals of National Mentoring Month. Sponsor: Rep. Osborne, Tom.

H. Res. 668, Celebrating the 40th anniversary of Texas Western’s 1966 NCAA Basketball Championship and recognizing the

groundbreaking impact of the title game victory on diversity in sports and civil rights in America. Sponsor: Rep. Reyes, Silvestre.

H. Res. 677, Recognizing the creation of the NASCAR-Historically Black Colleges and Universities Consortium. Sponsor: Rep. Rogers, Mike D. (AL).

H. Res. 680, Recognizing Dr. I. King Jordan for his contributions to Gallaudet University and the deaf and hard of hearing community. Sponsor: Rep. Kind, Ron.

H. Res. 699, Supporting the goals and ideals of National Entrepreneurship Week and encouraging the implementation of entrepreneurship education programs in elementary and secondary schools and institutions of higher education through the United States. Sponsor: Rep. Price, David E.

H. Res. 751, Recognizing the cultural and educational contributions of American Ballet Theatre throughout its 65 years of service as "America's National Ballet Company". Sponsor: Rep. Maloney, Carolyn B.

H. Res. 781, Congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes. Sponsor: Rep. Porter, Jon C.

H. Res. 808, Expressing the sense of the House of Representatives in support of the goals of National One-Stop Month. Sponsor: Rep. Keller, Ric.

H. Res. 874, Recognizing and honoring older Americans. Sponsor: Rep. Gonzalez, Charles A.

H. Res. 875, Congratulating Spelman College on the occasion of its 125th anniversary. Sponsor: Rep. Lewis, John.

H. Res. 928, Expressing the sense of the House of Representatives that a National Historically Black Colleges and Universities Week should be established. Sponsor: Rep. Johnson, Eddie Bernice.

H. Res. 1009, Supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations. Sponsor: Rep. Porter, Jon C.

H.R. 4, Pension Protection Act of 2006. Sponsor: Rep. Boehner, John A.

H.R. 6, To ensure jobs for our future with secure, affordable, and reliable energy. Sponsor: Rep. Barton, Joe.

H.R. 27, To enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes. Sponsor: Rep. McKeon, Howard P. (Buck).

H.R. 366, To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act. Sponsor: Rep. Castle, Michael N.

H.R. 525, To amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees. Sponsor: Rep. Johnson, Sam.

H.R. 609, College Access and Opportunity Act of 2006. Sponsor: Rep. Boehner, John A.

H.R. 739, To amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration, to provide for greater efficiency at the Occupational Safety and Health Review Commission, to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, and to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration. Sponsor: Rep. Norwood, Charlie.

H.R. 740, To amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission. Sponsor: Rep. Norwood, Charlie.

H.R. 741, To amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission. Sponsor: Rep. Norwood, Charlie.

H.R. 742, To amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration. Sponsor: Rep. Norwood, Charlie.

H.R. 758, To establish an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation. Sponsor: Rep. Ehlers, Vernon J.

H.R. 856, Federal Youth Coordination Act. Sponsor: Rep. Osborne, Tom.

H.R. 1790, Child Medication Safety Act of 2005. Sponsor: Rep. Kline, John.

H.R. 2123, School Readiness Act of 2005. Sponsor: Rep. Castle, Michael N.

H.R. 2132, To extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency. Sponsor: Rep. Kline, John.

H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005. Sponsor: Rep. Souder, Mark E.

H.R. 2830, Pension Security and Transparency Act of 2005. Sponsor: Rep. Boehner, John A.

H.R. 3169, Pell Grant Hurricane and Disaster Relief Act. Sponsor: Rep. Keller, Ric.

H.R. 3668, Student Grant Hurricane and Disaster Relief Act. Sponsor: Rep. Jindal, Bobby

H.R. 3761, Flexibility for Displaced Workers Act. Sponsor: Rep. Boustany, Charles W., Jr.

H.R. 3784, Higher Education Extension Act of 2005. Sponsor: Rep. Boehner, John A.

H.R. 3863, Natural Disaster Student Aid Fairness Act. Sponsor: Rep. Jindal, Bobby.

H.R. 3864, Assistance for Individuals With Disabilities Affected by Hurricanes Katrina or Rita Act of 2005. Sponsor: Rep. Boustany, Charles W., Jr.

H.R. 3975, Hurricane Regulatory Relief Act of 2005. Sponsor: Rep. Jindal, Bobby.

H.R. 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. Sponsor: Rep. Sensenbrenner, F. James, Jr.

H.R. 4525, Second Higher Education Extension Act of 2005; Sponsor: Rep. Boehner, John A.

H.R. 4579, Employee Retirement Preservation Act; Sponsor: Rep. Boehner, John A.

H.R. 4766, Esther Martinez Native American Languages Preservation Act of 2006 Sponsor: Rep. Wilson, Heather.

H.R. 4911, Higher Education Extension Act of 2006. Sponsor: Rep. McKeon, Howard P. (Buck).

H.R. 5293, Senior Independence Act of 2006. Sponsor: Rep. Tiberi, Patrick J.

H.R. 5295, Student and Teacher Safety Act of 2006. Sponsor: Rep. Davis, Geoff.

H.R. 5354, Hurricane Relief Extension Act of 2006. Sponsor: Rep. Boustany, Charles W., Jr.

H.R. 5603, Second Higher Education Extension Act of 2006. Sponsor: Rep. Keller, Ric.

H.R. 5970, Estate Tax and Extension of Tax Relief Act of 2006. Sponsor: Rep. Thomas, William M.

H.R. 6106, To extend the waiver authority for the Secretary of Education under title IV, section 105, of Public Law 109-148. Sponsor: Rep. Jindal, Bobby.

H.R. 6138, Third Higher Education Extension Act of 2006. Sponsor: Rep. Keller, Ric .

H.R. 6197, Older Americans Act Amendments of 2006. Sponsor: Rep. Tiberi, Patrick J.

H.R. 6206, Truman Scholarship Fund Modernization Act. Sponsor: Rep. English, Phil.

H.R. 6326, To clarify the provision of nutrition services to older Americans. Sponsor: Rep. Tiberi, Patrick J.

S. 136, A bill to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park, and for other purposes. Sponsor: Sen. Feinstein, Dianne.

S. 335, A bill to reauthorize the Congressional Award Act. Sponsor: Sen. Lieberman, Joseph I.

S. 2320, A bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes. Sponsor: Sen. Snowe, Olympia J.

S. 2803, Mine Improvement and New Emergency Response Act of 2006. Sponsor: Sen. Enzi, Michael B.

D. LEGISLATION PASSED THE HOUSE IN ANOTHER MEASURE

H.R. 26, Worker Reemployment Accounts Act of 2005. Provisions passed the House in H.R. 27, Job Training Improvement Act of 2005.

H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005. Provisions passed the House in H.R. 4241, Deficit Reduction Act of 2005 (Title II, Subtitle A).

H.R. 609, College Access and Opportunity Act of 2006. Provisions in Title IV, Part B, sections 101(A)(B), 421, 422, 424(b), 426, 427, 428 and Part G, sections 482, 485, 487 and sec. 485(D) passed the House in H.R. 4241, Deficit Reduction Act of 2005 in Title II, Subtitle B, Part I—Higher Education, sections 2112, 2113, 2114, 2116(c), 2117(e), 2120, 2121, 2123, 2128, 2130, and 2131.

H.R. 740, Occupational Safety and Health Review Commission Efficiency Act of 2005. The text of H.R. 740 as passed the House was added to the engrossment of H.R. 739.

H.R. 741, Occupational Safety and Health Independent Review of OSHA Citations Act of 2005. The text of H.R. 741 as passed the House was added to the engrossment of H.R. 739.

H.R. 742, Occupational Safety and Health Small Employer Access to Justice Act of 2005. The text of H.R. 742 as passed the House was added to the engrossment of H.R. 739.

