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NOMINATION OF LORI M. CHAVEZ-DEREMER TO SERVE AS SECRETARY OF LABOR

HEARING
OF THE
COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS

EXAMINING THE NOMINATION OF LORI CHAVEZ-DEREMER, OF
OREGON, TO BE SECRETARY OF LABOR

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NOMINATION OF LORI M. CHAVEZ-DEREMER TO SERVE AS SECRETARY OF LABOR

Wednesday, February 19, 2025

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Washington, DC.

The Committee met, pursuant to notice, at 10:02 a.m., in room SD-562, Dirksen Senate Office Building, Hon. Bill Cassidy, Chairman of the Committee, presiding.

Present: Senators Cassidy [presiding], Paul, Collins, Murkowski, Mullin, Marshall, Scott, Hawley, Tuberville, Banks, Husted, Moody, Sanders, Murray, Baldwin, Murphy, Kaine, Hassan, Hickenlooper, Markey, Kim, Blunt Rochester, and Alsobrooks.

OPENING STATEMENT OF SENATOR CASSIDY

The CHAIRMAN. The hearing of the Health, Education Labor, and Pensions Committee will please come to order. Representative Chavez-DeRemer, thank you for appearing before the Committee and for meeting with me and others over the past several weeks.

The Committee on Labor has the responsibility to fairly enforce the Nation's labor laws unbiased toward one side or the other. The Biden/Harris administration weaponized their authority against workers on behalf of Democrats' political supporters. They eroded the flexibility of over 27 million independent workers, threatening their ability to provide for their families in the manner in which they chose.

They also attempted to dismantle the franchise model, employing over 9 million workers and empowering Americans from all communities to become successful business owners. The American people rejected these anti-worker policies at the ballot box. With President Trump back in office we have the opportunity to turn the page and enact a Pro America agenda: empowering workers, securing economic prosperity.

If confirmed as Secretary of Labor, I look forward to working together to accomplish this shared mission. Your nomination and support from both unions and businesses. You're in a unique position to build a bridge between these two groups to benefit all workers. With potential labor disputes on the horizon, I'm sure these relationships will be an asset to the Trump administration.

There are concerns, however, about your past support for the Democrats' cornerstone legislation, the PRO Act. Workers should have the freedom to decide if they wish to join a union or not. The

PRO Act would eliminate this freedom, allowing workers to be coerced and intimidated into unionization. I represent a right-to-work state. This protects workers from forced unionization.

This is of course, therefore, deeply important to me. I appreciated our conversations on this issue. I now understand that your co-sponsorship of the *PRO Act* did not reflect your support of the legislation, but rather your interest in being part of any group that legislated on behalf of employees' rights. I'm sure you'll have the opportunity to explain your position, and the Trump administration's position, and agenda moving forward during this hearing.

Thank you again for being here. I look forward to understanding your vision for the Department of Labor, and how we can work together, empowering all workers and unleashing the American economy.

With that, I yield to Senator Sanders.

OPENING STATEMENT OF SENATOR SANDERS

Senator SANDERS. Thank you, Mr. Chairman. And thank you Ms. Chavez-DeRemer for being with us. And let me begin by thanking the Biden administration for being the most pro-worker administration in the modern history of this country.

The mission of the Department of Labor is "To force promote and develop the welfare of the wage earners, job seekers and retirees of the United States, improve working conditions, advance opportunities for profitable employment, and assure work related benefits and rights." That is the mission of the Department of Labor, and it is a mission that is more important now, in my view, than it has ever been.

Mr. Chairman for the past 50 years, our economy has been doing extraordinarily well, never, ever done better for the people on top. Top 1 percent right now is enjoying wealth in power in a way that has never existed in the history of America.

We now have the absurd situation, the disgraceful situation where three people, Mr. Musk, Mr. Zuckerberg, and Mr. Bezos are now worth over \$900 billion. That is more wealth than the bottom half of American society, 170 million people. Is that really what America is supposed to be about?

In America today, Mr. Chairman, we have more income and wealth inequality than we have ever had. Over 60 percent of our people, as we speak right here, 60 percent of Americans are living paycheck to paycheck. I grew up in a family living paycheck to paycheck, that isn't easy. Stress level, enormous. People trying to find out how they're going to get healthcare, how they're going to pay their rent, how they're going to feed their kids, which is one of the reasons why working-class people live 6 years shorter lives than the people on top.

Given all of this reality of an economy that's working well for the billionaire class, but not for working families, we need a Labor Secretary who in fact is going to be a champion of working families not be ambiguous about it, but stand up for the working families of our Country. We need a Labor Secretary who understands that we must raise the minimum wage, now \$7.25, Federal minimum

wage. Anybody think that anybody, anywhere in America can live on seven and a quarter and hour?

We need a Labor Secretary who will work each and every day to make it easier, not harder for workers to exercise their constitutional right to form a union and collectively bargain for better wages, benefits, and working conditions. We need a labor secretary who understands we must end once and for all the disastrous right to work laws in 28 states by refueling Section 14B of Taft-Hartley.

We need a Labor Secretary who understands that we must end the international embarrassment of America being the only major country on Earth that does not guarantee paid family and medical leave or paid sick days. Imagine that. Only major country on earth doesn't guarantee paid family medical leave. We need a Labor Secretary who understands that it's unacceptable that women earning 75 cents on the dollar compared to men.

Mrs. Chavez-DeRemer, I have reviewed your record. And in many respects, especially given the nature of the nominees that Mr. Trump has brought forth, it is very good. You were one of the few Republican Members of Congress who co-sponsored the *PRO Act*, and the *Public Service Freedom to Negotiate Act* to make it easier for workers to form unions. You have been a defender of union apprenticeship programs, and you have fought to expand the concept of employee ownership. Something that I feel very strongly about.

Many unions, as the Chairman mentioned, have come out in support of your nomination, and that is an interesting development. I have spoken with you and I've spoken with union leaders who support your nomination, but here is my concern.

If you are confirmed, you'll not only be in charge of enforcing more than 180 labor laws that are on the books today, you will be the President's chief Labor advisor. That's what you'll be when it comes to labor policy, you'll have to make a choice. Will you be a rubber stamp for the anti-worker agenda of Elon Musk, Jeff Bezos, and other multi-billionaires who are blatantly anti-union, they don't make any bones about it. Or will you stand with working families all over the country? So that is really the main issue. It's not just your record. This is a very unusual Administration in my view.

We are moving toward an authoritarian society where one person has enormous power. Will you have the courage to say, Mr. President, that's unconstitutional, that's wrong, I will not stand with you. So, with that, I look forward to hearing what you have to say, and thanks for being with us.

The CHAIRMAN. Now, to introduce the nominee, Senator Mullin.

OPENING STATEMENT OF SENATOR MULLIN

Senator MULLIN. Thank you, Mr. Chairman. And before I read the opening statement, I just want to point out the unique coalition that President Trump has built here. If you take Tulsi Gabbard, or Bobby Kennedy, and now Lori.

The last time Sean and I was in this room together obviously we had our differences. And Bernie, I think you remember that well,

but somehow, we were able to put our differences besides, because President Trump asked us to. And when the words come up, like Biden administration was the most pro-union labor person in 50 years, you got to remind yourself he also lost labor vote by 59 percent because it wasn't working.

But President Trump brings something unique to the table as he's built a coalition, and Lori represents that. Lori represents someone that is uniquely positioned to bring people like Sean and I who presented Lori to President Trump and said, this is someone that we can work together with. And I would hope that you would set your bias opinions to the side and understand that this is a negotiation between two fractions of the party and is saying, we're willing to work together.

Employees don't exist without employers and companies don't exist without employees. And I recognize that as much as anybody. There is a position where we can be at, that we can find a negotiated agreement, where we can set some differences aside, like the *PRO Act*. I think my position on that has been very, very, very clear.

Oklahoma is a right-to-work state, but unions also thrive there. And at the same time, we can find common ground. Lori represents that. And so regardless of what you might think about the President, understand that this is someone that everybody should represent and should respect.

If you're looking for a bipartisan, independent thinker that's going to represent the union that you want Mr. Sanders, to say that you represent, when you understand that you have a President that's representing the Republican party, but also won the popular vote, you would think this is someone that you'd be very happy with, because she is directly, uniquely positioned in the center.

I truly say that from a position that I've had to move a long way. And if I can move, and if Sean and I can move and come together on this, then that if nothing else should set some type of an example, even though I do joke with my new friend over here, which I had the mic, and he can't defend himself here, that if we were in a relationship, I'd be the man in the relationship. He adamantly denies that.

[Laughter.]

Senator MULLIN. That's awfully strange, but I say that because now we're friends enough that we can make fun of each other and at the same time we can work together. And so, I want to read my statement, but what I've covered is pretty clear. And I wanted to say that from my heart.

Chairman Cassidy, thank you for allowing me to share my thoughts and support on the nomination for the Secretary of Labor.

As the Senate has gone through the advising consent process of confirming President Trump's nominee, things have gotten increasingly partisan and contentious. But one thing that both sides of I'll agree on is supporting working class Americans that power our Country's economy. No company can survive without employees, and no employee is hired without a company. It takes both sides

to be in a boat rowing together in the same direction to be successful.

I'm only moderately successful because I have been very fortunate to have employees that were willing to get in the boat with me and row in the same direction. With Lori's unique background as a small business owner, public servant, and through her relationship with union leaders, she has the ability to bridge the gap between businesses and workers. Lori's nomination reflects the historic coalition of working-class Americans that elected President Trump to a second term in the White House.

As a Member of Congress, she often worked across the aisle in her efforts to support this cause. One of those issues, the *PRO Act*, as has been mentioned a couple times, I know that'll come up in conversation today. I get it, Oklahoma's a proud right-to-work state, and yet we still support Lori.

But as both sides of the table can continue to work together for hardworking Americans who have been struggling to put food on the table and to create better opportunities for themselves, their children, their grandchildren, I don't think we have to look any farther than understanding Lori is an independent, nonpartisan perspective who will always keep the workforce the top of mind. And I would really encourage all of you get to take a hard look, just like my good friend Sean and I have done.

With that, I yield back.

The CHAIRMAN. Thank you, Senator Mullin. Representative Chavez-DeRemer, do you have a statement? And I think you're going to, along the way, introduce your family.

STATEMENT OF THE HON. LORI M. CHAVEZ-DEREMER, HAPPY VALLEY, OR

Ms. CHAVEZ-DEREMER. Chairman Cassidy, Ranking Member Sanders, and Members of the Committee, it is an honor to appear before you as President Trump's nominee to lead the Department of Labor. My discussions with many of you have been insightful and inspiring, reinforcing my commitment to serve our Nation's workforce under President Trump's bold leadership following his historic November victory. I am uniquely prepared to lead this department with resolve and purpose.

