a positive way by moving on these areas of agreement in a comprehensive reform approach.

Mr. Speaker, I include the Washington Post article for the RECORD.

[From the Washington Post, Sept. 15, 1997]

WRONG MOVE ON EDUCATION

The Senate voted almost casually last week in effect to abolish most of the current forms of federal aid to elementary and secondary schools for the year ahead by merging them into two block grants to school districts. The 51–49 roll call after only perfunctory debate seemed meant mainly to score a political point—that Republicans, all but four of whom supported the amendment, favor local control of schools, while Democrats, all of whom opposed it, would have the federal government dictate school policy. But the issue is phony. Democrats no more than Republicans favor anything like federal control of the schools, of which there is scant danger—and the schools deserve better from the Senate than to be used as political stage props.

The federal government pays only a small share of the cost of elementary and secondary education—about 6 percent. The rest is state and local. The federal role thus never has been to sustain the schools, but fill gaps and push mildly in what have seemed to be neglected directions. About half the federal money—some $6 billion a year—has been aimed since the 1960s at providing so-called compensatory education for lower-income children. The block grant amendment, by Sen. Slade Gordon, would have the effect of converting this into general aid. The requirement that the money be spent on poorer students would be dropped in favor of letting school districts spend it as they "deem appropriate." That's more than just a shift to local control; it's a shift away from a long-standing sensible effort to concentrate the limited federal funds on those in greatest need. Does Congress really want to reverse that policy?

Most other Department of Education programs—though not such popular ones as aid to the disabled—would be bunched in the second block grant. As in most departments, a pretty good case can be made for some such bunching. Some programs are always floating around for which the original rationale was weak or has faded and that are too small to warrant separate administration. But that's true of only some, not all, of those Mr. Gorton would dispatch. Example: the Senate voted Thursday in favor of a compromise version of the national testing program the president supports—but in voting for the block grant, as Education Secretary Richard Riley observed, "It then voted to eliminate the funding for this purpose."

Other special-purpose programs in aid of particular groups or in support of reform likewise would disappear, the secretary said, including several the president has touted as evidence of his commitment to education. The president and Democrats generally have made effective political use of the education issue in the past few years. Block-granting would leave them less of a stage from which to do so.

The Gorton amendment would be only for a year, at which point the appropriations bill to which it was attached would lapse, and the issue would have to be fought all over again. That's another reason why, even if mainly for show, it was the wrong way to do business. Mr. Riley was authorized to say it was "unacceptable" to the administration, meaning presumably that the president would veto the bill if the amendment were to survive in conference. He'd be right to do so.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair would remind Members or caution them not to characterize action of the Senate or to quote from publications which are critical of the Senate.

Mr. OWENS. Mr. Speaker, I am sorry. I did not know that we cannot quote from publications.

The SPEAKER pro tempore. Members are not to characterize action of the Senate in any way, critical or otherwise.

THE YEAR 2000 PROBLEM: CAN IT BE MANAGED?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. HORN] is recognized for 30 minutes as the designee of the majority leader.

Mr. HORN. Mr. Speaker, as many of my colleagues know, we have a major problem coming up on January 1, the year 2000. It is called the "Year 2000 Problem", and it relates to our problems with computers that have been programmed going back into the sixties, where we had very little capacity and somebody came up with the bright idea that we could save a few digits here and there by not putting 19 before the year. If it is 1967, let us just put in '67 and we can do all our subtraction and addition based on that.

As we near the year and the day of January 1, 2000, we face the problem of thousands and tens of thousands of computers within the Federal Government, throughout the private sector, State government and other parts of society where we will have 00 and the computer will not know whether it is the year 1900 or the year 2000.

Now, this affects millions of people in terms of Federal entitlements, in determining age eligibility, and so this is the second report card that the Subcommittee on Government Management, Information, and Technology, which I chair, has issued. The other one was last year. We first began focusing attention on this matter in April 1996. We urged the administration to focus attention on this problem.

The big problem that year was to get the administration to make an estimate as to what it would cost to make the conversions, where lines of code, some of them placed in computers in the sixties, the seventies, the eighties, and the nineties have to be brought up on the screen. That information has to be looked at, by a technician, who determines: Is this date relevant? If so, should we save it? And if we are going to save it, we need that date to be in 4-digit years, not 2-digit years.

