

Opening Statement of Ranking Member Scott (VA-03)

Full Committee Hearing

Examining the Policies and Priorities of the U.S. Department of Labor

2175 Rayburn House Office Building

Wednesday, May 1, 2024 | 10:15 a.m.

Thank you, Dr. Foxx.

Acting Secretary Su, good morning.

I think it is important to note that your service as acting Secretary has been verified as constitutionally proper by the Government Accountability Office. So, there is no question as to whether or not you are serving consistent with the Constitution.

So, welcome back. It is great to have you appear before us on May Day, a day in which people from all over the world come together and recognize the importance of the labor movement.

Under your leadership, the Department of Labor has invested in registered apprenticeship opportunities for job seekers and championed a pro-worker regulatory agenda that includes protecting mine workers from silica dust, expanding overtime protections for millions of workers, and ensuring workers receive retirement investment advice that is in their best interest.

The Department has also worked with the Biden Administration to repeal the harmful restrictions imposed by the previous Administration that allowed unscrupulous employers to misclassify workers as independent contractors, which would deny them the benefits of being an employee such as minimum wage, overtime, workers' compensation, unemployment compensation, OCEA protections, health and pension benefits enjoyed by other employees just to name a few. And I also know that you are working on self-insurance for the Black Lung Disease program.

Since President Biden took office, more than 12.2 million jobs have been created. This historic economic progress is indicative of Congressional Democrats and the Administration's commitment to supporting workers, businesses, and families. A perfect example of our commitment is when Congressional Democrats and President Biden saved the pensions of over one million retirees by saving the multi-employer pension funds. We also saved tens of thousands of businesses from going under. Those businesses were legally obligated to pay end of the failing funds until the businesses went broke. We saved them too.

As a reminder, not a single Congressional Republican voted in favor of this fix, even though the cost of the fix was less than we calculated we were on the hook for future expenses. In stark contrast, House Republicans have prioritized policies that undermine workers and supported destructive budget cuts at the Department of Labor.

Today, we may hear Committee Republicans continue to attempt to discredit our economy's performance under President Biden and your leadership. For example, the record number of jobs, they consider that bad economy.

Under the previous Administration, it was the worst job performance in almost a hundred years and they praise that as good economy. You can't make it up, you have to look at the numbers.

However, the indisputable fact is according to the Department of Labor, the unemployment rate of President Biden has remained below 4 percent for the longest time in 50 years. That's a good economy. I also want to remind my colleagues that despite what Committee Republicans may say, every Democratic Administration since President Kennedy has left for their Republican successors a better budget deficit situation than the one they inherited. And, every Republican Administration since President Nixon has left for their Democratic successors a worse deficit situation than they inherited—without exception. And using nearly every macroeconomic metric, the economy does better when Democrats are in charge.

Today's hearing is an opportunity to set the record straight and tell the truth. President Biden and Acting Secretary Su have worked to support workers, businesses, and our economy.

And we will continue to focus on concrete solutions to put money back into workers' pockets, keep workers healthy and safe on the job, ensure all workers can enjoy a dignified retirement, and protect children from being forced to work in illegal or dangerous conditions.

To that end, Committee Democrats released a new report yesterday entitled "A Slap on the Wrist: How It *Pays* for Unscrupulous Employers to Take Advantage of Workers." The report details how employers feel emboldened to violate labor laws because of weak or nonexistent civil monetary penalties. Monetary penalties are supposed to serve as a deterrent and hold employers accountable for labor law violations. However, today, they have become, in some cases, the 'cost of doing business.' In other cases, no sanctions at all.

Later this month, the Committee Democrats will introduce legislation to responsibly increase these penalties to deter employers from violating workers' rights. I hope my Republican colleagues will put politics aside and work with us to deliver on these priorities.

So, thank you, Ms. Su, for your leadership and joining us today. And thank you and the Department of Labor for all that you have done for the workers of America. And also, I want to thank you for being responsive to oversight requests made by our Committee.

We may hear that the Committee has sent letters. I'm delighted to know you have responded to the Majority's 25 oversight letters – and that's how it should be. You should be making those responses. And I don't need to remind anybody—but I will—the previous Administration was not nearly as responsive to Congress's oversight requests as this one has been. In most cases, they just ignored our requests altogether.

Throughout the hearing, I hope we remain focused on what is most important: improving the lives of workers and their families.

So, thank you Acting Secretary Su and Madam Chair I yield back.