Before I begin, I want to take a moment to honor the incredible people who have supported me throughout my 24-year journey in public service. My parents, who became ardent fans of C-SPAN when I entered Congress, are here today offering their unwavering support. My twin daughters, Emilie, and Annie.

Emilie was here last week and I know with the postponement, but she couldn't come back. She's 36 weeks pregnant, lives in Michigan, and her doctor said, no more flying, so Emilie I know you're watching and I know you support, support me here today. And Annie, one's a Democrat and one's a Republican, and they have been my steadfast defenders teaching me patience and the value of an open mind.

Finally, my loving husband, Shawn, my high school sweetheart, who has stood by my side through every triumph and challenge. To

all of you, thank you. Thank you for your boundless love and encouragement.

I also want to thank the labor and business communities that are here in the audience today, because they support President Trump's vision for the American worker. I am deeply grateful to President Trump for this extraordinary opportunity to serve as the Secretary of Labor. It is both humbling and a call to action that I do not take lightly.

In 2024, our Nation witnessed the single greatest political achievement of our time. President Trump has united a new coalition of working-class Americans like never before, with 59.6 percent of Teamsters backing him, historic support from African American and Latino voters and record-breaking turnout in once solid blue cities and states, Americans are speaking loud and clear. They're calling for action, progress, and leadership that puts the American worker first.

Like many Americans, my journey is rooted in my values instilled by my father and mother. My father, a proud Teamster who worked tirelessly for over 30 years. The fair pay and benefits he received ensured our family's stability and security. From his example, I learned the transformative power of hard work and determination propelling me to become the first in my family to graduate from college with a degree in business administration.

Later, after supporting my husband through medical school, we built our own small business. For two decades, we successfully navigated the challenges faced by employers from complex labor regulations, to workforce shortages and rising costs. These experiences have given me invaluable insights into the struggles and triumphs of American business owners, insights I carried with me as mayor of one of the fastest growing Oregon communities and later as a Member of Congress. In every role, my priority has been clear: to fight for the American worker and the business that drive our economy.

Our current economic landscape has changed dramatically since my father worked in a creamery demanding bold action and real change. In the last 4 years, prices have risen, wages have fallen, and 78 percent of Americans do not feel confident that their children will lead better lives. We have also seen major companies like Hino Motors, General Motors, Ford, and Stellantis have accelerated layoffs at facilities across the country.

To rebuild confidence and strengthen our workforce, we must invest in educational pathways beyond the traditional 4-year degree, ensuring that every American worker has access to the skills and training for long-term success. Part of that effort requires honest discussion about our labor policies. I know there has been a lot of conversation about my support of the *PRO Act*. Like President Trump, I believe our labor laws need to be updated and modernized to reflect today's workforce and the business environment.

As a Member of Congress, the *PRO Act* was the bill to have those conversations, conversations that mattered deeply to the people of Oregon's Fifth Congressional District. I recognize that bill was imperfect, and I also recognize that I'm no longer representing Oregon as a lawmaker. If confirmed, my job will be to implement President

Trump's policy division, and my guiding principle will be President Trump's guiding principle, ensuring a level playing field for businesses, unions, and most importantly, the American worker.

I also know that we will not always agree, but I promise there will never be surprises. My door will always be open, and I will never put my thumb on the scale. That commitment extends to the work ahead of the Department of Labor, which stands at a cross-roads with a vital role in shaping a strong and resilient economy.

As we confront these challenges, I know that everyone in this room shares the same goal: An economy where every American has the opportunity to thrive through good wages, safe working conditions, and a secure retirement. My record of collaboration demonstrates a shared belief that under President Trump's leadership, we can deliver real solutions. Putting American Workers first is not just a vision, but a promise to fight for every working mom, single dad, small business owner, and every American striving for their fair shot at the American Dream.

If I have the privilege of being confirmed, I look forward to working with each of you to solve the challenges facing our Country. Together we can shape our economy that uplifts every American. I thank this Committee and I look forward to your questions.

[The prepared statement of Ms. Chavez-DeRemer follows.]

PREPARED STATEMENT OF LORI CHAVEZ-DEREMER

Chairman Cassidy, Ranking Member Sanders, and Members of the Committee, it is a honor to appear before you as President Trump's nominee to lead the Department of Labor. My discussions with many of you have been insightful and inspiring, reinforcing my commitment to serve our Nation's workforce. Under President Trump's bold leadership following his historic November victory, I am uniquely prepared to lead this Department with resolve and purpose.

Before I begin, I want to take a moment to honor the incredible people who have supported me throughout my 24-year journey in public service. My parents, who became ardent fans of C-SPAN when I entered Congress, are here today, offering their unwavering support. My twin daughters, Emilie and Annie—one Democrat and one Republican—have been my steadfast defenders, teaching me patience and the value of an open mind. And finally, my loving husband Shawn, my high school sweetheart, who has stood by my side through every triumph and challenge. To all of you, thank you for your boundless love and encouragement.

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Later, after supporting my husband through medical school, we built our own small business. For two decades, we successfully navigated the challenges faced by employers, from complex labor regulations to workforce shortages and rising cost. These experiences have given me invaluable insights into the struggles and triumphs of American business owners, insights I carried with me as mayor of Oregon's fastest-growing community and later as a Member of Congress. In every role, my priority has been clear: to fight for American workers and the businesses that drive our economy.

Our current economic landscape has changed dramatically since my father worked in a creamery—demanding bold action and real change. In the last 4 years, prices have risen, wages have fallen, and 78 percent of Americans do not feel confident that their children will lead better lives. We have also seen major companies like Hino Motors, General Motors, Ford, and Stellantis have accelerated layoffs at facilities across the country. To rebuild confidence and strengthen our workforce, we must invest in educational pathways beyond the traditional 4-year degree, ensuring that every American worker has access to the skills and training for long-term success.

Part of that effort requires honest discussion about our labor policies. I know there has been a lot of conversation about my support of the *PRO Act*. Like President Trump, I believe our labor laws need to be updated and modernized to reflect today's workforce and business environment. As a Member of Congress, the *PRO Act* was the bill to have those conversations—conversations that mattered deeply to the people of Oregon's Fifth Congressional District. I recognize that the bill is imperfect, and I am no longer a lawmaker. If confirmed, my job will be to implement President Trump's policy vision, and my guiding principle will be President Trump's guiding principle: ensuring a level playing field for businesses, unions, and most importantly, the American worker. I also know that we will not always agree, but I promise there will never be surprises. My door will always be open, and I will never put my thumb on the scale.

That commitment extends to the work ahead at the Department of Labor, which stands at a crossroads with a vital role in shaping a strong and resilient economy. As we confront these challenges, I know that everyone in this room shares the same goal: an economy where every American has the opportunity to thrive through good wages, safe working conditions, and a secure retirement. My record of collaboration demonstrates a shared belief that, under President Trump's leadership, we can deliver real solutions. Putting American Workers First is not just a vision but a promise to fight for every working mom, single dad, small business owner, and every American striving for their fair shot at the American Dream. If I have the privilege of being confirmed, I look forward to working with each of you to solve the challenges facing our Country.

Together, we can shape an economy that uplifts every American.

Thank you, and I look forward to your questions.

The CHAIRMAN. Thank you very much. I'll begin. First question, the protecting the right to organize act, or the *PRO Act* is a significant and controversial piece of legislation Democrats have championed for years, and it's not pro worker, it's pro big union. To my mind, being pro worker means defending the right of all workers, including those who decide they don't want to join a union.

Now, you co-sponsored the *PRO Act* as a Member of Congress, a yes or no, do you still support the *PRO Act*?

Ms. CHAVEZ-DEREMER. Thank you, Chairman Cassidy. It was great to visit with you. I know how important this issue is to you. And as it was said today, I recognize that I'm no longer the lawmaker, and I do not believe that the Secretary of Labor should write the laws. It will be up to Congress to write those laws and to work together.

What I believe is that the American worker deserves to be paid attention to that was President Trump and I's conversation in supporting the American worker, how important that is. I will not be that lawmaker anymore, but I was working for Oregon's Fifth Congressional District and representing that I wanted to be at that table. I never want to be left out of a conversation where we can talk about the American worker and how important that is, and I respect the right of the right-to-work states.

I have said that, that the bill was imperfect. I understand that, and I'm no longer the lawmaker.

The CHAIRMAN. Now, the *PRO Act*, just to continue on that would significantly impact franchisees and small businesses by increasing corporate control of the operations, or at least assuming that there's increased corporate control. This is yet another give-away to large labor unions, it would make it easier for union to negotiate with large corporations instead of directly with a small business owner who actually employs the worker.

Question, do you believe Federal law should prioritize policies that help small businesses thrive rather than imposing new regulatory hurdles which could hinder their success?

Ms. CHAVEZ-DEREMER. Senator, it's important to recognize that the President's goal is to uplift all business owners and uplift all American workers. Understanding the franchise business model is important to the American workforce. I supported the overturning of the NLRB rule on joint employer to support the franchise business model and supported the President in this.

I align that this is important to grow this economy and recognize the flexibility in people choosing where they want to do business.

The CHAIRMAN. By that, am I to take that you would commit to reexamining DOL's joint employer guidance to provide small businesses with a clear roadmap on the issue?

Ms. CHAVEZ-DEREMER. Thank you, Senator. Certainly. If confirmed, I'll be looking at all regulations and determining and looking at all of these rules and regulations and specifically that one.

The CHAIRMAN. I think the small employer wants that clear roadmap.

Ms. CHAVEZ-DEREMER. Yes, absolutely. Okay.

The CHAIRMAN. Next question. Approximately 27 million workers work as independent contractors, including working moms, caregivers, self-employed business owners. Now, for many, the flexibility of independent work is essential to balancing personal responsibilities and earning a living for their family.

I will point out that the *PRO Act* tried to impose a one size fits all rule, which as was done in California, disrupted livelihoods instead of helping workers. So, question, if confirmed as secretary, will you commit to refrain from implementing any rules, stripping independent contractors the flexibility they need to provide for their families and to simultaneously contribute to the American economy?

Ms. CHAVEZ-DEREMER. Thank you, Senator. Certainly, we'll commit to understanding this. I know the President in the first administration set out that rule and the parameters is very important to him on the flexibility of who is an independent contractor and who is an employee, and that they're properly classified.

But I commit to working with you on supporting independent contractors through this process because that flexibility is what is needed. I understand, as you're mentioning in the *PRO Act*, but again, as I mentioned, that Bill wasn't perfect, and these are those conversations that needed to be had. And supporting that independent contractor is key to growing this economy now.

The CHAIRMAN. Now, supporting that independent contractor is something I'm very interested in. How do we provide the inde-

pendent contractor with more affordable health and retirement benefits without losing that work flexibility?