□ 1315

We now have unbelievable capacity in our computers. Many laptops have a storage capacity now that would take a whole room of computers to provide such storage in the sixties. So this is a solvable problem. But there are no easy answers. If there were, somebody would be a billionaire in solving this problem. So I urge high school students that might watch this to think about how they can fit into helping us solve this crisis, because it is a crisis and it involves not only the Federal systems but State systems, and systems in local governments and the private sector.

When we held our hearings in April 1996, we had experts in computing estimate that this was a $600 billion worldwide problem. And since half the computers are in the United States, it is a $300 billion problem for the United States in private and public sectors. The Gartner Group also estimated that the Federal Government had a $30 billion problem. I thought that was high. But we are not sure. We will know on January 1, 2000.

We asked in the appropriations legislation last year for the submission by the President of the budget it would take to solve this year 2000 problem. The budget for fiscal year 1998 that will end September 30, 1998 and will begin on October 1, 1997, which is just a few weeks away. We asked the administration to give us a recommendation. The recommendation was that it was a $2.3 billion problem to make the various renovations and conversions of existing computer systems in the executive branch.

I must say I had a hearty laugh when I read that figure. I felt that was so far out of touch with reality that maybe it was not even worth considering. So we held a hearing and we had a number of key experts testify. Obviously, one major user of computers is the Department of Defense. We had the very able Assistant Secretary for Command, Control, Communications, and Intelligence General Emmett Paige, Jr., as a witness. We asked him about the administration figure of $2.3 billion for the whole executive branch. He smiled and responded that $1 billion of that $2.3 billion was his recommendation; and that DOD has not even started to look at the assessment to see what is really there in the thousands of systems that the Department of Defense has responsibility to operate.

So we knew that the administration had not quite done its homework. What we have been pressuring for the last few months is to get a much more solid figure on which Congress could depend.

I have very high regard for the Director of OMB, the Office of Management and Budget. Dr. Franklin Raines is a very able person. He immediately started to get on top of this when he became Director last fall. He is planning to make it a major issue in his budget reviews as the Cabinet departments, independent agencies, and smaller commissions come before the Office of Management and Budget to prepare their recommendations to the President for fiscal year 1999 that will begin October 1, 1998.

Now, with computing, we usually underestimate or overestimate, depending on whether it is money or work. What my colleagues will see here in our chart of our original grades made in 1996 compared with the current grades in 1997. Some went completely backward. Only one agency—the Social Security Administration—received an A, and that was an A-minus at that. Three received B's. One received a B-minus. The rest are in trouble. Almost half the agencies involved, there are 11 D's and F's. Those are failing grades.

Some agencies received worse grades than last year because they made very little progress in terms of renovation of these programs. Last year we were putting the stress on: ''Are you planning? Are you organized? Have you faced up to your resources?'' This year we are talking about, ''Okay, last year was to get you organized for planning and looking at the resources. Now, have you gone far enough to renovate some of your systems and to convert them so there will not be a problem on January 1 of the year 2000.''

I will take the responsibility for the actual grades, but my decision was based on an interaction with our fine professional staff in the subcommittee headed by Russell George, the staff director, and a very fine team from the General Accounting Office, which is the legislative branch's financial end program auditors, under Joel Willemssen, the Director of Information Resources Management. And they concur in my conclusions on this.

We have asked the General Accounting Office to look into some of these cases in great depth. And we will continue to do that and depend on them, just as Congress has since they were established in 1921.

Thousands of Government programs must be changed before the 1st of January 2000 or they are going to fail in a series of unpredictable ways. Most of the failures will be very frustrating. Imagine yourself applying for Social Security or Medicare. There is an age relationship between your eligibility and receipt of that check.

And so, the Social Security Administration gets the A-minus here. They had an A last year. They have been working on this problem on their own initiative since 1989, and I commend them for that. The reason they received an A-minus this year is they have not looked into the State portion of their systems on disability and other programs that involve joint State-Federal action through the Social Security Administration. Social Security needs to get to work on those and bring them up to speed as to where they are in terms of year 2000 compliance in their basic database.

But my colleagues can imagine those entitlement programs, be it a student loan or a Social Security check or a Medicare check, a lot of them are date-related. What we have to do is make sure that those agencies that affect human beings solve the problem. There

are millions of people affected by the Social Security Administration. These people must not have a failure of Government service on January 1 of 2000. These are serious problems and not a laughing matter.

Some of the failures will probably be humorous. We had one a few months ago. A delinquency notice was sent on a contract. It said to the vendor that it had been 97 years delinquent. It is because they passed into the 2000 period and instead of giving them a 3-year delinquency, the computer did not know what to do and did what it did. Computers are dumb unless human beings program them.