H.R. 2132, To extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency (HEROES) passed the House in Subtitle I—Sec. 571 of H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005 sec. 6(c)(e)(2) passed House in section 105, Budgetary Matters of H.R. 6344, Office of National Drug Control Policy Reauthorization Act of 2006.

H.R. 2830, Pension Security and Transparency Act of 2005. Modified provisions passed the House in sec. 401 of H.R. 4, Pension Protection Act of 2006; and sec. 2201 of H.R. 4241, Deficit Reduction Act of 2005.

H.R. 2831, Pension Preservation and Portability Act of 2005. Modified provisions passed the House in H.R. 2830, Pension Security and Transparency Act of 2005; Further modified version of these provisions passed the House in H.R. 4, Pension Protection Act of 2006.

The following bills had provisions that passed the House in H.R. 609, College Access and Opportunity Act of 2006:

H.R. 132, No Financial Aid for Sex Offenders Act;

H.R. 508, Fed Up Higher Education Technical Amendments Act of 2005;

H.R. 509, International Studies in Higher Education Act of 2005;

H.R. 510, Graduate Opportunities in Higher Education Act of 2005;

H.R. 511, Pell Grants Plus Act;

H.R. 670, Teacher Recruitment and Retention Act of 2005;

H.R. 761, Next Generation Hispanic-Serving Institutions Act;

H.R. 1156, Gifted and Talented Education Enhancement Act of 2005;

H.R. 1522, Teacher and Nurse Support Act of 2005;

H.R. 2637, Campus Fire Safety Right-to-Know Act of 2005.

H.R. 3975, Hurricane Regulatory Relief Act of 2005. Provisions of H.R. 3975 passed the House in H.R. 4241, Deficit Reduction Act of 2005, section 2029; Title II, Subtitle B, Part 2—Higher Education Relief, sections 2142, 2148, 2149, 2150 2151.

H.R. 4793, To make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Act of 1981 program for fiscal year 2006, and for other purposes passed House in S. 2320.

H.R. 4785, To make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Act of 1981 program for fiscal year 2006, and for other purposes passed House in S. 2320.

H.R. 4919, To extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999 passed the House in S. 2363.

H.R. 5837, Youth Build Transfer Act passed the House in S. 3534.

H.R. 6031, September 11 Survivors Student Loan Relief Act passed the House in H.R. 6138, Third Higher Education Extension Act of 2006.

S. 2875, Public Lands Corps Healthy Forests Restoration Act of 2005 passed the House in S. 1238.

E. LEGISLATION PASSED THE HOUSE (BILLS NOT REFERRED TO COMMITTEE)

H.R. 3, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. The House passed bill contains provisions under the committee's jurisdiction in sections 1602 and 1605, relating to State Infrastructure Banks.

H.R. 282, Iran Freedom Support Act. The House passed bill contains provisions under the committee's jurisdiction in section 206 (c) and (d), relating to pension plans.

H.R. 1160, Welfare Reform Extension Act of 2005. Contains provisions to extend programs under the committee's jurisdiction.

H.R. 1815/S. 1042, National Defense Authorization Act for Fiscal Year 2006. Contains provisions in the House passed bill under the committee's jurisdiction (Assistance to Local Educational Agencies for Defense Dependents Education—sec. 561, 562, 563; Extension of Waiver Authority of Secretary of Education With Respect to Student Financial Assistance During a War or Other National Emergency—sec. 571; and Statement of Policy and Report Relating to Contracting with Employers of Persons With Disabilities—sec. 815).

H.R. 3021, TANF Extension Act of 2005. Contains provisions to extend programs under the committee's jurisdiction.

H.R. 3672, TANF Emergency Response and Recovery Act of 2005. Contains provisions within the committee's jurisdiction in section 7—relating to waiver of TANF penalties in Hurricane Damaged States.

H.R. 4241, Deficit Reduction Act of 2005. Provisions of H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005 passed the House in Title II, Subtitle A of H.R. 4241; Provisions of H.R. 609, College Access and Opportunity Act of 2006 passed the House in Title II, Subtitle B, Part 1 of H.R. 4241; Modified provi-

sions of H.R. 2830, Pension Security and Transparency Act of 2005 passed the House in section 2201 of H.R. 4241; Provisions of H.R. 3975, Hurricane Regulatory Relief Act of 2005 passed the House in Title II, Subtitle B, Part 2—Higher Education Relief of H.R. 4241. H.R. 4472, Adam Walsh Child Protection and Safety Act of 2006. Contains provisions in the committee's jurisdiction.

H.R. 4635, TANF and Child Care Continuation Act of 2005. Contains provisions to extend programs under the committee's jurisdiction.

H.R. 4761, Deep Ocean Energy Resources Act of 2006. Contains provisions within the committee's jurisdiction relating to mining and petroleum schools, education funding, post-secondary scholarships, career technical and vocational education, minority-serving higher education institutions; and math and science programs.

H.R. 5122, John Warner National Defense Authorization Act for Fiscal Year 2007. The House passed bill contains provisions in Subtitle II—Assistance to Local Education Agencies for Defense Dependents Education, sections 571 and 572.

H.R. 6111, To amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending. Provisions included in sec. 115, Parity in Application of Certain Limits to Mental Health Benefits.

H.R. 6344, Office of National Drug Control Policy Reauthorization Act of 2006 contains provisions under the committee's jurisdiction in sec. 105(c)(2)(C)(vi) (H.R. 2829 is a similar House companion bill).

S. 250, Carl D. Perkins Career and Technical Education Improvement Act of 2006. The House struck all after the enacting clause and inserted the provisions of a similar measure H.R. 366, Vocational and Technical Education for the Future Act.

S. 707, PREEMIE Act (Prematurity Research Expansion and Education for Mothers Who Deliver Infants Early Act). Contains provisions in sec. 7, Effective Date of Head Start Regulations.

S. 843, Combating Autism Act of 2006. Contains provisions in section 399BB including the Head Start Act, the Early Start Act, the Child Care and Development Act, the Individuals with Disabilities Act, the Child Nutrition Act, and the Rehabilitation Act.

S. 1238, Public Lands Corps Healthy Forests Restoration Act of 2005. (H.R. 2875 is a similar House companion bill).

S. 2363, A bill to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999. (H.R. 4919 is a similar House companion bill).

H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010. Contains committee instructions pursuant to section 301(d) of the Congressional Budget Act.

H. Res. 133, Providing amounts from the applicable accounts of the House of Representatives for continuing expenses of standing and select committees of the House from April 1, 2005, through April 30, 2005.

H. Res. 224, Providing for the expenses of certain committees of the House of Representatives in the One Hundred Ninth Congress.

F. LEGISLATION WITH FILED COMMITTEE REPORTS

109th Congress, First Session

H. Res. 134, Requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans (House Report 109-34).

H. Res. 467, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers (House Report 109-258).

H.R. 27, To enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes (House Report 109-9, Pt. 1 and 2).

H.R. 366, To amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act (House Report 109-25).

H.R. 525, To amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (House Report 109-41).

H.R. 609, College Access and Opportunity Act of 2005 (House Report 109-231).

H.R. 739, To amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration (House Report 109-46).

H.R. 740, To amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission (House Report 109-47).

H.R. 741, To amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission (House Report 109-50).

H.R. 742, To amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration (House Report 109-61, Pt. 1).

H.R. 940, To amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes (House Report 109-161).

H.R. 2123, To reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes (House Report 109-136).

H.R. 2830, Pension Protection Act of 2005 (House Report 109–232 Part 1).

109th Congress, Second Session

H.R. 5293, Senior Independence Act of 2006 (House Report 109–493).

G. LEGISLATION ORDERED REPORTED FROM FULL COMMITTEE

109th Congress, First Session

H.R. 27, Job Training Improvement Act of 2005, was ordered favorably reported, as amended, by a vote of 26–20.

H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005, was ordered favorably reported, as amended, by a vote of 23–20.

Committee Print of Amendments to the Social Security Act and Welfare Reform regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget by a vote of 23–20.

H.R. 366, Vocational and Technical Education for the Future Act, was ordered favorably reported, as amended, by voice vote.

