COMMITTEE ON EDUCATION & THE WORKFORCE

COMMITTEE STATEMENT

Opening Statement of Rep. Virginia Foxx (R-NC), Chairwoman
Committee on Education and the Workforce
Hearing: "Examining the Policies and Priorities of the Department of Labor"
May 1, 2024

(As prepared for delivery)

Acting Secretary Su, I know Vice President Harris has lobbied hard to drop the appellation "acting" from your title, but I'm afraid only a vote of the full Senate can grant you that promotion. This is something they have rightly not seen fit to do.

Today marks the 417th consecutive day in which you have led the Department of Labor (DOL) as acting secretary without the constitutionally required Advice and Consent of the Senate. In effectively abrogating the Senate nomination process, the Biden administration has treated the Constitution as but a footnote. That is unacceptable.

In fact, Ms. Su, you are now the longest serving acting secretary since before the U.S. Civil War—a record that was best left unbroken. As we examine the Biden administration's Fiscal Year 2025 budget request for DOL, it is important to keep that in mind. These unprecedented times demand the strictest possible scrutiny.

To begin with, the FY 2025 DOL budget requests an increase to $14.2 billion in discretionary spending to support the "work" of more than 15,600 bureaucrats. By work, I mean showing up in-person just five days over a two-week span, as is DOL's official policy.

Moreover, as the old saying goes, the budget isn't just a collection of numbers. The budget is a statement of priorities. And overzealous regulatory action has been a blatant priority of the Biden administration.

The FY 2025 DOL budget asks of the average American:

- “Invest” in the Davis-Bacon Rule, which will make federal construction projects more unaffordable;
- “Invest” in the Overtime Rule, which will force employers to cut hours;
- “Invest” in the Independent Contractor Rule, which will bankrupt freelancers across the country;
- “Invest” in the fiduciary rule, which will limit options for individuals to invest in their own financial future; and
- “Invest” in an expansion of DOL’s power over apprenticeships, which will decimate the role of states and further handcuff employers. While the Biden administration likes to misuse the word invest, Americans see what it really means—a tax on workers and business in terms of both time and money. Money and effort that rightly belongs to the taxpayer alone.

The priorities pursued by this administration are detrimental to America workers, job creators, and taxpayers—the very people DOL should be serving. Instead, DOL regulations have served the interests of Big Labor union bosses.

That the administration would install an acting secretary to carry out what I see as a very radical vision raises serious concerns for the Committee.

Don’t take my word for it. American views of the Biden-Su economy have soured in poll after poll. Pew Research finds that 26 percent of the electorate rates economic conditions as excellent or good while 73 percent regards them as just fair or poor. Twenty-two percent believe that they are better off than they were four years ago, compared to 52 percent who believe that they are worse off. The American people cite inflation, cost of living, and the lack of good paying jobs as their top three concerns.

In other words, when it comes to your record, the American people aren’t buying what you are selling. I see at least three underlying economic conditions that explain why.

First, Americans are still being crushed under the weight of inflation. Groceries cost over 25 percent more than when Biden took office, and real median wages haven't kept pace.

Second, the mirage of job growth is also subsidized by gains in the public sector. It hasn't escaped my notice that over the last two months, the Bureau of Labor Statistics reported that employment growth in the government sector was second only to growth in the health care sector. In March, the health care sector edged out the government sector by only about 1,000 jobs. In 2023, nearly 25 percent of added jobs were government positions, which inevitably will be paid for by private sector jobs.

Third, job growth can be exclusively attributed to foreign-born workers. Foreign-born workers have gained nearly four million jobs over pre-pandemic levels. Conversely, native-born workers are still down over one million jobs since the beginning of the pandemic.

Republicans will unleash the American economy. We will curb reckless spending, promote growth and innovation, cut through regulatory red tape, and create more opportunities in skills development.