But these are the kinds of things that can happen. And unfortunately, many of the failures have been disastrous. That is why we are urging the executive branch to get focused on this, and I think Dr. Raines knows what I am talking about, we see eye to eye, that we do not waste a lot of time looking for money up here, that we reprogram money already in the executive branch.

This is the time of year to reprogram. That unspent money is reverting to the Cabinet officers. They are not spending it on some of the authorized programs. They need to put the year 2000 problem as program No. 1 to solve. They need to take those millions that are left in almost every department and independent agency and apply them to the year 2000 program. These agencies must not fall behind schedule.

Some, such as those with especially low grades such as HUD, the Housing and Urban Development Department, the Department of the Interior, Department of Labor, all in the C's and getting down here in the D's

AID is a rather interesting one, the Agency for International Development. We gave them an A last year. They had the planning. They had the resources. They had the focus. And they were getting a new computer system and, by George, they would not have these problems in the year 2000. Lo and behold, they secured the new computer system and then they found it was not year 2000 compliant. It was making the same mistakes. The only difference was it was new. So they have fallen rather far from A to F.

They used to tell the old story in college that the only difference between the A student and the F student is that the F student forgot it before the exam. Well, AID had a little problem here after the exam. Last year they were A on the exam. Now they are on F until they solve the problem.

We know that a lot of programs are going to fail, and we know that Government payments will not be made. And so, our problem is we do not know which programs will fail until there is further assessment by the departments and the independent agencies.

Waiting for a disaster is frankly not my style of governance or management. All Congress can do is to provide oversight. We can goad and prod those that are legally responsible in the executive branch to keep moving.

Management should be active, not passive. The President needs to appoint an individual who will step up to the plate and directly address the Nation's Year 2000 computer problems, starting with the executive branch. The American people deserve nothing less.

Last year's agencies could achieve a good grade by having a complete set of plans. That was last year. This year plans are not enough, as I have suggested in the other examples. Action is what is required.

On the average, only 20 percent of the fixes have been made and only 14 percent tested to see that the fix actually works. When we held our hearing after the administration's $2.3 billion budget recommendation in February. It was clear that too many had not even looked at the extent of the problem.

I cited the Defense example: $1 billion of the $2.3 billion. It was a figure out of the air. Now the administration has recommended that the cost is going to be a little higher now. Now it is $3.8 billion. But that plan did not make sense either. One gap was the plan to implement and test for some agencies in the same year, 1999.

Now, anyone who has worked with computer systems, and I have, knows that what they tell us is usually not what occurs. I will not compare it to used car salesmen, but there is some of that there. They always overestimate. The Government needs time to make sure that after the assessment, after the renovation, that there is an operating evaluation.

I learned long ago, and I have said this many times, that I do not want to be the alpha site, or the first site, on a new computer; I want to be the beta site, or the second site, on a computer system where someone else has worked out all the bugs and they do not have to be worked out on my watch or my beat, to use the analogy of the Navy and the police.

So the administration believed last February it was a $2.3 billion problem. Our hearing showed that the estimate was not in touch with reality. They now estimate the cost to $3.8 billion. That figure is also unrealistic.

Another factor must be considered: Scarce human resources. As we near January 1, 2000, the cost of human resources to fix the problem will rise dramatically. It is not simply a matter of do we have enough time in the year 1999 before we face January 1, 2000. The problem is, the slower we go now, the faster we will have to be in 1999. Our costs will also rise.

The simple answer is that it takes human resources to sit in front of that computer screen, pull up the existing database and deal with it in a new format or get rid of it if we do not need it. That takes people, and those people are going to have higher and higher wages as we get down to crunch day.

The executive branch, the President, cannot issue an executive order to move January 1, 2000. It is going to happen. What they need to do is get

their act together in terms of management. In his last appearance before our Subcommittee on Government Management, I asked the very able and distinguished Deputy Director for Management, ''How many people in the Office of Management and Budget give any attention to management?'' And he said right away, ''Oh, 540.''

Well, that is nonsense. That is the total number of personnel in the Office of Management and Budget. The fact is that if they have 20 employees focused on strictly management problems, I would be amazed. But former administrations had that number or so back under President Truman, President Eisenhower, President Kennedy, President Johnson. They had a first rate management staff in what was then the Bureau of the Budget. That staff could advise Cabinet officers how to solve some of these problems, and that is what we need now.

Our committee will be suggesting down the line that we create an Office of Management whose Director will report to the President or an individual the President delegates within the Executive Office of the President. Right now we have a first rate budget Director who has an interest in management questions. That is not enough.