If you will, the person contracting with them, not an employer, would nonetheless be able to give them access to such benefits. I'm asking you if you'll work with me and with our Committee on legislation to make sure that the independent worker and the small business are able to get the affordable benefits available to ordinary employees at larger companies.

Ms. CHAVEZ-DEREMER. Yes, sir, I will commit to working with you wholeheartedly on this issue.

The CHAIRMAN. With that, I will yield to Chairman Sanders— Senator SANDERS. I'll take the Chairman.

[Laughter.]

Senator SANDERS. Thank you, Chairman. Oh, thank you. Senator Cassidy. You're not the Congresswoman from Oregon anymore, right?

Ms. CHAVEZ-DEREMER. No, sir.

Senator SANDERS. Okay. You're trying to become Secretary of Labor. Let me back up and say a word about what the *PRO Act* is. I'm not sure that most Americans know what it is. The reality is that in America today, labor unions have the support of some 70 percent of the American people, you know why? Because people understand that the big corporations and their bosses have all the power. People understand that CEOs make 300 times more than their workers.

People say, you know why, the only way we're going to get decent wages and benefits is when we organize. Millions of people want to join unions, but they can't join unions. You know why? Because corporations, day after day, operate in illegal ways, they break the law, they say to somebody, you were late 3 years ago. You're a pro union. You were late, you are fired. We're going to take you into a captive audience. And for hour after hour, we're going to tell you how bad unions are.

Do you want to join a union? Fine. You vote for a union. We're moving the plant to China. All of that stuff happens to be illegal. All of that stuff happens to be done every single day by corporate America. So let me get back to the original question. *PRO Act* is designed to prevent illegal behavior on the part of corporate America, on the part of employers so that workers can make a free choice. Do you support the *PRO Act*?

Ms. CHAVEZ-DEREMER. Thank you, Ranking Member Sanders. And I appreciate the conversation. I support the American worker. President Trump—

Senator SANDERS. Okay? I don't mean to be rude. We don't have a lot of time. I'm gathering that you no longer support the *PRO Act* is what I hear, that you support the American worker. That's what everybody here will say.

Ms. Chavez-DeRemer, in 2021, President Biden signed the Butch Lewis Act that prevented the earned pension benefits of some 2 million union workers and retirees from being cut by up to 65 percent. There are people in Congress who want to undo that enor-

mously important legislation. What do you feel about the Butch Lewis Act?

Ms. CHAVEZ-DEREMER. I support the Butch Lewis Act in protecting their retirements.

Senator SANDERS. You'll go to the match supporting it?

Ms. CHAVEZ-DEREMER. I do support protecting people's retirements.

Senator SANDERS. Federal minimum wage is seven and a quarter, state after state is voted to raise the minimum wage. Somehow, we can't do it here in Washington. 20 million workers are making less than \$15 an hour. Do you support raising the minimum wage to a living wage?

Ms. CHAVEZ-DEREMER. Ranking Member Sanders that is an issue for Congress to determine and raising the minimum wage. As a Secretary of Labor, I cannot weigh in on that, that's determined by Congress. If they want to negotiate that, I will fully and fairly enforce the law as a Labor Secretary, if you also choose and give you whatever data possible to make that decision as Members of Congress.

Senator SANDERS. I understand that Congress makes the law, but you have an opinion and you will be the leading advocate for workers if you are confirmed. Question, if you were sitting where I'm sitting, would you vote to raise the minimum wage to a living wage?

Ms. CHAVEZ-DEREMER. Well, I'm not sitting where you're sitting, hypothetically, I used to, but not any longer. But I do recognize that the minimum wage hasn't been raised since 2009, and the cost of living has gone up. But again, I cannot sit here and determine what that wage will be fully and fairly, I will enforce the law, but it will be up to Congress to determine, because that is not in the purview of the Secretary of Labor.

For instance, in Oregon I know that in Portland, Oregon, that the minimum wage is almost \$16 an hour. And that might work for Portland, but that's not going to work for Grants Pass Oregon. And I know that local communities' states determine what's best for their economy. What we don't want to do is shock the economy. But again, sitting here today, I cannot determine as Secretary of Labor, if it should be—

Senator SANDERS. In his second week in office, President Trump fired Gwynne Wilcox, a member of the National Labor Relations Board, leaving the NLRB without a quorum. And what that means right now, that if workers form a union vote, the former union and the company says, well, I think that was illegal, it's unfair. You can slow up the process because there's nobody to go to. Do you believe that the firing of Ms. Wilcox was illegal? Which I do.

Ms. CHAVEZ-DEREMER. President Trump has a right to exercise his executive power, how he sees in consultation with his team.

Senator SANDERS. Are you concerned that we do not have a functioning NLRB right now?

Ms. CHAVEZ-DEREMER. The NLRB is separate from the Department of Labor. I understand that, but I do believe that the function

of the NLRB is important, and I will always take that into consideration doing my job.

Senator SANDERS. Are you concerned that we do not have a functioning NLRB now?

Ms. CHAVEZ-DEREMER. Well, again, I have not been read in with President Trump, but he has a right to exercise his executive power. And I do believe the NLRB has an important role independent of the Department of Labor. And I respect their position as an independent agency.

Senator SANDERS. Thank You, Senator.

The CHAIRMAN. Senator Paul.

Senator PAUL. Thank you. I enjoyed our meeting in our office. And I know you're aware of this, but about half the country has right-to-work laws, 26 states have them. When you compare right-to-work states with non-right-to-work states, you see that the right-to-work states have double the employment growth.

If you look at manufacturing jobs, they have five times the manufacturing job growth. If you look at disposable income in the right-to-work states, about \$3,000 more per individual for disposable income in the right-to-work states. The *PRO Act* wasn't just about organizing or enabling unions to organize, which they already have the right to do. The *PRO Act* was about overturning right-to-work laws in 26 states, half of the country. Most of these states would argue that this would be a horrendous invasion of their prerogatives.

The Chairman asked you, and then the Ranking Member asked you, do you still support the *PRO Act*? The reason we want to know is this is a tremendous sort of invasion of the state's rights to decide, this would be overturning the right-to-work laws in half of the country. Do you still support the *PRO Act* or don't you support the *PRO Act*?

Mr. CHAVEZ-DEREMER. Thank you Senator Paul and I appreciated our meeting as well. I thought it was quite—what you shared with me is how important it is to you and your state. And I heard that from many Members. The right-to-work is a fundamental tenant of labor laws where states have a right to choose if they want to be a right to work state, and that should be protected.

Senator PAUL. *PRO Act* would overturn that.

Ms. CHAVEZ-DEREMER. Yes. Thank you, Senator. I signed on to the *PRO Act* because I was representing Oregon's Fifth District, but I also signed onto the *PRO Act* because I wanted to be at that table and have those conversations. But I fully, fairly, and support states who want to protect their right-to-work. I have said that to every Senator that I have visited with.

Senator PAUL. You no longer support the aspect of the *PRO Act* that would've overturned state right to work laws?

Ms. CHAVEZ-DEREMER. Yes. There were so many parts.

Senator PAUL. That's a yes.

Ms. CHAVEZ-DEREMER. Yes, sir.

Senator PAUL. No more questions.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

The CHAIRMAN. With that, I go to Senator Murray.

Senator MURRAY. Thank you, Mr. Chairman. Congresswoman Chavez-DeRemer. Welcome.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

Senator MURRAY. The Trump administration is violating the bipartisan agreements in our appropriations law by refusing to spend money that Congress, in a bipartisan manner, has passed for the American people. I've been hearing about it in my home state of Washington, I heard from an organization in Edmonds about whether or not I'll now be able to provide support for our veterans who are seeking educational and employment opportunities as they transition to civilian life.

I heard from a workforce training program that operates statewide about whether they'll now be able to continue to pair workers with employers in the grocery industry. You should know that the chaos surrounding these funding freezes is causing real damage to people's lives. So, I want to know, will you commit to following appropriations laws and the *Impoundment Control Act*?

Ms. CHAVEZ-DEREMER. Yes. Thank you, Senator. I know we talked about this in your office as a Ranking Member of appropriations, and I do respect the Appropriations Committee as a former Member of Congress. I think everyone in this room who's ever sat behind that dais can understand that.

Again, the President of the United States has the power to determine what he's going to do through his executive power. I am not confirmed. I have not been read into all that. Okay.

Senator MURRAY. I'm asking you; will you follow the, the law?

Ms. CHAVEZ-DEREMER. I will always follow the law and the Constitution.

Senator MURRAY. There's a Common Control Act; will you follow that law?

Ms. CHAVEZ-DEREMER. I will follow the law and the Constitution.

Senator MURRAY. If you receive a directive to violate appropriations laws and withhold funding for workers, what will you do?

Ms. CHAVEZ-DEREMER. I do not believe the President is going to ask me to break the law 100 percent.

Senator MURRAY. But we have seen that across the board since he was put into office where he is violating that law. So you will likely be asked, what will you do?

Ms. CHAVEZ-DEREMER. Well, It's a hypothetical. I have not talked to the President on this issue, and I do not believe—

Senator MURRAY. You'll commit to following the law if the President tells you to violate it?

Ms. CHAVEZ-DEREMER. I will commit to following the law, and I do not believe the President would ever ask me to break the law.

Senator MURRAY. Well, Okay. Last week, Elon Musk's DOGE team came to the Department of Labor, and got access to the department Sensitive Information System. Musk's companies have, as you must know, been repeatedly accused of violating labor laws, including workplace safety laws, discrimination laws, and wage and hour laws.

In fact, OSHA, has investigated Tesla and SpaceX. Now Elon can access those investigations about his companies because he's gone in and gotten those records. He can also access sensitive Market moving data created by the Bureau of Labor Statistics. That gives him tremendous power to manipulate quarterly jobs, numbers, and other important economic data to say nothing of raising potential insider trading concerns.

Just to make this abundantly clear, Elon Musk is now in a position to use his unelected role, to use confidential government data to advance his own corporate interests while suppressing his competitors. Do you believe it is appropriate for someone with such blatant conflicts of interest to have access to those confidential economic and personal information?

Ms. CHAVEZ-DEREMER. Thank you, Senator Murray. If I have the honor of being confirmed by this Committee and, and the full Senate, then I will have the opportunity. I have not stepped foot into the Department of Labor and I understand so well—

Senator MURRAY. My question to you is, will you protect the private information of people whose records you will be overseeing? Will you allow anyone, a billionaire or anyone else to come in and access that?

Ms. CHAVEZ-DEREMER. Again, because I have not been confirmed, I only see the reports that everybody else has seen. I have not been read into that. If confirmed—

Senator MURRAY. You're not answering the question.