H.R. 525, Small Business Health Fairness Act of 2005, was ordered favorably reported by a vote of 25–22.

H. Res. 134, Requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans, was ordered reported unfavorably by unanimous consent.

H. Res. 467, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers, was ordered unfavorably reported by a vote of 25–20.

H.R. 609, College Access and Opportunity Act of 2005, was ordered favorably reported, as amended, by a vote of 27–20, 1 present.

Committee Print of Amendments to the Higher Education Act regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget.

H.R. 739, Occupational Safety and Health Small Business Day in Court Act, was ordered favorably reported by a vote of 27–19.

H.R. 740, Occupational Safety and Health Review Commission Efficiency Act, was ordered favorably reported, as amended, by a vote of 27–19.

H.R. 741, Occupational Safety and Health Independent Review of OSHA Citations Act, was ordered favorably reported, as amended, by a vote of 27–19.

H.R. 742, Occupational Safety and Health Small Employer Access to Justice Act, was ordered favorably reported by a vote of 27–18.

H.R. 940, Recreational Marine Employment Act of 2005, was ordered favorably reported, as amended, by a vote of 27–18.

H.R. 2123, School Readiness Act of 2005, was ordered favorably reported, as amended, by a vote of 48–0.

H.R. 2830, Pension Protection Act of 2005, was ordered favorably reported, as amended, by a vote of 27 ayes and 22 voting present.

Committee Print of Amendments to the Employee Retirement Income Security Act (ERISA) regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was approved, as amended, for transmittal to the Committee on the Budget by voice vote.

Committee Print of Family Education Reimbursement Act of 2005 regarding the Committee's instructions pursuant to H. Con. Res. 95, the Budget Resolution for Fiscal Year 2006, was not agreed to by a vote of 21–26.

109th Congress, Second Session

H.R. 5293, Senior Independence Act of 2006, was ordered favorably reported, as amended, by voice vote.

H. CONFERENCE REPORTS FILED WITH EDUCATION AND THE
WORKFORCE MEMBERS APPOINTED AS CONFEREES

109th Congress, First Session

H.R. 3, SAFETEA-LU or Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 (House Report 109–203).

H.R. 6,* Energy Policy Act of 2005 (House Report 109–190).

H.R. 1815, National Defense Authorization Act for Fiscal Year 2006 (House Report 109–360).

S. 1932/H.R. 4241, Deficit Reduction Act of 2005 (House Report 109–362).

109th Congress, Second Session

S. 250/H.R. 366,* Vocational and Technical Education for the Future Act (House Report 109–597).

H.R. 5122, National Defense Authorization Act for Fiscal Year 2007 (House Report 109–702).

* Bills referred to committee.

I. CONFERENCES WITH EDUCATION AND WORKFORCE MEMBERS
APPOINTED AS CONFEREES

H.R. 3—SAFETEA-LU or Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005. Conferees appointed 5/26/2005 for consideration of secs. 1118, 1605, 1809, 3018, and 3030 of the House bill, and secs. 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Kline, Keller, and Barrow.

H.R. 6*—Energy Policy Act of 2005. Conferees appointed 7/14/2005 for consideration of secs. 121, 632, 640, 2206, and 2209 of the House bill, and secs. 625, 1103, 1104, and 1106 of the Senate amendment, and modifications committed to conference: Norwood, Johnson, Sam, and Kind.

H.R. 1815—National Defense Authorization Act for Fiscal Year 2006. Conferees appointed 12/16/2005 for consideration of secs. 561–563, 571, and 815 of the House bill, and secs. 581–584 of the Senate amendment, and modifications committed to conference: Castle, Wilson (SC), and Holt.

H.R. 4241/S. 1932—Deficit Reduction Act of 2005. Conferees appointed 12/16/05 for consideration of title VII of the Senate bill and

title II and subtitle C of title III of the House amendment, and modifications committed to conference: Boehner, McKeon, and Miller, George.

H.R. 2830*—Pension Protection Act of 2005. Conferees appointed 3/8/2006 for consideration of the House bill and the Senate amendment thereto, and modifications committed to conference: McKeon, Johnson, Sam, Kline, Tiberi, Miller, George, Payne, and Andrews.

H.R. 366*/S. 250—Carl D. Perkins Career and Technical Education Improvement Act of 2006. Conferees appointed 7/12/06 for consideration of the Senate bill and the House amendment thereto: McKeon, Castle, Souder, Osborne, Musgrave, Miller, George, Woolsey, and Kind.

H.R. 5122—Conferees appointed 9/7/06 for consideration of secs. 571 and 572 of the House bill, and secs. 571, 572, 1081, and 1104 of the Senate amendment, and modifications committed to conference: McKeon, Kline, and Miller.

* Bills referred to committee.

V. COMMITTEE ON EDUCATION AND THE WORKFORCE STATISTICS

A. GENERAL STATISTICS ON REFERRED MATTERS

Total Number of Bills and Resolutions Referred	738
Total Number of Hearings	62
Total Number of Hearings Held by the Full Committee	22
Total Number of Field Hearings	13
Total Number of Field Hearings Held by the Full Committee	3
Total Number of Markup Sessions	26
Total Number of Full Committee Markup Sessions	18
Total Number of Measures Ordered Reported by the Full Committee	19
Total Number of Filed Reports	21
Total Number of Committee Reports	14
Total Number of Filed Conference Reports	6
Report on the Activities of the Committee for the 109th Congress	1
Total Number of Conferences with Committee Members Appointed Conferees	7
Total Number of Bills and Resolutions Passed the House	84
Total Number of Bills Passed the House in Another Measure	27
Total Number of Bills Enacted Into Law	37

B. NOT REFERRED MATTERS CONTAINING COMMITTEE'S JURISDICTION

Total Number of Not Referred Bills That Passed the House	22
Total Number of Not Referred Bills Enacted Into Law	21

SUBCOMMITTEE ON EMPLOYER-EMPLOYEE RELATIONS

I. SUMMARY OF ACTIVITIES

Members of the House Education and the Workforce Employer-Employee Relations (EER) Subcommittee, led by Chairman Sam Johnson (R-TX), worked successfully with President George W. Bush during the 109th Congress to modernize outdated federal pension and labor laws to help working families meet the challenges and opportunities of the modern economy.

Pension reform and worker retirement security were key issues for the EER Subcommittee during the 109th Congress because of the continuing decline of the defined benefit pension system—a decline that is putting current and future retiree pension benefits at risk—and also because of ongoing fallout from the 2002 corporate collapses at employers such as Enron and WorldCom.

The following is a summary of the subcommittee's chief accomplishment in the 109th Congress: an overhaul of private pension laws on behalf of workers, retirees, and taxpayers.

PROTECTING WORKER PENSIONS AND ENHANCING RETIREMENT
SECURITY

On July 28, 2006, the House passed the Pension Protection Act (H.R. 4), legislation that reflects the bipartisan agreement struck by House and Senate negotiators to reform outdated worker pension laws. President Bush signed the measure into law in August.

The pension laws on the books today were written for a 1970s economy with a 1970s workforce. Times have changed, but as the EER Subcommittee and the full Education and the Workforce Committee discovered after years of hearings and legislative action, these laws have not. The Pension Protection Act aims to reform broken pension rules that no longer serve the interests of workers who count on their retirement savings being there for them when they need it. For example, the Pension Protection Act includes tough new funding requirements to ensure employers adequately and consistently fund their pension plans, provide workers with meaningful disclosure about the financial status of their benefits, and protect taxpayers from a possible multi-billion dollar bailout of the federal Pension Benefit Guaranty Corporation (PBGC).

