

Legislate[®]

Key Legislative Developments Affecting Your Human Resources

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Overview of Congressional Committees

With Congress in recess until after the mid-term elections on November 4, this week's edition of *Legislate* provides an overview of the congressional committees that have legislative jurisdiction or oversight authority over employee benefits and employment matters.

Committees of Jurisdiction

There are four principal congressional committees with legislative jurisdiction over employee benefits and employment law — the House Committee on Education & the Workforce, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Health, Education, Labor & Pensions (HELP). After their introduction, bills dealing with employee benefits and employment matters are typically referred to one or more of these four committees. The committees may hold hearings with invited witnesses. Periodically, they will hold legislative [mark-up](#) sessions — during which legislation may be amended and approved, in which case the legislation is reported to that committee's full chamber for further consideration.

House Education and the Workforce Committee

This House committee, established in 1867 as the Committee on Education and Labor, has broad [jurisdiction](#) over education and employment matters — covering for example, Title VII of the Civil Rights Act, the Labor Management Relations Act, workplace safety, wage and hour laws, and the labor code provisions of ERISA. Rep. John Kline (R-MN) is the current chair; George Miller (D-CA) is the current [ranking member](#). Rep. Miller is retiring at the end of this Congress — Bobby Scott (D-VA) will likely replace him as the committee's ranking member. The committee has shown recent interest in [enforcement activities of the National Labor Relations Board](#) and [EEOC reform](#) (see our [September 12, 2014](#) and [September 19, 2014](#) editions of *Legislate*).



House Committee on Ways and Means

This committee is the oldest in Congress and is the House tax-writing committee. In addition to the tax code and revenue measures generally, its [jurisdiction](#) covers the bonded debt of the US, trade agreements and customs, unemployment compensation, social services, Social Security, and Medicare — similar jurisdiction as the Senate Finance Committee. The current chair is Dave Camp (R-MI) — retiring at the end of this Congress; and the current

ranking member is Sandy Levin (D-MI). The next chair is expected to be either Paul Ryan (R-WI) or Kevin Brady (R-TX). The committee has shown an interest in [tax reform](#) (see our [February 27, 2014 FYI Alert](#) for an overview of Chairman Camp's reform proposal).

Senate Finance Committee

The Finance Committee is the Senate tax-writing committee and has [jurisdiction](#) not only over the tax code and revenue measures generally, but also over Social Security, health programs under the Social Security Act (including Medicare, Medicaid, and the Children's Health Insurance Program (CHIP)), and trade agreements. The committee's origins as a permanent committee date back to the early 19th century. Senator Ron Wyden (D-OR) is the current chair; Senator Orrin Hatch (R-UT) is the current ranking member. Earlier this year, the committee spearheaded efforts to pass [tax extenders legislation](#) — the EXPIRE Act (see our [May 9, 2014](#) and [May 16, 2014](#) editions of *Legislate*) and most recently has shown interest in [tax expenditures for retirement savings](#) (see our [September 19, 2014](#) *Legislate*).

Glossary of Legislative Terms

Refer to our [September 5, 2014](#) *Legislate* for definitions of some frequently used legislative terms, like "ranking member" and "mark-up."

Senate Health, Education, Labor, and Pensions (HELP) Committee

This Senate committee's origins date back to 1869, begun as the Committee on Education. Renamed the HELP Committee in 1999, it now has — as its name implies — broad [jurisdiction](#) over healthcare, education, employment, and retirement policies, including private pension plans, public health, disabled individuals, occupational safety and health, wage and hour rules, other labor standards, and equal employment opportunity. Senator Tom Harkin (D-IA) — retiring at the end of this Congress — is the current chair; Senator Lamar Alexander (R-TN) is the current ranking member. Senator Patti Murray (D-WA) is expected to become the next chair or ranking member of this committee in the next Congress (depending on whether the majority in the Senate changes in the upcoming elections). This committee recently approved modifications to the PBGC's enforcement powers under section 4062(e) of ERISA — S.2511 (see our [July 25, 2014](#) *Legislate*), which also recently passed the Senate (see our [September 19, 2014](#) *Legislate*).

Other Committees with Legislative Jurisdiction

In addition to these four, several other committees have jurisdiction over matters that may be relevant to employee benefits and employment issues. The following committees have jurisdiction that may periodically impact these matters, although they are not the primary focus of these committees.

Senate Committee on Banking, Housing, and Urban Affairs. This committee, formally established in 1913, has [jurisdiction](#) over such diverse issues as banking, insurance, financial markets, housing, urban development and mass transit, and securities laws. For example, proposals seeking to amend the executive pay disclosure requirements required under securities laws would be referred to this committee.

House Energy and Commerce Committee. This committee — the oldest standing legislative committee in the House — has broad [jurisdiction](#) ranging from telecommunications, consumer protection, and food and drug safety to the environment, public health, and interstate and foreign commerce. The committee also has jurisdiction over Medicaid and the Public Health Service Act, including the market reforms made by the Affordable Care Act. The committee shares jurisdiction over Medicare with the House Ways and Means Committee.

House Financial Services Committee. This committee's [jurisdiction](#) includes banking, insurance, money and credit, housing, urban development, securities and exchanges — similar jurisdiction to the Senate banking committee. The Committee, which also has jurisdiction over monetary policy, international finance, international monetary organizations, and efforts to combat terrorist financing, oversees the economy through its oversight of the Federal Reserve Board and individual reserve banks, the Treasury, the production and distribution of currency, and the nation's capital markets.

Committees with Oversight Authority

There are several committees that have oversight responsibility that extends to employee benefits and employment matters, but do not have legislative authority. These committees may study issues and conduct hearings, but they cannot hold legislative mark-ups.

Senate Special Committee on Aging

Established in 1961 as a temporary committee, this Senate committee became permanent in 1977. The committee's [focus](#) is on matters relating to older Americans and its oversight interests are broad — recent hearings, for example, have examined “[telehealth](#)” and the [impact of student loan debt on older workers](#). Among other issues, the Committee has regularly reviewed Medicare's performance, pension coverage, and employment opportunities for older workers.

Joint Committee on Taxation

Created in 1926, the Joint Committee on Taxation (JCT) is a bicameral [committee](#) comprised of members from both the House and the Senate. The chairmanship of the committee alternates annually between the chairs of the two-tax writing committees. JCT employs a nonpartisan staff that assists the tax-writing committees and other members of Congress with developing and analyzing tax legislation. JCT drafts the legislative history of tax bills and also prepares the official revenue estimates for tax legislation. The committee also conducts periodic investigations of the federal tax system.

Joint Economic Committee

Established in 1946, the Joint Economic Committee is another bicameral committee, but its [focus](#) is on the US economy, with the committee holding periodic hearings and making policy recommendations to Congress. The chairmanship of the committee alternates between the Senate and the House every Congress. From time to time, the joint committee will hold hearings on employee benefits and employment issues such as recent hearings on [women's retirement security](#) and [worker empowerment](#).

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