Ms. CHAVEZ-DEREMER. If confirmed, I will support the Department of Labor. I think it's important to support the Department of Labor, but I have not been—

Senator MURRAY. Will you support the private information that you will be overseeing? Will you protect that?

Ms. CHAVEZ-DEREMER. I would protect the private information. On this issue, I have not been privy to those conversations with the President. I have seen that and if confirmed, I commit to you that I will always protect the Department of Labor and those issues.

Senator MURRAY. Well, let me ask you about child labor scenario that I've been very worried about. The rise of child labor violations, the wage and hour division at the department has actually seen a 31 percent increase in minors employed in violation of Child labor laws since 2019.

In the last administration, the wage and hour division at DOL and the Solicitor's Office worked really hard to secure some really important victories against some really egregious violators. How will you make sure that the wage and Hour division and the solicitor's office work together to enforce our child labor laws in this country?

Ms. CHAVEZ-DEREMER. Well, protecting child labor is abhorrent and nobody should stand for child labor exploitation. I will do everything in my power within the Department of Labor to double down on the safety of all American workers that are exploited, but especially child labor. And I would love to work with your office if this is an important issue, it should be important to everybody to making sure that we protect against any child labor exploitation.

The CHAIRMAN. Senator Husted.

Senator HUSTED. Thank you, Chairman Cassidy. And it was a pleasure to visit with you, Ms. Chavez-DeRemer in our meeting yesterday. I appreciate you taking the time to come visit and share your views across a variety of issues.

I would like to talk a little bit today. I know that everyone in this hearing has talked about how they care about the American worker and how we make the world better for them. One of the ways we do that is we do more Made In America, which I know is very important to President Trump.

Another way that we can consider this in terms of earning power of the American worker is the impact that illegal immigration has had on undermining their ability to earn higher wages. And I'm just interested in your opinion about whether or not you think the influx of millions of people into this country, who many of them are here illegally, is undermining the earning power of the American worker.

Ms. CHAVEZ-DEREMER. Well, certainly we want to protect the American worker and Made in America is important to the President of the United States. I couldn't be prouder to support the America First agenda for exactly that reason. We certainly want to make sure that we're focused on growing this economy. That is the conversation that I had with the President, on how can we bring the American worker to be the pinnacle of every conversation that we have and supporting them in growing this economy.

Yes, the mass immigration that we've seen over the last 4 years has hurt the American worker, and we want to make sure that we're supporting President Trump in his endeavor to support the American worker at all costs.

Senator HUSTED. Great. Thank you. Let's talk about another aspect of Made in America. If we're going to make more things in America and we're going to compete on price so that we don't have inflation we're obviously going to need to create more productivity. Productivity comes from technology in the workplace. As we integrate technology in the workplace throughout time, it has always been a subject of conversation, consternation but it is inevitable that technology will advance and we will have to compete.

I would like for you to talk about your thoughts on the role of technology in the workplace because we want to make jobs safer, we want to make them more rewarding, which technology can do. We also know that in creating productivity, it can create profits for business. And we want to make sure that the reward of that innovation is given to both the worker and the business in terms of who benefits from the introduction of that technology. Talk about the role of technology in the workplace as it relates to labor and how we do more made in America with these new innovations.

Ms. CHAVEZ-DEREMER. Thank you, Senator Husted. We had this conversation yesterday and how important that you've been involved from all levels representing your states. And I've talked to many of the Senators on this issue, and it is a consternation about what will replace the American worker? And I would say, there's got to be space for both because it's going to happen. And what we

don't want is for other countries to get ahead of the game, ahead of America.

How we can work together with the American workforce, the employers, and the employees, and how we can work with Congress to determine what that looks like. But if there is profitability in there and we can support the American worker, and then we can have those American workers upskilled and reskilled, then this is going to be great for America to grow that economy and then share in that profit with the employees that are supporting. I think that's the key.

The President and I had a conversation specifically on building that bridge between the employer and the employee and labor and business, all of that. And if we grow this economy, we can do bigger and better things and everybody can live that American dream, as you mentioned. So I look forward to really diving in as a Department of Labor and giving the resources not only to those businesses, but not only to those employees, but to Members of Congress who can take this story back to their states and know that the Department of Labor and me as a leader is going to work on their behalf.

Senator HUSTED. A final component of that is that many, many Americans can have higher paying jobs if they have the right kind of skills. They don't need to go to college. They can get there through apprenticeships. Talk about how we can expand apprenticeships and make sure that we're helping the American workforce get the skills they need to compete, be more productive, and help America win.

Ms. CHAVEZ-DEREMER. One of President Trump's No. 1 focus is the expanded apprenticeships, is the investment in apprenticeships, making sure that we have the skilled workforce. I know as a former mayor and working with business owners and working with community colleges, that not everybody's going to get that 4-year degree. We have to pay attention that they have the skills that they need, that they can connect right to the business owners in their communities and reinforce that and not have to pick up and walk away.

There's nothing that I want more than for business and employers and the education departments to work together and really have a skilled workforce.

Senator HUSTED. Thank you, Mr. Chairman.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

The CHAIRMAN. Senator Baldwin.

Senator BALDWIN. Thank you, Mr. Chairman. Chavez-DeRemer, when we met you expressed your strong support for registered apprenticeship. So I want to dig a little bit deeper on that last question you were asked. That was reassuring to hear, particularly in light of the first Trump administration's effort to fund non-registered apprenticeships, or IRAPs as they're called.

You also said that you had not yet had an opportunity to talk with the President about policy at the time we met. Have you had the opportunity to talk with the President about your registered apprenticeships? And if so, has that changed your position?

Ms. CHAVEZ-DEREMER. No thank you, Senator on that issue. It is so important on the registered apprenticeships and really investing and even doubling down on that. I know in the first administration, and I haven't talked to the President on the first administration's policies compared to now, on apprenticeship from the last administration. But I think there's a lot to learn from what happened in the, first administration and the successes and not successes. But right now, we're focused on the registered apprenticeships, growing those, investing in those, and making sure that those are adhered to. Thank you.

Senator BALDWIN. I want to also dig a little bit deeper on appropriated funds. The Labor Health and Human Services appropriations Bill includes dedicated funding for apprenticeship programs and specifies that the funding is only available for registered apprenticeships. So I ask this in the context of actions this Administration has already taken, including a government wide funding freeze that has now been halted by the court.

As Ranking Member of the Labor Health and Human Services Appropriation Subcommittee, I have a particular interest in the department implementing our bill as Congress intents. That is why I was so alarmed to see the National Institutes of Health flaunt the law last week, when it proposed a policy that directly conflicts with longstanding appropriations language in the Labor HHS bill. The Labor HHS Bill says that you can't do it, and NIH said it was doing it anyway.

My question to you is, will you follow the law, that says funding for apprenticeship programs can only be used for registered apprenticeships? Yes, or no?

Ms. CHAVEZ-DEREMER. Yes.

Senator BALDWIN. More broadly, do you commit to spending funding as Congress appropriates it?

Ms. CHAVEZ-DEREMER. Again, as I mentioned earlier, it was as it was asked. As a former Member of Congress, I highly respect the appropriations process and the role of Congress.

Senator BALDWIN. Thank you. The nation's nurses face challenging working conditions and they are too frequently exacerbated by instances of workplace violence. We talked about that in my office. I appreciated that you said that you really take that issue seriously. Right now, the Department of Labor plans to issue a notice of proposed rulemaking in June of this year for the workplace violence in healthcare rulemaking. Do you commit to getting this proposed rule issued by June of this year and finalized in a very timely way?

Ms. CHAVEZ-DEREMER. Well, I can commit to working with you on the issue because it is an important one. And, if confirmed, I will look at every rule as it moves forward. But until then, I haven't even, know, seen specifically on the rule, but I commit to working with you and taking a look at it.

Senator BALDWIN. Been a close conversation on that, we've been waiting a long time, it's past due. Your opening statement mentioned putting workers first. You've repeated that a number of times. So I hope to have your commitment to aggressively pursue

enforcement against employers that deny workers the wages they've earned or fail to provide safe working conditions.

The Department of Labor plays a critical role in protecting workers' rights, including ensuring workers get the back pay they are owed, and investigations into allegations of child labor law violations. If confirmed I look forward to working with you to make sure that the department has the resources to do this important work.

Can you commit to me that this important work will continue under the Department of Labor under your leadership, yes, or no?

Ms. CHAVEZ-DEREMER. Yes.

Senator BALDWIN. Can you confirm that information under the Department of Labor's wage per hour division on their Web site will remain up to date, publicly accessible and comprehensive like it is today? Yes, or no?

Ms. CHAVEZ-DEREMER. Again, I have not been at the Department of Labor, I have not, but I look forward to working with agency heads and making sure that people have the information that they need.

Senator BALDWIN. All right, one last question. The women in apprenticeship and non-traditional occupations grant program, Senator—

The CHAIRMAN. Senator Baldwin, time's expired.

Senator BALDWIN. All right. I'll submit that for the record.

The CHAIRMAN. Thank you, Senator Banks.

Senator BANKS. Thank you, Mr. Chairman. Ms. Chavez-DeRemer, we served together in the house and worked together on the house educational Workforce Committee where you were a leader. You worked on many of the very issues that you're testifying about today. You are enormously qualified for this position, and I'm proud to support you. But can you explain to us for a moment what it means to you to put American workers first in this golden age of America's economy?

Ms. CHAVEZ-DEREMER. Thank you, Senator. Well, what's important to me, as was mentioned, the American worker, but we have to make sure that the American worker is being fortified with not only the skills that they need in order to answer the call, but people are looking for the American dream. People are wanting to have the skills to work in whatever they determine that to be.

Again, we're seeing it's not the 4-year university always, It's the 2-year, certificate base. It's answering the call so they can have mortgage paying jobs for their families, and understand that we're going to protect their benefits and their rights and safety in the workplace. The Department of Labor's sole focus, is to make sure that we are protecting the wage earner, that we are helping the job seekers who are out there looking and really reinvigorating the job seekers who have decided that they don't want to look any further.

Then protecting those retirees. As a member of education and workforce and working together, workforce investment, workforce development, I think is going to be key for all of our respective states. This, shouldn't be a party issue, I've said this over and over again, that's why I've always worked across the aisle because the

American worker, we don't know what their party is, but we know that it matters to them to protect their families.

I know how important my family's jobs were for us growing up, and I know how important it was for my husband and I to build that business for our children and soon to be grandchild. So I look forward to continuing down that road and always keeping that American worker at the pinnacle. And President Trump has said the same thing, and we align on this issue. The American worker, this new coalition, this new direction is where we're headed in this country.