Specifically, the law has seven major areas of reform. These include:

1. Reforming Outdated Single-Employer Defined Benefit Pension Laws

H.R. 4 ensures employers and unions fund their pension promises to workers by:

- Providing a permanent interest rate phased on a modified “yield curve” for employers to more accurately measure current pension liabilities as they come due;
- Requiring employers to make sufficient contributions to plans in order to meet a 100 percent funding target and erase funding shortfalls over seven years;
- Prohibiting employers from using credit balances if their plans are funded at less than 80 percent;
- Triggering accelerated contributions for “at-risk” plans. A plan is deemed at-risk if it fails to meet one of two tests. First, it would be deemed at-risk if it falls below 70 percent funded status using the worse-case scenario assumptions (i.e., employers cannot count credit balances and must assume employees take the most expense benefits and retire at the earliest possible date). If an employer does not meet this test, it can forgo at-risk status only if it is 80 percent funded using standard assumptions (this test would be phased in over three years, starting at 65 percent in 2008 and rising to 70 percent in 2009, 75 percent in 2010, and 80 percent in 2011). If a company meets one of the two tests, it would avoid the at-risk designation; however it would still be required to make up its overall funding shortfall over seven years like any other underfunded plan;
- Reducing the smoothing of interest rates to two years (instead of five for assets and four for liabilities under current

law) to improve funding accuracy and protect plans against market and funding volatility;

- Permitting employers to make additional maximum deductible contributions of up to 150 percent of current liability;
- Prohibiting employers and union leaders from increasing benefits if a plan is less than 80 percent funded, unless the benefits are paid for immediately;

- Prohibiting further benefit accruals for lump sum distributions or shutdown benefits from plans funded at less than 60 percent. Once a plan is above 60 percent, the employer and the union then decide how to credit past service accruals;

- Restricting the use of deferred executive compensation arrangements for employers with severely underfunded plans;

- Permanently establishing an employer-paid termination premium of \$1,250 per participant if a plan sponsor terminates its employee pension plan upon entering bankruptcy. The plan sponsor would pay the premium after a company emerges from bankruptcy;

- Giving airlines that opt for a “hard freeze” of their pension plans an additional 10 years to meet their funding obligations and avoid defaulting on their plans and turning these obligations over to the PBGC. An employer-paid termination premium of \$2,500 per plan participant also must be paid by these airlines if they terminate their employee pension plan upon entering bankruptcy. The plan sponsor would pay the premium after a company emerges from bankruptcy; and

- Giving airlines that opt for a “soft freeze” of their pension plans an additional three years to meet their funding obligations and avoid defaulting on their plans and turning these obligations over to the PBGC. An employer-paid termination premium of \$2,500 per plan participant also must be paid by these airlines if they terminate their employee pension plan upon entering bankruptcy. The plan sponsor would pay the premium after a company emerges from bankruptcy. For these airlines, the bill also extends the deficit reduction contribution relief—that was included in the 2004 Pension Funding Equity Act—through 2007.

2. Reforming the Multiemployer Pension System on Behalf of Workers

H.R. 4 strengthens the multiemployer pension system to ensure these plans are better funded by:

- Identifying underfunded multiemployer pension plans and establishing quantifiable benchmarks for measuring a plan’s funding improvement;

- Providing new notice requirements for underfunded plans;
- Changing the amortization schedule for any plan benefit amendments from 30 years to 15 years;

- Increasing the maximum deductible limit to 140 percent of current liability, providing additional funding flexibility for plans each year;

- Requiring plan trustees to improve the health of the plan by one-third within 10 years if a plan is less than 80 percent funded or will hit a funding deficiency within seven years;

- Prohibiting benefit increases if the increase causes the plan to fall below 65 percent funded status; and
- Establishing new funding standards and possible benefit restrictions for multiemployer plans that are funded at less than 65 percent.

3. *Establishing Legal Certainty for Hybrid Pension Plans*

H.R. 4 ensures hybrid pension plans—such as cash balance plans—remain a viable part of the defined benefit system by:

- Ending the legal uncertainty surrounding cash balance pension plans and ensuring they remain a viable retirement security option for workers and employers; and
- Establishing a simple age discrimination standard for all defined benefit plans that clarifies current law with respect to age discrimination requirements under ERISA on a prospective basis.

4. *Providing Workers With Meaningful Retirement Security Protections*

H.R. 4 strengthens retirement security safeguards to preserve workers' and retirees' peace of mind by:

- Requiring both single and multiemployer plans to include more detailed and specific information on their Form 5500 filings, the equivalent of a pension plan's federal tax return;
- Enhancing Form 4010 disclosure requirements and making all Form 4010 information filed with the PBGC available to the public, except for sensitive corporate proprietary information;
- Establishing an 80 percent, at-risk threshold that determines whether plans pose a threat to the PBGC and therefore file 4010 information;
- Requiring both single and multiemployer pension plans to notify workers and retirees of the funded status of their plan within 120 days after the close of the plan year;
- Giving employers the option of allowing workers to sell their company stock three years after receiving it in their 401(k) plan;
- Prohibiting companies from forcing employees to invest any of their own retirement savings contributions in the stock of the employer;
- Making clear that companies have a fiduciary responsibility for workers' savings during "blackout" periods, when workers are temporarily barred from making changes to their 401(k) investments; and
- Requiring companies to give workers quarterly benefit statements that include information about accounts, including the value of their assets, their rights to diversify, and the importance of maintaining a diversified portfolio.

5. *Providing Workers With Access to High-Quality Investment Advice*

H.R. 4 provides—for the first time ever—voluntary, professional investment advice to workers by:

- Permitting qualified “fiduciary advisers” to offer face-to-face, personally-tailored investment advice to help employees manage their 401(k) and other retirement options;
- Requiring tough fiduciary and disclosure safeguards to ensure that advice provided to employees is solely in their best interest;
- Requiring fiduciary advisers for employer-sponsored plans [such as 401(k)s] to base their recommendations on a computer model that is certified and audited by an independent party; and
- Requiring fiduciary advisers for non-employer sponsored plans [such as IRAs] to charge a flat rate fee for one year (with no computer model). During that time, the U.S. Department of Labor, in consultation with Treasury, will study whether a computer model exists to tailor professional investment advice to an individual’s own unique needs based on personal and subjective criteria about their financial and family circumstances, taking into account the full range of investment options available to IRAs, including equities and bonds. If they cannot certify that such a model exists, then the advisers would be free to provide advice free from the prohibited transaction exemption as long as they certify in writing that the company has adopted written policies and procedures which ensure that the investment advice provided is in the employee’s best interest.

6. *Modernizing Defined Contribution Laws to Encourage Retirement Savings*

H.R. 4 makes significant reforms to ensure Americans have more opportunities than ever to save for their retirement by:

- Encouraging employers to automatically enroll workers in defined contribution pension plans, while giving workers the option to opt-out of the plans;
- Making permanent the individual retirement account (IRA) and pension provisions enacted under 2001 tax cut legislation. The 2001 law increased annual contribution limits for IRAs and qualified pension plans, created additional “catch-up” contributions for individuals age 50 and older, and created incentives for small employers to offer pension plans. These reforms—initially enacted in 2001—are scheduled to expire in 2010;
- Extending permanently indexing to inflation the “Savers” Credit,” which is set to expire after December 31, 2006. This credit allows eligible individuals who make contributions to an IRA or qualified pension plan to receive a federal “match” in the form of an income tax credit for the first \$2,000 of annual contributions;
- Giving taxpayers the option of “split tax refunds,” in which they may choose to deposit a portion of their federal tax refund directly into an IRA;
- Waiving a 10-percent early IRA distribution penalty for military reservists and national guardsmen who are called to active duty for at least 180 days. Withdrawn amounts may be repaid to the IRA or pension plan within two years of the distribution without regard to the annual contribution limits;

- Waiving the 10-percent early distribution penalty for public safety employees who participate in governmental pension plans with a Deferred Retirement Option Plan (DROP) benefit feature;
- Allowing tax-free rollovers from the IRA or pension of a deceased individual to an IRA or pension of a designated beneficiary. Under current law, such transfers are tax-free only if made to the account of a spouse; and
- Allowing disabled individuals to contribute to an IRA even if they do not have earned income.

7. Ensuring Affordability of Health Care and Long-Term Care

H.R. 4 takes important steps to help workers and retirees combat rising costs of health insurance by:

- Encouraging the development of combination insurance products, which provide consumers with various insurance protections in a single product while also providing a saving feature. Combination products may be more attractive to consumers and less expensive.