We have a $5.3, $5.4 trillion national debt and we have a budget that for the first time since 1969 will be balanced thanks to the work of Congress and the agreement of the President. We have a budget that should zero out in 2002 and some even think it might zero out in 1999. The Director of OMB has a full load of budget problems. The President needs an office where a first rate staff can advise on management problems.

□ 1330

The year 2000 problem is not a technical problem. It should not be a money problem. The director is right. Let us reprogram existing money at the end of the fiscal year. We need senior management direction in these Cabinet departments to make the decision to free up resources so that the job will be done.

The year 2000 problem is a crucial problem. It is a management problem. It needs attention at the highest level of the executive branch. We wrote the President a few months ago. He is a great communicator. We urged him to use some of that skill and to make people aware that this is a serious problem. The citizenry needs to be assured that the executive branch will do its work in a timely way.

If this problem does not have the attention at the highest level of the executive branch, many of our fellow citizens will be adversely affected. The costs are going to be rising, because skilled personnel to do this will demand more for their services. They will be in demand by State governments, by corporations, by investment houses, by local governments, among others.

While the President and the Vice President promise computer marvels to come in the 21st century, the American taxpayer needs today's Federal computers fixed before they come crashing down in the near future, which is actually only 838 days away. The clock is ticking.

Despite it all, I am still hopeful. It is within the power of every agency listed here to earn an A next year. I grade on an absolute. I do not grade on the curve. I never have. You either all get A's, or you all get F's.

Now you can see that we have a real problem here in the executive branch. Here is where the C's start, which is a D plus. Here is where the D's start: Commerce, Energy, Justice, National Regulatory Commission, Office of Personnel Management, Agriculture, National Aeronautics and Space Administration, Treasury.

Then you get down to the F's. I mentioned the Agency for International Development, Department of Transportation, Education. As a former university president and professor, it anguishes me to see Education down in the F's. We gave them a B last year for their planning.

I mentioned the Department of Transportation, two very fine Secretaries in the last few years, Secretary Peña, Secretary Slater. Interestingly enough and unbeknownst to all Secretaries, the Federal Highway Administration, within the Department of Transportation, had discovered this problem the same time that Social Security did, back in 1989. But it apparently never percolated up the communications management network of the Department of Transportation so it could get to the desk of the Secretary or the Deputy Secretary or the Under Secretary, the people who are responsible at the top management level in the Department. They were working on it, but the executive staff did not know it. They did not even know it last year. And we found out by accident that this had happened. I do not know that they have continued it, but I am told they had one marvelous person that recognized the problem and started working on it. That is what Social Security did. They took their own initiative.

Well, we have had the two showings of initiative now. Now what we need is systematic daily concentration to get the job done. The President needs to appoint someone that can devote executive efforts full time. It is not someone in OMB who has a million other things to do, such as regulatory affairs, for example, or many other assignments. This issue needs full-time attention until the job is done.

Mr. Speaker, I think we should take this very seriously in all the relevant authorization committees of the House, the various appropriation subcommittees. The subcommittee of the gentleman from Arizona [Mr. KOLBE] has done a fine job in demanding that the administration produce a realistic budget in this area. As I have suggested the first administration budget was not realistic. The second budget is

about as dubious. But I an encouraged that Director Raines will systematically go through the department, agency, and commission budgets this fall and view how they are handling the year 2000 problem so he can make recommendations to the President for the budget he will submit to us in February 1998.

It is a serious problem. It needs focus. It needs people talking about it. It needs every employer in America, public and private, asking their top staff the question: Are we 2000-year-compliant? If they are not compliant, then they need to pitch in and help solve the problem. These systems will not be able to interact with each other without being fixed. If they are not fixed, they could pollute those systems which have been fixed.

So what we have here is a bug, a virus, call it what you will, that can really create chaos throughout integrated computer systems. Our Subcommittee on Government Management, the Subcommittee on Technology of Science, and the Subcommittee on General Government Appropriation and this House have shown that we are determined to do something about this problem. We urge the executive branch to do the same.

