

**Opening Statement of Ranking Member Susan Davis**  
**“Occupational Licensing: Reducing Barriers to Economic Mobility and Growth”**  
**Subcommittee on Higher Education and Workforce Development**  
**2175 Rayburn House Office Building March 15, 2018 at 10:00 a.m.**

Thank you, Chairman Guthrie, for calling this hearing today.

Occupational licenses *can* provide benefits both for workers and consumers. When designed and implemented carefully, these licenses can benefit consumers by ensuring higher quality services and improving health and safety standards.

As we will hear today, states vary in both the types of licenses they offer as well as the requirements needed to obtain a license. This can present a challenge for workers as they seek to enter licensed occupations.

But the good news is that there is some bipartisan agreement at the state level on sensible occupational licensing reform when it comes to barriers for those with criminal records. Efforts to promote fair chance licensing laws have recently passed in states like Illinois, Delaware, Georgia, and Kentucky. These laws promote thoughtful and targeted reforms in licensing to increase access for those with arrest and conviction records. One of the witnesses today will delve into the details of these reforms.

Bills have also been introduced in my home state of California to improve access to a range of occupations by requiring fairer consideration of criminal records and removing blanket bans when someone has an arrest or conviction record.

I applaud these efforts at the state and local level. But as we all know, the primary authority over occupational licensing comes from the states themselves.

While we should acknowledge that at the state level there are issues with occupational licenses, Congress is limited in what it can do with regard to states’ occupational licensing laws without encroaching on states’ rights.

But there are several things we can do at the federal level to increase employment and break down the barriers many Americans face when trying to enter and re-enter the workforce.

- We can **increase funding for workforce development and job training**. Lack of access to high quality job training can present a barrier for those who want to invest in themselves and increase their employability. We can work in a bipartisan manner to increase federal investments in WIOA and CTE but also encourage the private sector to invest in job training
- We can **remove the barriers to employment for people with arrest records** and other criminal backgrounds. One in three Americans has a criminal record. People with a criminal past not only face barriers in obtaining a license, but they are also discriminated in employment decisions broadly. We can pass bills that address these barriers, such as

the Fair Chance Act, which would “ban the box,” or Ranking Member Scott’s Fairness and Accuracy in Criminal Background Checks Act, which would ensure that FBI records for employment accurately reflect the disposition of an arrest.

- We can also address discrimination in hiring and employment. We can guarantee that all workers, including LGBT workers, are protected under title VII by passing ENDA (Employment Non-Discrimination Act)
- And we can pass legislation to help working people better balance work and family life. Researchers estimate that 1.6 million people would be newly employed if passed the Childcare for Working Families Act. We could also add an additional 5 million women to the workforce if we had a comprehensive paid leave policy like the one proposed in the FAMILY Act.

So, as we have this discussion today, I would like to impress upon my colleagues that occupational licensing is just one issue that people face when trying to enter or reenter the workforce. By all means we should encourage our state counterparts to pass sensible, tailored reform, but we here in Congress should do more to tackle the other barriers workers face when trying to enter the workforce.

While I applaud the majority for calling this hearing and raising awareness of some of the abuses many states have engaged in with excessive licensing requirements, I frankly wish we were meeting here to talk more about some of the concrete steps the Federal government can take at helping workers earn a better wage. Thank you all for being here and I look forward to your testimony.