The Pension Protection Act will reassure workers and retirees who rely on pension benefits, provide certainty for employers who offer them, and protect taxpayers who could be called upon to fund a bailout of the Pension Benefit Guaranty Corporation. This type of overhaul had been a long time coming for the EER subcommittee, and with the President's signature, workers, retirees, and taxpayers alike have seen a major victory.

II. HEARINGS HELD BY THE SUBCOMMITTEE ON EMPLOYER-EMPLOYEE RELATIONS

109th Congress, First Session

April 28, 2005—Hearing on “Challenges to Employee Efforts to Preserve Retiree Health Care Benefits” (109–12).

May 17, 2005—Hearing on “Examining Pay-For-Performance Measurers and Other Trends in Employer-Sponsored Health Care” (109–17).

November 10, 2005—Hearing on “H.R. 1445, Workplace Religious Freedom Act of 2005” (109–26).

109th Congress, Second Session

May 4, 2006—Hearing on “Examining the Impact of State Mandates on Employer-Provided Health Insurance” (109–40).

July 20, 2006—Hearing on “H.R. 16, Tribal Labor Relations Restoration Act of 2005” (109–48).

July 31, 2006—Field hearing on “Immigration: Enforcing Employee Work Eligibility Laws and Implementing a Stronger Employment Verification System,” in Plano, Texas (109–51).

August 30, 2006—Field hearing on “Examining the Retirement Security of State and Local Government Employees,” in Springfield, Illinois (109–54).

September 28, 2006—Hearing on “Examining Whether Combining Guards and Other Employees in Bargaining Units Would Weaken National Security” (109–60).

III. MARKUPS HELD BY THE SUBCOMMITTEE ON EMPLOYER-EMPLOYEE RELATIONS

109th Congress

June 22, 2005—H.R. 2830, Pension Protection Act of 2005 was ordered favorably reported, as amended, to the Full Committee by voice vote.

IV. SUBCOMMITTEE ON EMPLOYER-EMPLOYEE RELATIONS STATISTICS

Total Number of Bills and Resolutions Referred to Subcommittee	140
Total Number of Hearings	8
Field	2
Total Number of Subcommittee Markup Sessions	1
Total Number of Bills Reported From Subcommittee	1

SUBCOMMITTEE ON WORKFORCE PROTECTIONS

I. SUMMARY OF ACTIVITIES

The Workforce Protections Subcommittee, chaired by Rep. Charlie Norwood (R-GA), devoted significant energy and attention during the 109th Congress to the needs of American workers and their families. The Subcommittee focused particular attention on the priority of improving worker safety, particularly workers in U.S. mines. That effort ended with the first comprehensive mine safety reforms in a generation.

Following the tragic January 2006 accident at the Sago Mine in West Virginia and the others that occurred since then, the Education and the Workforce Committee actively sought to discover meaningful facts about the tragedies and how to prevent them in the future.

A week after the Sago Mine tragedy, the Committee facilitated a bipartisan briefing by Department of Labor officials, who detailed the events that occurred, the Mine Safety and Health Administration (MSHA) response, and how its investigation would proceed. This was the first Department of Labor briefing on the tragedy held on Capitol Hill. Additional briefings with MSHA staff have continued throughout the accident investigations.

In January, former chairman of the committee and current House Majority Leader John Boehner (R-OH), Workforce Protections Subcommittee chair Charlie Norwood (R-GA), and Rep. Shelley Moore Capito (R-WV) wrote to Secretary of Labor Elaine Chao, urging her to immediately reverse a Labor Department policy that barred public access to factual information under the Freedom of Information Act, such as inspector notes, until a mine safety case had been closed. On January 30, the Labor Department reversed its policy.

Seeking to harness the power of technology to help bolster mine safety in the future, the Committee staff facilitated meetings with manufacturers of mine safety devices, including mine refuge chambers, to learn about the uses and limitations of safety technology. These meetings continued throughout 2006.

On March 1, 2006, the Committee held the first in a series of hearings on mine safety. This oversight hearing served to provide a general overview of mine health and safety regulations, from the perspective of federal regulators, representatives of the mining in-

dustry, and those who work in mines. Another hearing followed later in the month, during which House Members from both parties had an opportunity to share their unique perspectives on mine safety. Notably, all three Members of the West Virginia delegation to the U.S. House testified at the hearing. Simultaneously, thorough briefings from federal mine health and safety officials continued to complement the information gathered at these oversight hearings.

The Committee's oversight activities pointed toward a very clear need for better communications technology, modernized safety practices inside U.S. mines, and strengthening the enforcement of current mine safety laws—needs addressed comprehensively by the Mine Improvement and New Emergency Response (MINER) Act, which was passed in May 2006 by the Senate without opposition and introduced separately in the House by Rep. Shelley Moore Capito (R-WV) that same month.

Following Senate passage of the MINER Act (S. 2803), Education and the Workforce Committee Chairman McKeon struck a deal with Norwood, Capito, Rep. Harold Rogers (R-KY), members of the West Virginia and Kentucky delegations, and the House leadership to bring to the House floor the Senate-passed measure under an expedited process. S. 2803 represents the first meaningful reforms to mine health and safety law in a generation. Below is a brief summary of the measure's key components: modernized safety practices; enhanced communications technology; and strengthening current mine safety laws.

Modernized Safety Practices

The MINER Act aims to:

- Make certain mines develop and continuously update a written emergency response plan and require each mine's plan to be continuously reviewed, updated, and re-certified by the Mine Safety and Health Administration (MSHA) every six months;
- Double the amount of oxygen available to individual miners and require mine operators to store extra oxygen packs along escape routes and to perform periodic checks on the devices;
- Require strengthened seals for abandoned sections of mines;
- Launch a competitive grant program for new mine safety technology to be administered by the National Institute for Occupational Safety and Health (NIOSH); and
- Start an interagency working group to provide a formal means of sharing non-classified technology that would have applicability to mine safety.

Enhanced Communications Technology

The MINER Act aims to:

- Establish wireless two-way communications and an electronic tracking system within three years, permitting those on the surface to locate persons trapped underground.

Strengthening Current Mine Safety Laws

The MINER Act aims to:

- Ensure that all mine operators notify MSHA of all incidents or accidents which pose a reasonable risk of death within 15 minutes and set a civil penalty of \$5,000 to \$60,000 for mine operators who fail to do so;
- Raise the criminal penalty cap to \$250,000 for first offenses and \$500,000 for second offenses, as well as increase the maximum civil penalty for flagrant violations to \$220,000; and
- Give MSHA the power to shut down a mine in cases where the mine has refused to pay a final order MSHA penalty.

Throughout the 109th Congress, the Workforce Protections Subcommittee remained dedicated to discovering meaningful facts about this the 2006 mine tragedies and the safety of American mines overall. Advancing broad, comprehensive legislation to President Bush’s desk was among the panel’s most significant accomplishments in years.

II. HEARINGS HELD BY THE SUBCOMMITTEE ON WORKFORCE PROTECTIONS

109th Congress, First Session

May 12, 2005—Hearing on “Examining Voluntary Employer Compliance Programs that Improve Occupational Safety and Health” (109–15).

May 26, 2005—Hearing on “H.R. 2561, Improving Access to Workers’ Compensation for Injured Federal Workers Act, and H.R. 697, Federal Firefighters Fairness Act of 2005” (109–20).

109th Congress, Second Session

March 1, 2006—Hearing on “Evaluating Health and Safety Regulations in the American Mining Industry” (109–31).

March 16, 2006—Hearing on “Mine Safety and Health: A Congressional Perspective” (109–32).

April 27, 2006—Hearing on “Examining the Use of Non-Consensus Standards in Workplace Health and Safety” (109–36).

June 14, 2006—Hearing on “Addressing Concerns about the U.S. Department of Labor’s Use of Non-Consensus Standards in Workplace Health and Safety” (109–44).