Senator BANKS. Very well put. I know you know this; Indiana is the top manufacturing state in the country, yet the China shock wiped out 5 million manufacturing jobs in this country. And yet the Federal Government programs that were built to help those people who lost their jobs, way too many of them were left behind and didn't get a job as good as the manufacturing job that they had before because of the efforts of China to wipe out so many of those jobs in our Country.

How can we better serve those people? How do we get those people back on their feet and help them find meaningful good paying jobs like the one that they had before that was taken away by our biggest enemy, China?

Ms. CHAVEZ-DEREMER. That's right. Well, again, it's that workforce investment, that workforce development. Oftentimes as a former mayor, if we don't go out and talk to the business community, if we don't go out and talk to those employers about what they're seeking and how they can find those jobs, we have to make sure that we are the leaders in this Nation and in the world, not China and not any other country.

President Trump, the golden age that you mentioned, this has been first and foremost the America first agenda, and workforce development and protecting the American worker and have them the ability to earn those wages and live the American dream is No. 1 in the America first agenda. That to me is telling, why this coalition, this new direction of bringing labor and business and support is to uplift all Americans. And this is first and foremost on the President's mind.

Senator BANKS. Back in November when President Biden was still in office, his labor department reported a 31 percent increase over the last 5 years of illegal child labor in America, a direct result of open borders. And I wonder what have you thought about what the Labor department or President Trump and your leadership can do to save those kids who are in our Country being illegally exploited for work in America?

Ms. CHAVEZ-DEREMER. Well, I have not had a conversation specific to that topic but I know how important it is to protect. Well, first of all, children who have no fault of their own are being exploited. We never want to exploit. And our children it's, again, as I mentioned, it's abhorrent that we would ever in this country choose to do so.

We will make sure that our workers are safe. We'll make sure that our children are safe, and that we'll make sure that we are

heading in the right direction to protect our businesses and protect our workers, and never exploit our children. We'll double down at the Department of Labor if there's any bad actors doing so.

Senator BANKS. The Labor Department is responsible for combating human trafficking. And forced labor under the Fair Labor Standards Act. And the Biden administration completely ignored these kids that were brought here illegally and being exploited. And I know that's something that you'll take very seriously and work on. I look forward to working with you.

Ms. CHAVEZ-DEREMER. Absolutely. Thank you, Senator.

Senator BANKS. I yield back.

The CHAIRMAN. Senator Murphy.

Senator MURPHY. Thank you very much Mr. Chairman. Thank you very much for your willingness to serve and coming before this Committee. I think Senator Murray's questions were really important regarding the security of data and sensitive information at the Department of Labor.

I just want to drill down and maybe make a finer point here. Elon Musk is right now the subject of several OSHA investigations. Multiple companies are subject of multiple investigations. His rocket company has an injury rate that's about nine times higher than the industry average.

I heard you say that you're going to protect data privacy, but let me just ask once again the very specific question. Will you commit to denying access to Elon Musk or any of his representatives to information about labor violations at OSHA or any other information about labor violation investigations at the Department of Labor?

Ms. CHAVEZ-DEREMER. Thank you, Senator. On this same issue, committing to the privacy, again I know that for most listening to this, it seems as though when we're trying to answer these questions, but I have not been in these conversations as I'm not confirmed. I only see what has happened possibly on the news and so forth.

The President has the executive power to have his coalition of advisors and determine what's best for the American people. He made a promise to the American people that he was going to do these things and check into what is happening. Other than that, I have not been read in on any of this. And if confirmed, I commit to taking a deeper look and working with your office and in any other office on this issue. But at this point—

Senator MURPHY. This one feels pretty simple, right? I mean, this is an individual who owns companies that have existing investigations, he has a direct interest in getting information about the seriousness of those investigations. He has interest in getting information about investigations against his competitors. It seems like a pretty simple commitment to make; to say, I am not going to give any private company exclusive access to information about open investigations against them or their competitors. I mean, why can't you just make that commitment to us?

Ms. CHAVEZ-DEREMER. Well, again the President has the executive power to exercise it as he sees fit. I am not the President of

the United States. I work for the President of the United States, if confirmed. And I will serve at the pleasure of the President.

On this issue, again, I have not been into the Department of Labor, and so I will commit to working with your office, I'll commit to coming back as soon if confirmed and I'm in the Department of Labor, coming back and answering those questions to this Committee wholeheartedly. I'll commit to that.

Senator MURPHY. But you have the ability to disagree with the President. You certainly serve at his pleasure, but that doesn't mean that you have to take actions that you believe to be unethical. If the President asks you to give access to information to benefit a friend of his who has pending investigations, you wouldn't say no?

Ms. CHAVEZ-DEREMER. Well, I certainly—well the President I think in building his team, a formidable team, I'm to determine that I don't think is expecting, yes men and women, we are going to be advisors to the President, and I would talk to the President. But on this issue, one, I'm not an attorney. I would certainly consult with the Department of Labor Solicitors; I would certainly consult with the White House and their attorneys. But until I am confirmed and in the Department of Labor, I would not be able to say specific to this without having the full picture before that.

Senator MURPHY. I don't think you need to be an attorney to understand that giving access to a company to sensitive data about labor violations at their company or to competitors companies is deeply unethical.

Let me ask you another question. Both SpaceX and Amazon have filed suits against the NLRB contesting its constitutionality. It's a pretty extreme argument saying that the NLRB is actually unconstitutional. I know you were asked earlier about the firing of one of the members. Do you believe that the NLRB is constitutional?

Ms. CHAVEZ-DEREMER. I believe the NLRB definitely has its authority, and I respect that authority. I know you mentioned, or I mentioned that I'm not an attorney. That being said, it looks like the courts are dealing with that. But what I respect is the fact that it is separate independent agency and I think it has a role to play, and I respect that. And as the Department of Labor secretary if confirmed, I will take that very seriously.

Senator MURPHY. But you believe that it's constitutional?

Ms. CHAVEZ-DEREMER. Yes, I believe that the—

Senator MURPHY. Well, you can answer that question real fast.

Ms. CHAVEZ-DEREMER. Yes. Thank you. I definitely believe that the NLRB is an important agency independent, and I will work with the NLRB as we have very different jurisdictions, but we often overlap. And so I think it's important to recognize that is an important agency, independent and so forth.

The CHAIRMAN. Senator Moody.

Senator MOODY. Thank you, Chairman Cassidy. Oh, Hello, congratulations on your nomination. Thanks for being with us today.

Ms. CHAVEZ-DEREMER. Yes, thank you.

Senator MOODY. I wanted to follow-up on something my colleague Senator Banks brought up. And you mentioned that you had not had a conversation about this, but I'm hopeful that you have paid attention to what's been going on and studied what's been happening to so many children throughout our Nation, especially over the last 4 years.

It is common knowledge now, it is not a political opinion, that under the Biden administration, hundreds of thousands of minor children flooded into our Country. Many were forced into labor trafficking, working many hours a day under even undercutting American wages. But to the detriment of many of these children, some were injured, some died. It was heartbreakingly.

As a mother of a child that is around the same age that some of these children were forced into this labor, I find it appalling that more people were not speaking out about this and certainly, unacceptable that we had an administration that was not talking about this every single day when these horrors were taking place in our own Country. Florida was so upset about it; we kept asking routinely for more information from the Administration so that we could monitor what children were in our state and care for them and account for them. We even launched a grand jury investigation.

I just wanted to quote for you what that grand jury found. And again, this is community members, not politically driven. "The Biden administration forced migration, sale, and abuse of foreign children. This process exposed children to horrifying health conditions, constant criminal threat, labor and sex trafficking, robbery, rape, and other experiences not done justice by mere words".

The challenging part here is, as we've uncovered more and more instances of this, it appeared that the Department of Labor was not engaging and expecting the same type of transparency that many of the states were, even though the Department of Labor had the responsibility and authority to enforce some of this stuff.

When we tried to get Biden administration representatives to come and testify and give us information, and provide documents, we were repeatedly stopped, obstructed from doing that. And in fact, they responded to one of our requests that they show up by saying "the state had failed to show how it was in the interest of the agency", when all we were seeking to do was to fight in the interest of the tens of thousands of lost children.

I will ask you, if you are given this enormous responsibility, do you commit to doing everything in your power to enforcing the child labor laws and working with the states that so desperately want to protect the children in their states, that believe they have the responsibility and the ability to do that?

Ms. CHAVEZ-DEREMER. 100 percent, Senator. As I mentioned, what has happened over the last 4 years has been horrendous. It is not something that United States stand for and again, it is not a political issue. This is protecting children, and we should not ever allow that to happen in this country. And I 100 percent commit to you that I will work with your office, and any other office in order to protect those children and understand that we should never accept this in the United States.

Senator MOODY. You know, there was some words recently promoted in a memo by President Trump and his administration, radical transparency. And I think that is essential in moving forward from these agencies, so that the people understand what is taking place in their country under their noses. Because we know any power that rests in this government rests with the consent of the governed.

I think as we are waking up to what has been happening, many are saying we never gave that consent. And we as a Congress need to hold the agencies accountable to that. I want to now direct your attention to right-to-work laws and states that have chosen to pass right-to-work laws like the state of Florida. We passed legislation to ensure, that for example, dues could not be forced out of people's paychecks, that was very important within our state.

When the Department of Labor saw that under the last administration they sought to threaten to withhold funding from the state of Florida, when we promoted our own policies to ensure reasonable collective bargaining and, and right-to-work laws. We brought suit, I fought that in court that is still pending. It is on appeal right now. Do I have your word that you will look at that, dig in on that, determine if those threats were indeed justified and if not, work with the state of Florida to resolve that?

Ms. CHAVEZ-DEREMER. Yes. Well, it is in litigation, I can't comment on the actual litigation. I do look forward, if confirmed to working with your office and taking a hard look at that and respecting what the state of Florida is doing with their right-to-work life.

Senator MOODY. Put simply, do you respect the ability of the states to enact policy and the benefit of our own states?

Ms. CHAVEZ-DEREMER. Yes.

The CHAIRMAN. Senator Kaine.

Senator KAINES. Thank you. And thank you to Representative Chavez-DeRemer for the good discussion we had about a month ago. You said you respect the National Labor Relations Board and want to work together with it, though they are independent. The National Labor Relations Board is created by statute and it's the Law of the land, correct?

Ms. CHAVEZ-DEREMER. Yes Sir.

Senator KAINES. It was created pursuant to the National Labor Relations Act, which was also a statute and is the law of the land, correct?

Ms. CHAVEZ-DEREMER. Yes, sir.

Senator KAINES. Currently the NLRB lacks a quorum because of actions of President Trump. The legality of his removal of an NLRB member is being contested in court. But the NLRB should have a quorum, shouldn't it?

Ms. CHAVEZ-DEREMER. Well, in order to do business, I suppose, yes.