Mr. Speaker, I include the following material for the RECORD:

REPORT CARD, YEAR 2000 PROGRESS FOR MISSION CRITICAL SYSTEMS OF FEDERAL DEPARTMENTS AND AGENCIES

Agency	1996	1997	1998	1999	2000 Final exam
SSA (Social Security Administration) ..	A	A–			
GSA (General Services Administration)[1].	D	B			
NSF (National Science Foundation)[1] ...	C	B			
SBA (Small Business Administration)	A	B			
HHS (Department of Health and Human Services)[1].	D	B–			
EPA (Environmental Protection Agency)[1].	D	C			
FEMA (Federal Emergency Management Agency)[1].	F	C			
HUD (Department of Housing and Urban Development)[1].	D	C			
Interior (Department of the Interior)[1]	D	C			
Labor (Department of Labor)[1]	F	C			
State (Department of State)	B	C			
VA (Department of Veterans Affairs)[1]	D	C			
DOD (Department of Defense)	C	C–			
Commerce (Department of Commerce)	D	D			
DOE (Department of Energy)[1]	F	D			
Justice (Department of Justice)	D	D			
NRC (Nuclear Regulatory Commission)	B	D			
OPM (Office of Personnel Management).	A	D			
Agriculture (Department of Agriculture).	D	D–			
NASA (National Aeronautics and Space Administration).	D	D–			
Treasury (Department of the Treasury)	C	D–			
AID (Agency for International Development).	A	F			
DOT (Department of Transportation) ...	F	F			
Education (Department of Education)	B	F			
State Governments (State Governments).	?	?			
Local Governments (Local Governments).	?	?			

[1] Improved from last grading period.

Prepared for Subcommittee Chairman Stephen Horn. Subcommittee on Government Management, Information, and Technology. Subcommittee Home Page on the Internet: http://www.house.gov/reform/gmithtml, September 15, 1997.

SOCIAL SECURITY: A minus The negative grade resulted from concerns that certain systems which process State disability claims may be susceptible to Year 2000 problems.

GSA: B This is a big improvement from its ''D'' grade last year. It's based on the percentage of renovation, testing and implementation completed.

NSF: B Based on renovation and testing completed. An increase from last year's ''C.''

SBA: B It went from ''A'' to a ''B'' based on its percentage of renovation, testing and implementation.

HHS: B minus It moved up from a ''D'' based on its renovation percentage. [GAO has more information in its summary]

EPA: C It missed the assessment deadline, but moved up from a ''D'' last year due to the percentage of renovation and testing completed.

FEMA: C Missed assessment deadline, has shown weakness in the renovation percentage. It improved from an ''F'' last year.

HUD: C It is lacking in both renovation and testing percentages.

INTERIOR: C It improved from a ''D'' based on renovation reported, however, it has conducted no testing.

LABOR: C It improved from an ''F'' but is lacking in renovation and testing.

STATE: C Its grade was reduced from a ''B'' due to its poor renovation and testing percents.

VETERANS: C Improved from its ''D'' grade, the agency has not completed its assessment.

DEFENSE: C minus DOD has half of the Federal Government's computer systems, and has not completed the assessment phase. [GAO summary provides greater detail] Last year ''C.''

COMMERCE: D Failed to complete assessment, poor renovation and testing percentages. Last year it received the same grade.

ENERGY: D Failed to complete assessment, poor renovation and testing percentages. It received an ''F'' last year. [GAO has more information in its summary]

JUSTICE: D Very poor renovation and testing percentages. Same grade last year.

NUCLEAR REGULATORY: D It dropped from a ''B'' due to zero renovation and testing.

OPM: D One of the biggest declines in grades (''A'' last year) due to poor renovation and no testing.

AGRICULTURE: D minus Failed to complete assessment, poor renovation and testing percentages.

NASA: D minus Has not completed its assessment and has poor renovation and testing percentages.

TREASURY: D minus Failed to complete its assessment and has poor renovation and testing percentages. [See GAO's summary for additional information]

AID: F The most dramatic drop, (it received an ''A'' last year) is because the new system they adopted has Year 2000 problems despite statements made last year by AID that the new system would be Year 2000 complaint.

TRANSPORTATION: F For the second year in a row, it receives an F. This is due to its failure to complete its assessment, with no renovation, testing or implementation. [GAO has more information in its summary]

EDUCATION: F Dropped from a ''B'' due to its failing to complete its assessment and conducting no renovation, testing, or implementation.