August 14, 2006—Field hearing on “Immigration: Economic Impact on American Workers and Their Wages,” in Gainesville, Georgia (109–52).

III. MARKUPS HELD BY THE SUBCOMMITTEE ON WORKFORCE PROTECTIONS

109th Congress

March 10, 2005—H.R. 940, Recreational Marine Employment Act of 2005 was ordered favorably reported to the Full Committee by a vote of 6–5.

IV. SUBCOMMITTEE ON WORKFORCE PROTECTIONS STATISTICS

Total Number of Bills and Resolutions Referred to Subcommittee	109
Total Number of Hearings	7
Field	1
Total Number of Subcommittee Markup Sessions	1
Total Number of Bills Reported From Subcommittee	1

SUBCOMMITTEE ON 21ST CENTURY COMPETITIVENESS

I. SUMMARY OF ACTIVITIES

In the 109th Congress, the Subcommittee on 21st Century Competitiveness undertook a bold agenda for education reform to help bolster American competitiveness and encourage constant improvement in education.

The subcommittee, chaired in the 109th Congress by Rep. Howard P. “Buck” McKeon (R–CA) and Rep. Ric Keller (R–FL), has jurisdiction over the Higher Education Act, America’s job training system under the Workforce Investment Act, welfare reform legislation, and many other federal laws that play a vital role in helping to equip Americans with the tools to compete and prosper in the 21st Century economy.

The following is a summary of the subcommittee’s chief accomplishment in the 109th Congress: the reauthorization of the Higher Education Act (HEA), part of which took place through the fiscal year 2006 budget reconciliation process.

Expanding College Access and Ensuring Student Aid Programs Serve the Needs of Students First

Runaway entitlement spending is a threat to every American, from students and families to workers and retirees. In the 109th Congress and prior, the 21st Century Competitiveness Subcommittee worked to rein in spending and reform outdated entitlement programs that aren’t meeting the needs of those they are supposed to serve. Key components of that effort are reforms to student loan programs that improve program efficiency and effectiveness.

The Deficit Reduction Act (P.L. 109–171), enacted in February 2006, reauthorized mandatory spending programs under the Higher Education Act by including protections for taxpayers coupled with key benefits for students. The measure generated billions in savings and directed resources to expand college access. Among the chief reforms of the legislation are:

Improving program efficiency by reducing lender subsidies. Excess lender subsidies known as “floor income,” any rate of return higher than the guaranteed minimum, have been eliminated, and federal insurance against defaulted loans has been reduced by one percent to shift a greater share of risk to private sector loan providers. Building on Republican efforts to protect students and taxpayers, the 9.5 percent minimum rate of return, which was previously available to some lenders but was closed off through Republican efforts in 2004, has been eliminated permanently and comprehensively while offering limited flexibility for small non-profit student aid providers to phase out the subsidies without jeopardizing student benefits.

Increasing loan limits to give students access to more financial aid. Loan limits for first-year students were last adjusted in 1986, and for second-year students in 1992. To better reflect current student need, first-year student limits have increased from \$2,625 to \$3,500 and second-year student limits have increased from \$3,500 to \$4,500. However, aggregate undergraduate borrowing limits remained unchanged at \$23,000, ensuring students are not saddled

with unnecessarily high debt loads. Graduate unsubsidized annual borrowing limits also increased from \$10,000 to \$12,000.

Reducing loan fees so students can keep more of what they borrow. Total loan fees have been reduced from up to four percent today to just one percent on all student loans.

Retaining scheduled interest rates for students and graduates. Student loan interest rates were set at 6.8 percent beginning on July 1, 2006, maintaining current law and reflecting bipartisan agreements developed in years prior with student groups.

Providing new loan opportunities for graduate students. Graduate students are now, for the first time ever, able to access PLUS loans, which allow borrowing up to the cost of attendance to provide a new source to help finance graduate study.

Ending conflicts of interest in the 'school as lender' program. In the very narrow program in which schools can also act as lenders, the potential for a conflict of interest arises when schools making loans stand to benefit financially from increases in student debt. No new schools are permitted to enter this arrangement, and to protect student interests, additional restrictions are applied to schools already participating to ensure proceeds are directed to need based aid.

Preventing fraud and abuse in federal student aid. An IRS data match system to verify financial aid information has been established to ensure student financial aid is reaching students who need it the most and funds are not being wasted or misused.

Clarifying federal student aid rules on drug-related offenses. The measure clarified current federal law prohibiting students from receiving federal grant, work, or loan assistance if they have been convicted of an offense under federal or state law involving the possession or sale of a controlled substance. Consistent with congressional intent when the provisions were first established in 1998, the law clearly will apply to students who are currently enrolled, receiving federal Title IV aid, and convicted of the offense.

Increasing grant aid for students studying math and science. Grant aid has been established under the Deficit Reduction Act to reward low-income, high achieving college students in their first and second years, as well as low-income, high achieving students pursuing degrees in math, science, and critical foreign languages in their third and fourth years.

Permanently expanding student loan relief for high demand teachers. Building on efforts in recent years to help schools recruit and retain highly qualified teachers in key subjects, Congress has more than tripled the amount of loan relief for highly qualified math, science, and special education teachers who commit to teaching in high-need K–12 schools for five years. The expanded loan relief first enacted in 2004 has been made permanent, with maximum loan forgiveness for such teachers increased from \$5,000 to \$17,500.

Easing financial burdens on active duty soldiers. The measure allows active duty members of the military to receive loan deferment—meaning payments are not required and interest will not accrue—when serving the nation.

Giving students greater flexibility to take advantage of distance education. Current federal rules on schools limit the number of students who can be enrolled in distance education and the number

of courses an eligible institution may offer via distance education. To ensure the higher education system can take advantage of technological advancements that create new opportunities for students, the so-called “50 percent rule” restricting instruction by telecommunications has been repealed. Financial rules, administrative capability rules, and accreditation safeguards remain in place to prevent fraud and abuse.

In addition to these reforms enacted into law, the subcommittee also advanced to the House legislation to reauthorize the discretionary programs within the Higher Education Act. This legislation—passed by the House in March 2006—aimed to restore the Act to its original mission of providing access to college for low- and middle-income students. Following are some of the key reforms of this legislation, the College Access and Opportunity Act (H.R. 609):

Strengthening Pell Grants, Student Aid, Student Access, and Minority Serving Institutions

The College Access and Opportunity Act aimed to:

- Provide extra Pell Grant aid for high-achieving first and second-year students.
- Provide year-round Pell Grant aid for students attending school throughout the year, and encourage students to make progress toward degree completion.
- Remove an incentive for colleges to raise tuition by repealing Pell Grant “tuition sensitivity.”
- Simplify the financial aid process for needy students and families.
- Strengthen federal college access programs (TRIO and GEAR UP).
- Strengthen minority serving institutions.

Reducing Red Tape for Students and Graduates

The College Access and Opportunity Act aimed to:

- Allow consumers to shop for the best deals on consolidation loans by eliminating the “single-holder” rule.
- Protect borrowers’ credit history by requiring lenders to report to all national credit bureaus.
- Improve repayment options for borrowers having trouble.
- Provide additional consumer protection information to borrowers regarding consolidation loans.

Removing barriers for non-traditional students

The College Access and Opportunity Act aimed to:

- Protect low-income and non-traditional students by ensuring student aid isn’t jeopardized by burdensome “90/10” rule.
- Ensure fair recognition for institutions of higher education.
- Remove barriers that may prevent home-schooled students from pursuing higher education.

Empowering consumers through “sunshine” in college costs and accreditation

The College Access and Opportunity Act aimed to:

- Give consumers more information about what they’re getting for their money.
- Shine a spotlight on excessive tuition hikes.

- Make accrediting agencies more accountable by making information more public.
- Make transfer of credit policies public.