Senator KAINES. Your opinion is that a President of either party or a Congress of either party should assure that the National Labor Relations Board has a quorum, correct?

Ms. CHAVEZ-DEREMER. Yes.

Senator KAINEN. Because in the absence of a quorum, it can't do its job.

Ms. CHAVEZ-DEREMER. Correct. That would be on its face, yes.

Senator KAINEN. The Equal Employment Opportunity Commission, do you believe in the notion that workers should have equal opportunities?

Ms. CHAVEZ-DEREMER. I'm sorry, could you repeat that?

Senator KAINEN. Do you believe in the notion that workers should have equal employment opportunities?

Ms. CHAVEZ-DEREMER. Absolutely.

Senator KAINEN. The EEOC is an independent agency, but it deals with workers. And you've said you want to put workers first. The EEOC right now lacks a quorum. The EEOC was created by statute, and it's the law of the land, correct?

Ms. CHAVEZ-DEREMER. Yes.

Senator KAINEN. Have you ever taken the position as a Congresswoman that either the NLRB or the EEOC should be defunded or eliminated?

Ms. CHAVEZ-DEREMER. No, not that I recall.

Senator KAINEN. Since the EEOC is the law of the land, and it's important that workers have equal employment opportunities, the EEOC should have a quorum to operate, correct?

Ms. CHAVEZ-DEREMER. Yes.

Senator KAINEN. Because of actions of the President, the EEOC currently has no quorum and cannot operate to protect equal employment opportunities. But you would agree with me, similar to the discussion we had about the NLRB, that it being the law of the land, any President of either party and any Congress of either party, should ensure that the EEOC has a quorum so it can protect workers, correct?

Ms. CHAVEZ-DEREMER. Yes.

Senator KAINEN. The Department of Labor has some specific programs designed to benefit veterans. There's a, a couple of programs within the DOL focused on veterans' employment needs. Should you be confirmed, would you take those obligations to watch out for American veterans seriously?

Ms. CHAVEZ-DEREMER. Absolutely.

Senator KAINEN. If you became aware that an employer, a major employer, was taking actions that disproportionately negatively affected veterans, would that concern you?

Ms. CHAVEZ-DEREMER. Yes.

Senator KAINEN. The mass firing that President Trump is doing within the Federal Government right now, is hitting veterans very, very hard. The civilian workforce is about 3 percent veteran, the Federal workforce is 30 percent veteran and veteran workers are also disproportionately probationary employees. The actions thus far taken by this Administration are punishing American veterans badly.

I live in one of the states that has the highest per capita representation of veterans. We're seeing people laid off at VA clinics. I have two VA clinics that are supposed to open in the next couple of months whose opening is jeopardized because of the mass firings. And even outside of the VA. The disproportionate effect of the firings to this point, fall hard upon veterans. I'm happy to hear that you will take it seriously if any major employer in this country disproportionately punishes veterans. Do you know what a restrictive covenant is?

Ms. CHAVEZ-DEREMER. I do not.

Senator Kaine. A restrictive covenant is when an employer, as a condition of employment, makes an employee say, and if you leave, you can't work with anybody in the same industry. I'm sure you're familiar with the concept, people use different titles, but you're familiar with the concept. Do you think restrictive covenants limiting a worker's ability to choose where they want to work is anti-worker?

Ms. CHAVEZ-DEREMER. Well, I'm assuming you're probably also naming those as the non-competes. Is that what you're referring to?

Senator Kaine. Yes, actually non-compete is better. Yes. Right.

Ms. CHAVEZ-DEREMER. Yes. I'm sorry, when I didn't recognize the other term.

Senator Kaine. Both are used, but non-compete is probably more common.

Ms. CHAVEZ-DEREMER. I know that's primarily taken up by most of the state jurisdictions on whether that's their law or not their law and determined by that. So I think it's dependent on what the state's laws are and how they focus on—

Senator Kaine. If you want to put workers first, restricting their ability to find a job after they leave one employer, that's not putting workers first. It restrains workers. The reason I ask is that in the absence of quorum at the NLRB, the NLRB General Counsel has just issued a memo rescinding a previous order of the Biden administration, protecting workers, put workers first.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

Senator Kaine. I yield.

The CHAIRMAN. Senator Collins.

Senator COLLINS. Thank you. Ms. Chavez-DeRemer, a major provision of the *PRO Act* which you co-sponsored would eliminate secret elections when workers vote on whether or not to organize. The secret ballot, obviously helps to protect workers from intimidation, pressure, and retaliation. Do you continue to support the elimination of secret ballots in union elections?

Ms. CHAVEZ-DEREMER. I do not support that portion. That's, an important—supporting the secret ballot is key, not only to protect the employee from maybe a bad union, but also a bad worker. So I think it's good to have that democracy in keeping those ballots protected. The secret ballot.

Senator COLLINS. Let me turn to a different issue. In the last administration, OSHA published a proposed rule that would affect our firefighters and our fire departments. I've heard directly from

many volunteer and rural firefighters from the State of Maine who have concerns about the high compliance costs and what they view as totally impractical training requirements that this rule would impose.

Some of the larger departments could accommodate these changes. But the majority of the fire departments in Maine are not large. They're serving small rural communities. OSHA itself has estimated that the nationwide compliance costs could exceed a hundred million dollars per year for volunteer fire departments alone. And so the result is going to be closed departments to reduce firefighter workforce and harming public safety in small rural communities.

Although there may be some benefits to take a look at the old standards and see if they are updated, what OSHA has published would be extremely harmful and actually decrease public safety in rural America. What is your position on this rule? And will you re-examine it if confirmed?

Ms. CHAVEZ-DEREMER. Yes, Senator Collins. I will look to reexamine. I would imagine all rules and regulations confirmed once I can get in those doors and fully understand. But protecting our first responders, we've seen it in a small community like Happy Valley, Oregon and beyond, protecting our firefighters and making sure they have the resources they need and helping them, of course, comply, but sometimes understanding what that compliance looks like, I think is a remit of the Department of Labor for all rules and regulations.

People want to comply, but the cost that they would close their doors is not going to be good for any community. And I promise you, if confirmed, that I will take a hard look at that regulation and work with your office as well.

Senator COLLINS. Thank You. Last year, the State of Maine had 15 million tourists. That is about 10 times our state's total population. So it's not surprising that those who are in the hospitality industry, despite every effort, cannot come up with a sufficient number of employees to serve the flood of tourists, which we are very happy to welcome to the great State of Maine.

We rely heavily on seasonal worker visas known as H-2B visas, to help fill that workforce gap. Can you commit to making available the maximum amount of H-2B visas that Congress authorizes? There's some discretion on what the number will be, but Congress gives the Administration the authority to go to the maximum level.

Ms. CHAVEZ-DEREMER. That's right, Senator. I commit to working not only with you all, and this is brought up by many of you in our meetings on how important the H-2A, H-2B, H-1B visas are and the seasonal visas. I'll work with the Department of Homeland Security Secretary Noem, in looking at those caps and the Department of Labor's role and remit on this is testing the market and understanding who's asking for these permits, and then working with the Department of Homeland and the Department of State to talk about that cap and whether or not Congress wants to enact that. So yes, I commit to working with you and them as well.

Senator COLLINS. Thank You.

The CHAIRMAN. Senator Hassan.

Senator HASSAN. Thank you, Mr. Chairman, and good morning still, Congresswoman, it's good to see you. And I appreciated the time we had when we met in my office a little bit ago. I appreciate your willingness to serve and that of your family. I wanted to follow-up before turning to a couple of questions I have on a line of questioning we heard from Senator Murray.

I take it from her questions and your answers that you have stated that if you are directed by the President to take an action that would break the law, you would follow the law?

Ms. CHAVEZ-DEREMER. Absolutely. I will follow the law on the Constitution. I do not believe the President would ask me to break the law.

Senator HASSAN. I understand that as the response from nominees, we've seen a lot of evidence that he will in the last 4 weeks. And then I wanted to follow-up on Senator Murphy's point about Mr. Musk's access to DOL information. And this is not a question, but I just want you to understand why we are focused on this. Mr. Musk spent a quarter of a billion dollars to get Donald Trump elected. And since inauguration day, we have found out that the State Department was planning to give Tesla a \$400 million contract for armored vehicles.

Now, we find that Elon Musk has access to the Department of Transportation records and data systems, when in fact, he's being investigated by DOT because of multiple inquiries into the safety of Tesla vehicles and the deaths they may have caused.

Then we find out that he's got access to the Department of Labor information. He's got programmers with him when we know that he's being investigated by the Department of Labor. So it seems like Mr. Musk is getting a big payback from Mr. Trump right in the first month of this Administration. And that concerns us greatly. Now, I did want to turn to a couple of issues that you and I talked about.

We have a shared interest in increasing access to apprenticeship and workforce training, and there's been real bipartisan focus on that. If confirmed, will you expand these programs? And how will you prioritize rural communities in this effort? Because getting apprenticeship programs in rural communities to fit the actual economy and workforce needs in those rural communities is a pretty unique thing. And I would like your thoughts on that.

Ms. CHAVEZ-DEREMER. Thank you, Senator, and I enjoyed our conversation as well. Again, a lot of this information that I experience comes from being a former mayor, and then having the experience as a Member of Congress as well, to understand how the laws are made. But in the rural areas, oftentimes they are forgotten. It's a forgotten parts of a lot of our states.

One of the things we talked about is the hubs, and I think I talked about that with Senator Hickenlooper as well. And knowing that there are programs that are going to skill the workforce in those rural communities.

For instance, an example in Oregon, one of the hubs—I think I mentioned to you and Senator Hickenlooper was it's a real direct—

while it's not an apprenticeship program, until we can fortify or work toward possibly what that looks like in other parts of certain industries we talked, I think about the healthcare industry specifically, is working with our community colleges and our local technical colleges to have those certificate base so that we have that workforce right in those communities.

When we take that information from our businesses, and we kind of back into degrees for our students in order to do that. But I look forward to working on a bipartisan level to really fortify those apprenticeship programs so that we can have that skilled workforce.

Senator HASSAN. I would look forward to working in a bipartisan way on that. One of the things we could do is to pass the bipartisan bicameral reauthorization of the Workforce Innovation and Opportunity Act that we agreed to last Congress. So that's an important way we could move forward.

With 2.6 million workplace injuries and illnesses reported annually, we have to do more to protect the health and safety of our workers. Yet workers still have to fight for common sense protections like air conditioning for delivery drivers during the scorching heat of the summer, and properly fitting protective equipment for construction workers. If confirmed, how will you coordinate and prioritize workforce safety across all of DOL'S agencies?