YEAR 2000 PROGRESS FOR MISSION CRITICAL SYSTEMS OF FEDERAL DEPARTMENTS AND AGENCIES

Assessment completed Yes/No	In percent — Renovation completed	In percent — Testing completed	Any implementation Yes/No	Grade
SSA (Social Security Administration).	Yes	78	67	Yes	A−
GSA (General Services Administration).	Yes	35	26	Yes	B
NSF (National Science Foundation).	Yes	33	25	No	B
SBA (Small Business Administration).	Yes	35	35	Yes	B
HHS (Department of Health and Human Services).	Yes	28	10	Yes	B−
EPA (Environmental Protection Agency).	No	33	28	Yes	C
FEMA (Federal Emergency Management Agency).	No	35	35	Yes	C
HUD (Department of Housing and Urban Development).	Yes	9	2	Yes	C
Interior (Department of the Interior).	Yes	43	0	No	C
Labor (Department of Labor).	Yes	15	11	Yes	C
State (Department of State).	Yes	25	0	No	C
VA (Department of Veterans Affairs).	No	51	28	Yes	C
DOD (Department of Defense).	No	40	34	Yes	C−
Commerce (Department of Commerce).	No	15	6	Yes	D
DOE (Department of Energy).	No	10	10	Yes	D
Justice (Department of Justice).	Yes	1	1	No	D
NRC (Nuclear Regulatory Commission).	Yes	0	0	No	D
OPM (Office of Personnel Management).	Yes	3	0	No	D
Agriculture (Department of Agriculture).	No	8	4	Yes	D−
NASA (National Aeronautics and Space Administration).	No	8	7	Yes	D−
Treasury (Department of the Treasury).	No	6	5	Yes	D−
AID (Agency for International Development).	No	N/A	N/A	N/A	F
DOT (Department of Transportation).	No	0	0	No	F
Education (Department of Education).	No	0	0	No	F

Notes: The grades are based on percentages reported by departments and agencies for four categories: Assessment, Renovation, Testing, and Implementation. The departments and agencies are responsible for the accuracy and consistency of percentages reported.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. UNDERWOOD) to revise and extend their remarks and include extraneous material:)

Mr. JONES, for 5 minutes each day, on September 16, 17, and 18.

Mr. DIAZ-BALART, for 5 minutes, on September 16.

Mr. UNDERWOOD, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. GORDON.

Ms. JACKSON-LEE of Texas.

Mr. CRAPO.

Ms. ROS-LEHTINEN.

(The following Members (at the request of Mr. HORN) and to include extraneous matter:)

Mr. PETRI.

Mr. SANDERS.

ADJOURNMENT

Mr. HORN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 16, 1997, at 10:30 a.m. for morning hour debates.

NOTICE OF PROPOSED RULEMAKING

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, September 5, 1997.
Honorable NEWT GINGRICH,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 304 of the Congressional Accountability Act of 1995, 2 U.S.C. §1384(b)(1), (e), I am transmitting on behalf of the Board of Directors the enclosed notice of proposed rulemaking (proposing amendments to regulations previously adopted by the Board) for publication in the Congressional Record.

The Congressional Accountability Act specifies that the enclosed notice be published on the first day on which both Houses are in session following this transmittal.

Sincerely yours,

GLEN D. NAGER,
Chair of the Board.

Enclosure.

OFFICE OF COMPLIANCE

The Congressional Accountability Act of 1995: Extension of Rights and Protections Under the Employee Polygraph Protection Act of 1988, the Worker Adjustment and Retraining Notification Act, and the Occupational Safety and Health Act of 1970

NOTICE OF PROPOSED RULEMAKING

Summary: The Board of Directors (''Board'') of the Office of Compliance is publishing proposed amendments to its regulations implementing sections 204, 205, and 215 of the Congressional Accountability Act of 1995 (''CAA'' or the ''Act''), 2 U.S.C. §§1314, 1315, 1341. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch. Section 204 applies rights and protections of the Employee Polygraph Protection Act of 1988 (''EPPA''), section 205 applies rights and protections of the Worker Adjustment and Retraining Notification Act (''WARN Act''), and section 215 applies rights and protections of the Occupational Safety and Health Act of 1970 (''OSHAct''). These sections of the CAA will go into effect with respect to the General Accounting Office (''GAO'') and the Library of Congress (the ''Library'') on December 30, 1997, and this Notice of Proposed Rulemaking (''NPRM'') proposes to amend the Board's regulations implementing these sections to extend the coverage of the regulations to include GAO and the Library. Several typographical and other minor corrections and changes are also being made to the regulations being amended.

The regulations under section 204, 205, and 215 were adopted in three virtually identical versions, one that applies to the Senate and employees of the Senate, one that applies to the House of Representatives and employees of the House, and one that applies to other covered employees and employing offices. This NPRM proposes that identical amendments be made to the three versions of the regulations. The proposal to amend the regulations that apply to the Senate and its employees is the recommendation of the Office