Other features

The College Access and Opportunity Act aimed to:

- Protect students' rights and personal privacy.
- Create opportunities for graduate study that will improve K–12 education.
- Strengthen international and foreign language studies programs for the post-9/11 era.
- Improve teacher training by increasing accountability.
- Strengthen higher education opportunities for military personnel.
- Promote financial and economic literacy.
- Reduce red tape for schools.
- Expand loan relief for nurses, educators, and other professionals in areas of national need.
- Strengthen U.S. competitiveness through math and science programs.
- Repeal duplicative, expired, and/or unnecessary programs.

Today, the federal government is investing tens of billions of dollars annually in direct aid to students, and additional hundreds of millions of dollars are provided to colleges and universities. Yet many of these resources are no longer focused on expanding access for students, the purpose for which the Act was established four decades ago. And troubling cost increases, year after year, have made it clear that colleges and universities must remain accountable to students and parents, the consumers of higher education. This was a message of the 21st Century Competitiveness Subcommittee in the 109th Congress and will remain a core message for Committee Republicans for years to come.

II. HEARINGS HELD BY THE SUBCOMMITTEE ON 21ST CENTURY COMPETITIVENESS

109th Congress, First Session

March 15, 2005—Hearing on “Welfare Reform: Reauthorization of Work and Child Care” (109–4).

March 17, 2005—Hearing on “Tracking International Students in Higher Education: A Progress Report” (Jointly with the Subcommittee on Select Education) (109–5).

May 5, 2005—Hearing on “College Credit Mobility: Can Transfer of Credit Policies Be Improved?” (109–14).

May 19, 2005—Hearing on “Challenges to American Competitiveness in Math and Science” (109–18).

109th Congress, Second Session

May 23, 2006—Hearing on “Paying for College: Innovative Private-Sector Proposals to Complement Record Federal Investment in Student Aid” (109–42).

September 26, 2006—Hearing on “The Internet and the College Campus: How the Entertainment Industry and Higher Education are Working to Combat Illegal Piracy” (109–58).

III. MARKUPS HELD BY THE SUBCOMMITTEE ON 21ST CENTURY COMPETITIVENESS

109th Congress

February 9, 2005—H.R. 27, Job Training Improvement Act of 2005 was ordered favorably reported, as amended, to the Full Committee by a vote of 18–15.

July 13, 14, 2005—H.R. 609, College Access and Opportunity Act of 2005 was ordered favorably reported, as amended, to the Full Committee by a vote of 18–15.

IV. SUBCOMMITTEE ON 21ST CENTURY COMPETITIVENESS STATISTICS

Total Number of Bills and Resolution Referred to Subcommittee	239
Total Number of Hearings	6
Field	0
Total Number of Subcommittee Markup Sessions	3
Total Number of Bills Reported From Subcommittee	2

SUBCOMMITTEE ON EDUCATION REFORM

I. SUMMARY OF ACTIVITIES

In the 109th Congress, the Subcommittee on Education Reform held hearings and approved legislation to strengthen early childhood education, help states and local communities improve career and technical education, and build upon the implementation of the *No Child Left Behind Act*. Chaired by Rep. Mike Castle (R–DE), the panel has jurisdiction broadly over education programs from preschool to the high school level, including the No Child Left Behind Act, special education, preschool programs including the Head Start Act, school lunch and child nutrition programs, vocational and technical education, and anti-poverty programs.

The following is a summary of the subcommittee's chief accomplishment in the 109th Congress: the enactment of legislation to strengthen and reauthorize career and technical education programs.

By an overwhelming bipartisan vote of 399–1, the U.S. House of Representatives in July 2006 approved the *Carl D. Perkins Career and Technical Education Improvement Act* (S. 250) conference report, legislation to strengthen career and technical education and improve educational opportunities for students. The measure—which initially passed the Education Reform Subcommittee in 2005—reauthorized the Perkins career education program.

The conference report was a culmination of a bipartisan effort to increase academic rigor in our career and technical programs and to ensure students have the skills necessary to enter the workforce or to continue to an institution of higher learning. It continues both the State Grant program, which infuses additional integration of academic and technical courses, as well as the Tech Prep program, which importantly focuses on articulation between secondary and postsecondary institutions.

Under the Perkins program, states and local communities help prepare youth and adults for the future by building their academic and technical skills. The programs equip students with the knowledge to proceed with postsecondary education or pursue other postsecondary opportunities. Each year, millions of students enrich their secondary and postsecondary educational opportunities

through participation in career and technical education, and this legislation fulfilled a commitment to improving the performance-levels of those students.

Also included in the *Carl D. Perkins Career and Technical Education Improvement Act* were measures that will ensure academic courses for career and technical students are rigorous and challenging. It also supports student achievement in core academic subjects, as defined by the No Child Left Behind Act, and emphasizes math and science education that incorporates the use of technology.

Each year, millions of students participate in career and technical education. Nearly all students—about 97 percent—leave public high school having taken some career and technical education, with nearly half of all high school students and about one-third of college students involved in career and technical programs as a major part of their studies.

Highlights of the *Carl D. Perkins Career and Technical Education Improvement Act* include:

Emphasizing Student Academic and Career-Technical Achievement

- Focusing on academics;
- Strengthening the transition from secondary to postsecondary education; and
- Enhancing Career and Technical Programs of Study.

Improving Accountability

- Helping states and local communities improve opportunities for students;
- Focusing on success at the local level;
- Allowing states and local communities to reward local performance; and
- Encouraging equitable participation for students.

Ensuring Effective Use of Federal Funding

- Increasing flexibility for states; and
- Maintaining local control.

Enhancing Professional Development for Teachers

- Recognizing the importance of teachers in improving academic achievement; and
- Ensuring teachers have access to quality professional development.

The Perkins program represents one of the largest federal investments in U.S. high schools and is a key component of secondary and postsecondary education systems. Through this reauthorization of the programs, Congress aimed to strengthen the Perkins program by helping states better utilize federal funds for secondary and postsecondary vocational education programs, increasing accountability and emphasizing student achievement, and strengthening opportunities for coordination between secondary and postsecondary career and technical education.

II. HEARINGS HELD BY THE SUBCOMMITTEE ON EDUCATION REFORM
109th Congress, First Session

February 15, 2005—Hearing on “H.R. 366, the Vocational and Technical Education for the Future Act” (109–1).

April 14, 2005—Hearing on “The Best of Head Start: Learning From Model Programs” (109–7).

April 21, 2005—Hearing on “Early Childhood Education: Improvement Through Integration” (109–9).

June 9, 2005—Hearing on “The Role of Non-Profit Organization in State and Local High School Reform Efforts” (109–21).

June 28, 2005—Hearing on “How the Private Sector is Helping States and Communities Improve High School Education” (109–23).

November 17, 2005—Hearing on “Combating Methamphetamines Through Prevention and Education” (109–28).

109th Congress, Second Session

July 26, 2006—Hearing on “Examining Views on English as the Official Language” (109–49).

August 28, 2006—Field hearing on “No Child Left Behind: Successes and Challenges of Implementation in Urban and Suburban Schools,” in Chicago, Illinois (109–53).

September 27, 2006—Hearing on “Perspectives on Early Childhood Home Visitation Programs” (109–59).

III. MARKUPS HELD BY THE SUBCOMMITTEE ON EDUCATION REFORM
109th Congress

May 11, 2005—H.R. 2123, School Readiness Act of 2005 was ordered favorably reported, as amended, by voice vote.

IV. SUBCOMMITTEE ON EDUCATION REFORM STATISTICS

Total Number of Bills and Resolutions Referred to Subcommittee	207
Total Number of Hearings	9
Field	1
Total Number of Subcommittee Markup Sessions	1
Total Number of Bills Reported From Subcommittee	1

SUBCOMMITTEE ON SELECT EDUCATION

I. SUMMARY OF ACTIVITIES

In the 109th Congress, the Subcommittee on Select Education—chaired by Rep. Pat Tiberi (R–OH)—held numerous hearings and approved several important pieces of legislation to strengthen higher education and maintain strong oversight over the financial management at the U.S. Department of Education. The panel’s most significant accomplishment, however, was the enactment of legislation to reform and reauthorize the Older Americans Act.