Ms. CHAVEZ-DEREMER. Oh, thank you, Senator. Again, one of the remits for the Department of Labor is to protect the workplace. Make sure that they're free of hazard, make sure that we're protecting the American worker. Nobody expects to go to work in the morning and be unsafe or be hurt. So it will be the role to work with the experts in all of the departments across the Department of Labor to make sure that we're honoring the mission of the Department of Labor.

Senator HASSAN. I would appreciate that. I also appreciate the fact that you rightly respected the expertise of some of our Federal workforce there because they know a lot about workplace safety, and I don't want them to be subject to these mass layoffs we are seeing. I will submit for the record a question about paid leave. We were able to expand it in for Federal workers under President Trump's first term. I'd appreciate your thoughts on that. Thank you.

The CHAIRMAN. Thank you, Senator Hassan. And Senator Mullin, I apologize if you snuck in just before Senator Collins.

Senator Mullin.

Senator MULLIN. It gave me time to get my head in place. Thank you, Chairman. And I just kind of want to point out some interesting things that's going on. The Senator from New Hampshire was complaining about a contract that was awarded by the Biden administration, and somehow, you're tied it to the Trump administration for Tesla.

I don't actually know how those work. I mean as good as I do, that was the contract that was given by the Biden administration, or that was looking to be given by the administration, not the Trump administration. And somehow that's a conflict of interest. And then when we start talking about that, you're concerned about

Mark and Jeff and Elon. It wasn't too long ago; you guys were happy to take all their money. It's just the party that's supposed to be of inclusion. Now, all of a sudden, if you don't agree with this, you're the enemy.

I'll use my friend Sean, for example. He was brave enough to speak and spoke his mind on some things that maybe all of us didn't agree at the Republican Convention. And for the first time in decades, he was not invited to speak at the Democrat National Convention. Why? Because he had a different opinion about where the democrat woke movement has gone. What happened to the inclusion? Yet what we do is we spend all of our time complaining and making reckless accusations about something that's absolutely false.

When you guys don't want to hear it, you guys just accuse everybody else of being a criminal and for some reason being compromised. It's ridiculous. Absolutely ridiculous. It's the same thing we heard in 2017, and yet you guys are just recycling. You guys are doing nothing but trying to stir your base by fear when it's absolutely 100 percent wrong and shouldn't even exist.

Now, with my rant over I like to turn back to Lori and ask you a question. You're very uniquely positioned, I made that clear when I was introducing you. Coming from a very blue state and being a Republican that's very heavily union, and you've been backed by the union. You have the support of a new coalition that President Trump has brought together. What role do you think you play in this new coalition?

Ms. CHAVEZ-DEREMER. Thank you, Senator Mullin. For, for one, thank you again for being here today and introducing me. But on this question, building the bridge, and I think that this is the new direction. 77,300,000 Americans voted for President Trump. We know that the American worker, wherever they are on the continuum, if it's organized labor, if it's employees, if it's employers they supported and gave the President a mandate. He won 312 electoral votes. He won all the swing states, and he did have a mandate.

But in that mandate, what's unique about this time, is the fact that he included the American worker of being first. He's talking about the men and women who build this country, that's the focus. And I believe that the President nominated me to bring my experience, not only as a mayor, not as a business owner, but because I did garner labor support.

The President and I align in this issue, that if we focus on the American worker, despite the politics that is going to come up, sometimes, we're not going to agree on everything, but we can agree that we are at a pivotal moment in this history to capitalize and support the American worker, and that everyone can achieve the American dream.

I know how important that was for my family. I know how important that is to all your constituents. And I want to bring people to the table. And when they're at that table, I want them to stay at that table because I know sometimes, they're going to disagree. But it is not to put the thumb on the scale. It is not to weigh in and support on each side. It's to keep them at that table till they

determine that they can solve the issues. Just like you and Sean O'Brien.

This is important to the President, it's important to me. He asked me to be an extension on his team, a formidable team where we won't forget that. And I won't forget that. I'll work hard every day to be the leader that this country deserves at the Department of Labor to carry on that message for the President.

Senator MULLIN. One of President Trump's main focus was bringing jobs back to manufacturing. In fact, American first agenda was all about protecting the American workers. How do you plan on working uniquely with both sides to bring manufacturing back to the United States?

Ms. CHAVEZ-DEREMER. Well, again, thank you for this question, because it is where we have been lacking. We have seen communities be decimated, small rural communities where, Oregon is a timber industry, and they have been decimated over the last 15–20 years. We have to bring those back so we can buildup our communities. I look forward to investing in the workforce, again, it was mentioned, we owe which is a bipartisan effort.

As a member of—workforce, I was proud to honor that. And if President Trump wants to bring that forward, I look to working with all of your office for that workforce investments to buildup those jobs, to reinvest in those manufacturing jobs.

Senator MULLIN. Thank you so much.

The CHAIRMAN. Thank you, Senator.

Senator Kim.

Senator KIM. Thank you, Chairman. Thank you, Congresswoman, for coming on out and talking to us. In your opening statement, your written testimony, you talked about putting American workers first as the priority here, and I appreciate that. I think a lot of us agree with that.

I guess I just wanted to ask you, because you talked about the vision that you have that should be a vision for our Country. So I guess I wanted to ask you to sort of expand on that vision. Is \$7 and 25 cents an hour, is that enough to live on in America in the year of 2025?

Ms. CHAVEZ-DEREMER. Thank you, Senator. For the question I know Ranking Member Sanders asked the same question. I recognize that it hasn't been changed, the minimum wage, I guess.

Senator KIM. I'm just asking you like, is do you think that's enough for a worker to live on? I'm just trying to get a sense of your vision for what the standard of life for an American worker is.

Ms. CHAVEZ-DEREMER. Well, I mean, again, for every state, for every community, again, I mentioned Oregon, what happens in Portland doesn't happen in Grants Pass. It certainly doesn't happen.

Senator KIM. I understand that about Oregon. But like, I guess I would ask you, what is 7.25 an hour? That is what, in an annual term, do you know off the top of your head? Oh, it's not a math question, so I'm just trying to get a sense of—so it's about \$15,000

a year. Yes. So I guess I just want to ask you, do you think that there is a state in this country where someone can live comfortably on their own for \$15,000 a year?

Ms. CHAVEZ-DEREMER. Well, I don't know if there is, but I would look to work with Congress. This is a congressional issue. I hope I can support you in telling the story of what's happening on the ground, but that's what—

Senator KIM. I'm just trying to get a sense of from you is what your vision is. Because I do want to try to engage and see if we can work on that together. So, for instance, biggest issue I keep hearing about is about affordability of housing and the challenges that people are facing when it comes to that.

Again, I'm just trying to get a sense of where you're at on this. Do you have a sense of what percentage of someone's salary should go toward housing? Is there an upper limit in your mind of where you'd like to see that?

Ms. CHAVEZ-DEREMER. Well, I know oftentimes they talk about, if it's 10 percent, 20 percent, but here's my commitment, Senator. My commitment to you is to tell that story. I will come out and visit every state and, and understand what's important to them, and tell that story not only to the President, but also work with Members of Congress. And if you all see fit, I will fully and fairly enforce the minimum wage laws that you all see fit and work together. I know, again, I will—

Senator KIM. This will be a conversation between us here. It's important. I mean, like, it's not just on us. You're going to be somebody who's supposed to be fighting for sure for the American worker. Is 50 percent of someone's salary too high in terms of what goes toward housing?

Ms. CHAVEZ-DEREMER. Well, again, depending on what the salary is, people can determine that. I mean, if I had to take a guess, you are wanting me to say yes or no. It's hard to guess on what people want to spend on their housing, but I do want to help the American worker. I want them to make enough money. I want to give them the opportunities. And I want to work with Congress on this issue because it is important. This is a sensitive issue. We hear about it all the time.

Senator KIM. Yes. So, as I said, the top issue, and I'll say that, when it comes to the lowest median rents that we see in this country right now, it's around \$850, \$900 a month, which is at around \$10,000 a month. Some of the states where, again, the minimum wage is \$15,000 a year, so talking about two thirds of their salaries, when it comes to paid leave, I mean—I know a colleague of mine was going to raise this, we were able to move forward on government employees. I want to just get a sense; do you believe that all American workers are entitled to paid leave?

Ms. CHAVEZ-DEREMER. Well, again we don't have a Federal paid leave.

Senator KIM. Should we? I'm just trying to get a sense of your vision. I get it, you're not a mayor anymore, but like, I'm just trying to get a sense of what you're going to be fighting for. What's your vision for the American worker?

Ms. CHAVEZ-DEREMER. Yes. Well, my vision for the American worker is to achieve the American dream. To have opportunities.

Senator KIM. I understand those opportunities, but is a part of the American dream paid leave for all workers?

Ms. CHAVEZ-DEREMER. Well, again, I cannot commit to you today that I would say 100 percent paid leave across the board is something that should be taken up by the Federal Government its dependent of states. State of Oregon, again, they choose to do that respective of their states.

I want people to have the opportunities to keep more of their hard-earned dollars. I know the President again, is in line with the America First agenda to have those freedoms to keep those dollars that they earn. And we want to make the most prosperous opportunities available for them to earn the most based on what they are skilled to do and, and offer them the development and the skills that they can to earn that opportunity. I want this more than anything.

Senator KIM. Look, I want it too. And that's why, if confirmed, I want to work with you on this.

Ms. CHAVEZ-DEREMER. Absolutely.

Senator KIM. But I'll just tell you, like, when I talk to workers back in New Jersey, they say it feels like death from a thousand cuts right now. There's housing, there's healthcare, there's so many other things, they're working two to three jobs just to be able to get by. They're not asking for the moon. They're just asking to be able to live a life of dignity and decency. And I hope that we can at least be able to stand up and say that's what we're going to fight for. I yield back.

Ms. CHAVEZ-DEREMER. Thank you.

The CHAIRMAN. Senator Tuberville.

Senator TUBERVILLE. Thank you. Good morning.

Ms. CHAVEZ-DEREMER. Good morning, coach.

Senator TUBERVILLE. Let's beat a dead horse here. To work state Alabama, my constituents at home want to know that are you going to try to change our statuses Right to work?

Ms. CHAVEZ-DEREMER. I respect the fact that you are from a right-to-work state, and I respect the fact that you can continue to be a right-to-work state.

Senator TUBERVILLE. Thank you. Back when we had the, the *PRO Act*, I offered an amendment that would require authorization from employees in order for any kind of dues fees or assessments to be used toward a political campaign by the union bosses. It failed. Are you for that? Are you for how would you handle that? Dues from a union, paid in a political contribution from employees that are not asked can we use your money?

Ms. CHAVEZ-DEREMER. You're saying they paid their dues. It's used for a political contribution without their knowledge.

Senator TUBERVILLE. Yes.