The Older Americans Act, initially established to govern a wide array of social services for elderly Americans, has transformed into the first stop for older Americans to identify home- and community-based long term care options, as well as programs and services for which they may be eligible.

Today, supporting the needs of older Americans is as important as ever. It is estimated that more than 36 million people in the

United States are over the age of 65, making it the fastest growing age group in the country. According to the Census Bureau, by the year 2050, persons over age 65 will reach nearly 90 million and comprise almost a quarter of the total U.S. population. This trend makes a reauthorization of the Older Americans Act all the more important.

With an aging population, additional reforms are needed to ensure the quality and effectiveness of federal programs aimed at assisting the elderly. That is why in the 109th Congress, the Select Education Subcommittee worked to enhance services that can improve the quality of life for aging Americans through the bipartisan Senior Independence Act (H.R. 5293), legislation to strengthen and renew the Older Americans Act. Subsequent legislation, the Older Americans Act Amendments of 2006 (H.R. 6197), represents a bipartisan, bicameral agreement to reauthorize the Act and was passed by the House on September 28, 2006.

In crafting the bipartisan Senior Independence Act, the Select Education Subcommittee, led by Chairman Tiberi and Ranking Democrat Ruben Hinojosa (D-TX) held a series of hearings both inside and outside the Washington Beltway to better understand the impact Older Americans Act programs have on older Americans.

H.R. 5293 and H.R. 6197 promote the key principles of President Bush's Choices for Independence plan, which emphasizes consumer choice, access to reliable information, and health promotion. Following are some key reforms of the legislation:

The Older Americans Act Amendments of 2006 aim to promote home and community-based supports to help older individuals avoid institutional care by:

- Coordinating Administration on Aging and Centers for Medicare and Medicaid Services to support community-based efforts to assist low-income and limited-English speaking populations with enrollment in the Medicare prescription drug program;
- Launching Aging and Disabilities Resource Centers in all 50 states and Puerto Rico to create a single point of access to the range of services available to seniors, including home and community-based long-term care options and the new Medicare prescription drug program;
- Including the principles of President Bush's Choices for Independence proposal—consumer choice, access to information, and health promotion;
- Providing home and community-based services that support older individuals at risk for institutional placement with activities of daily living;
- Encouraging comprehensive, coordinated systems at federal, state, and local levels for streamlining access to program benefits;
- Increasing the use of technology and web-based decision support tools to assist consumers with learning about and access or enroll in benefits and programs for which they may be eligible;
- Identifying cost-effective strategies to improve state systems of long-term care; and
- Promoting the use of programs that can help older people reduce their risk of disease, disability, and injury.

The Older Americans Act Amendments of 2006 aim to strengthen health and nutrition initiatives by:

- Promoting evidence-based programs to assist older individuals and their family caregivers in learning about and making behavioral changes to reduce the risk of injury, disease, and disability among older individuals;
- Ensuring health promotion programs are evidence-based and broadening the definition of disease prevention and health promotion to include diabetes, falls prevention, improved nutrition, and physical activity;
- Updating nutrition provisions consistent with the most recent Dietary Guidelines for Americans and the Food Guide Pyramid;
- Recognizing the important role of dietitians and other nutrition professionals in meal planning, nutrition education, and nutrition screening, counseling, and assessment;
- Emphasizing the critical link between nutrition and the prevention of chronic disease;
- Supporting efforts to reduce obesity among the elderly; and
- Allowing local meal programs the option to offer seniors a multivitamin-mineral supplement when accompanied by a meal.

The Older Americans Act Amendments of 2006 aim to improve educational and volunteer services by:

- Supporting program access for individuals with limited English proficiency;
- Promoting financial literacy for older Americans; and
- Enhancing coordination among senior volunteer programs, including those authorized by the Corporation for National Service.

The Older Americans Act Amendments of 2006 aim to increase Federal, state, and local coordination by:

- Supporting efforts of area agencies on aging to identify how programs, policies, and services can be improved to meet the needs of the changing population of older individuals within a planning and service area;
- Assisting states and local communities with emergency preparedness; and
- Encouraging local agencies on aging to work with city and county officials, state agencies, and other community entities to develop plans for housing, transportation, public safety, and recreation.

The Older Americans Act Amendments of 2006 aim to safeguard employment-based training for older Americans by:

- Maintaining the program's dual purpose of community service and employment-based job training;
- Allowing public or private nonprofit agencies and organizations to compete for national grants, which is consistent with current law;
- Retaining the age of 55 for program eligibility (consistent with current law), but requiring grantees to first serve those with the greatest need, including individuals over the age of 65.

- Requiring grantees to report performance on serving those with the greatest need;
- Clarifying the use of Senior Community Service Employment Program (SCSEP) funds;
- Strengthening opportunities for business sector partnerships;
- Providing greater flexibility for SCSEP grantees and allow for more funds to be available for other supportive services such as on-the-job training and literacy training;
- Requiring grantees to have an *average* time limit for participation not to exceed 2 years and limiting individual participation to not more than 4 years;
- Moving from 20 to 30 percent unsubsidized employment by phasing in a 2 percent increase over the next 5 years and requiring the Secretary of Labor to provide technical assistance to meet the new targets; and
- Stipulating that the Secretary of Labor may renew a grant under title V for each of two succeeding years after the initial three-year grant award provided that the grantee has met or exceeded all negotiated levels of performance.

The changing needs of older Americans require that Congress thoughtfully proceed with the reauthorization of the Older Americans Act this year. The Select Education Subcommittee worked in the 109th Congress to make the necessary reforms to make the most of the federal investment in programs to assist older Americans, while ensuring that the growing senior population is served by the same quality programs established by the 1965 law.

II. HEARINGS HELD BY THE SUBCOMMITTEE ON SELECT EDUCATION

109th Congress, First Session

March 17, 2005—Hearing on “Tracking International Students in Higher Education: A Progress Report” (Jointly with the Subcommittee on 21st Century Competitiveness) (109–5).

April 22, 2005—Field hearing on “International Education and Foreign Language Studies in Higher Education,” in Columbus, Ohio. (109–10).

May 2, 2005—Field hearing on “Expanding Opportunities for Graduate Study at Hispanic Serving Institutions,” in Edinburg, Texas. (109–13).

May 24, 2005—Hearing on “An Examination of the Older Americans Act” (109–19).

July 12, 2005—Hearing on “Coordination Among Federal Youth Development Programs” (109–24).

November 30, 2005—Field Hearing on “How the Lack of Higher Education Faculty Contributes to America’s Nursing Shortage, Part I,” in Greeley, Colorado (109–29).

December 2, 2005—Field Hearing on “How the Lack of Higher Education Faculty Contributes to America’s Nursing Shortage, Part II,” in Henderson, Nevada (109–30).

109th Congress, Second Session

April 3, 2006—Field hearing on “The Older Americans Act: Strengthening Communities to Support the Next Generation of Older Americans,” in Edinburg, Texas (109–33).

April 28, 2006—Field hearing on “The Older Americans Act: Improving Quality of Life for Aging Americans,” in Westerville, Ohio (109–37).

May 2, 2006—Hearing on “Senior Independence Act of 2006” (109–38).

III. MARKUPS HELD BY THE SUBCOMMITTEE ON SELECT EDUCATION

109th Congress, First Session

June 16, 2005—H.R. 509, International Studies in Higher Education Act of 2005 was ordered favorably reported, as amended, to the Full Committee by voice vote. H.R. 510, Graduate Opportunities in Higher Education Act of 2005 was ordered favorably reported, as amended, to the Full Committee by voice vote.

109th Congress, Second Session

May 10, 2006—H.R. 5293, Senior Independence Act of 2006 was ordered favorably reported, as amended, to the Full Committee by voice vote.

IV. SUBCOMMITTEE ON SELECT EDUCATION STATISTICS

Total Number of Bills and Resolutions Referred to Subcommittee	70
Total Number of Hearings	10
Field	6
Total Number of Subcommittee Markup Sessions	2
Total Number of Bills Reported From Subcommittee	3