Ms. CHAVEZ-DEREMER. Well, again that's not something that—I think they should be aware of whether dues are going. Yes.

Senator TUBERVILLE. Okay. Just asking. You voted for the *PRO Act*; I was just asking.

Ms. CHAVEZ-DEREMER. Senator, if I could correct the record. I did not vote for the *PRO Act*. I put my name on this. We did not have a vote on the *PRO Act*, so I just wanted to correct the record on that.

Senator TUBERVILLE. All right. We had this conversation a couple of weeks ago, my constituents want to know, you worked in Planned Parenthood years and years ago. You pro-life or Pro-Choice?

Ms. CHAVEZ-DEREMER. I am supportive of the President's agenda. I have a hundred percent pro-life voting record in Congress and I will continue to support the America First agenda, which we know includes life.

Senator TUBERVILLE. Good answer. All right. Talk to me about legal immigration. In my state, we have the most engineers in the country, in the state of Alabama because of NASA and defense contractors and all those things. We're running short on a lot of engineers, high tech people that are well-trained in our Country. For some reason we're running short because big tech is growing. Where do you stand on legal immigration? Your thoughts?

Ms. CHAVEZ-DEREMER. Well, I'm supportive of legal immigration only. I mean, I don't see another around it. What level you're talking about? Yes. You're talking about—are you referring to the H-1 Visa program?

Senator TUBERVILLE. Anything to do with high tech, anything to do with engineers. That, eventually we're going to have to allow more people to come, but not to tear down the structure of young men and women having a chance to make a better living because they spent four or 5 years at a university and have to pay their bills.

Ms. CHAVEZ-DEREMER. No, I appreciate that so much that you brought this up. Certainly we never want to replace the American worker. We want to make sure that we're investing in the American worker and they have the skills needed for the high-tech industry as we see moving forward through a lot of our respective states.

On the visitor's visa, on the H-1B, there's been conversation about, in the immediacy, I've heard that from many of the Senators. It's about today, what happens today and tomorrow. I commit to you to working again with testing the market, that's the Department of Labor's remit. It's a test the market and seeing where we need the guest worker program once we've exhausted all other programs and making sure that we're out there. Then work with the Department of Homeland and certainly the Department of State, and if we have to administer more.

But that's going to be certainly the—Congress will determine it, and then I'll work with those interagency as well. And I would love to work with your office on that specifically.

Senator TUBERVILLE. Thank you. I'm not going to put you under a gun on this question, you probably don't know a lot about it. A lot of people in this room know a lot about it: NIL, name, image,

and likeness. It is a disaster and we're going to have to do something in your tenure to help young men and women understand, the situation that we're in, because we're going to start losing Title IX.

We've got a young man that just signed an \$8 million contract and he's 20 years old, and it's out of control. So, the next time you come hopefully we can have a hearing on what we call name, image, and likeness. I'm all for kids making money but it is workforce. It needs to be changed. It needs to be regulated to a point where all men and women, young men and women can have a chance to make money. So just to bring that to light, but that will be under your purview in the very near future. Thanks. Thank you, Mr. Chairman.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

The CHAIRMAN. Next would-be Senator Blunt Rochester.

Senator BLUNT ROCHESTER. Thank you, Mr. Chairman. And I also want to thank you Congresswoman Chavez-DeRemer for the opportunity to meet with you ahead of the hearing. I really felt we had a robust conversation about the workforce and how we move forward as a country, and the fact that working people deserve respect, protection, and fair treatment.

I want to start by just acknowledging, I know you are following the reports, the over 10,000 Federal employees, civil servants who have been fired in recent weeks including staff at the FAA, the NIH HHS, the Department of Education and more. And to me, beyond the harmful impacts that those individuals are feeling and their families are experiencing, it is having ramifications across the country.

Everything from our plane safety to biomedical research, to measles outbreaks that I just heard on the news earlier today, to the Avian Flu, all of this, while the cost of eggs is not going down, people are feeling the impact. I'm also concerned, I shared with you, I had the opportunity to serve in Delaware as Secretary of Labor.

Labor is so important to me, but also state personnel director. And just from a workforce planning perspective, a lot of this doesn't even make sense to get rid of some employees that are protecting our national security, our nuclear safety, all of these things and our health, just doesn't make sense.

Then there's going to be the ripple effects of where do these folks who are now unemployed get the resources they need to live and survive? How do they deal with the trauma? This will have ripple impacts. And what you said is you want to help the American worker, and I hope that you will consider these individuals as also American workers.

My questions, I wanted to talk a little bit about what we discussed in terms of the future of work, which has been one of my top priorities in preparing folks for the jobs of today, but also the jobs of tomorrow. And in Delaware, we have a robust biotech ecosystem involving workforce focused partners like the Delaware Bio-science Association, and the National Institute for Innovation in Manufacturing biopharmaceuticals at the University of Delaware, also known as NIIMBL.

We also have with our students the Delaware Pathways and vocational technical high schools in Delaware and two labor unions. So far, we know we need more workers to grow our economy. Do you have a plan to prepare workers for careers in emerging industries like biotech and AI?

Ms. CHAVEZ-DEREMER. Thank you, Senator. I really did appreciate our meeting as well. I know you have the knowledge from a labor department in Delaware, and that you ran that, and I hope we work together and you will share with me some of the tips and tricks of the trade because I don't need to reinvent the wheel in a lot of places. I just need to make sure that we're respecting and honoring your story as well. And for Delawareans—

[Laughter.]

Senator BLUNT ROCHESTER. Delawareans, that's right.

Ms. CHAVEZ-DEREMER. But this is important specific to the skill. And I think what we talked about is even more so than high school, we're talking about junior high, right? And understanding how important that is for the workforce, that we have to get these young people in early and understanding what they care about. And that we have that workforce.

Under the Department of Labor, it's going to be my responsibility to make sure we're investing in that workforce development. I was proud, and I was brought up earlier to serve on the ED workforce for reauthorizing WIOA. That's, again, a bipartisan, it didn't happen, it didn't go through. And I hope with all respect and talking to the President, if it aligns that this is something that if Congress takes it back up, that I can work with you all not only technically but to enforcing that, and really investing in the workforce specific to high tech, because we know we're going to need those jobs. And so this is an important issue, I would think to everybody sitting up here that they're a part of the workforce and respective in every state.

Senator BLUNT ROCHESTER. I know in our conversation, we talked about making sure that labor, as well as industry, are present at the table when we make these big policy decisions, when we do legislation.

One of the things that I will be focusing on and introducing legislation on is an accelerator, the Advanced Research Projects Agency of the Department of Labor ARPA-L is similar to what we've done for health with ARPA-H with defense for DARPA, which gave us groundbreaking technologies like the internet and Siri. And so hope to work with you on these as well.

Again, let's make sure that we focus on all workers and that includes those folks that are being fired, laid off, and in a lot of traumas. Thank you. And I yield back.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

The CHAIRMAN. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman, and welcome to the Committee. I enjoyed our conversation. We had a chance to talk a little bit about the Alaska workforce. I'm looking at an article that just came out and it cites to the Alaska State Department of Labor and Workforce Development.

Looking at labor statistics, our workforce statistics back in 2023, we don't have 2024 numbers yet, but right now, non-resident workers in our state make up 23.5 percent of the workforce. That's a lot. It means we get folks that come to us from other states. When you have 82 percent of your communities that are not connected by road, you can't move as a worker from one village to another village unless you're willing to pay several hundred dollars for each leg of your airplane ticket to get you to another community for work. So we rely on out of state workers.

In the oil and gas industry, 37.4 percent of the workers were non-residents in the mining industry. Non-Residents accounted for 41.6, in the seafood processing sector, which is significant, it's one of our largest employments and economic derive in the state producing more than \$5 billion in economic activity. So this is big for us, but what is even bigger is in 2023, 82.8 percent of the workers were non-resident.

We process our seafood and small coastal communities that if they have a population at all, it's maybe 500 people that are there. You cannot run a seafood processing industry when you don't have the workers. And so, back to the comment that was made earlier about H-2Bs, this is significant for us. Senator Collins asked about your commitment to issue supplemental visas in a timely manner, but also to the maximum extent allowable. You do have that discretion. You've indicated that you're going to work to that.

I'm going to ask you to look specifically to the seafood processing sector of all the sectors that are out there. And my friend from Virginia knows full well, seafood is more truly seasonal than so many other sectors. But right now, we are competing if you will, for these H-2Bs with other sectors like landscapers.

Last I checked, you can do landscaping 365 days practically in most parts of the country. The seafood sector in Alaska, you're looking at an industry during the summer, at least when it comes to salmon, where it is literally an eight-to-10-week season. We are the poster child for seasonal workers.

I need to know that you will not only support the H-2B Visa program, but commit to working with me on legislation to exempt seafood processors from the H-2B Visa caps.

This is something that we've been trying to work for years. Basically, we've been stalled out by big labor that is so concerned that we are not offering these jobs to people across the country. You can't get an H-2B visa until you have demonstrated that all the efforts that you have made to seek U.S. workers, and that none are coming to you.

We had the conversation in my office. It's important to state it here publicly, how significant it is and I need your assurance that you're going to work with us and work with your partners within Homeland Security as well on this critical issue for us.

Ms. CHAVEZ-DEREMER. Yes, ma'am. I will commit to working with you specifically on this issue.

Senator MURKOWSKI. Thank you. I appreciate that. A lot of conversation about apprenticeship, so I'm not going to revisit that. Although I did just come from a meeting with the head of the Alaska

Military Youth Academy who was talking about the benefits of going from that exceptional program to hand in glove with the Alaska works training program. So these young people can see the benefits right then, right there. Maybe I want to be a welder, maybe I want to be a carpenter, but you take them hand in hand.

Last thing I'm going to raise is something in a conversation just yesterday with the head of the building trades. We are talking about childcare. We're talking about childcare because we can talk about a workforce, but if people can't get to the workforce because they can't afford childcare, so I would hope that you're going to prioritize families in the workplace and support incentives for on-site childcare.

Ms. CHAVEZ-DEREMER. Yes Ma'am.

Senator MURKOWSKI. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman. Welcome. Since his inauguration President Trump has waged war on public servants, especially Federal workers, and the unions. The President violated union contracts, by firing tens of thousands of Federal workers, used his fork in the road proposal to strung on Federal workers into resigning and waiving away their legal rights and illegally attempting to nullify union contracts ratified in December 2024 and January 2025.

As Secretary of Labor will you abide by the terms of collective bargaining agreements between the Department of Labor and Federal agency staff unions?

Ms. CHAVEZ-DEREMER. Thank you, Senator. It was nice to visit with you. I know it's been a few weeks since we have that meeting, so I appreciate you being here today. Certainly, the Department of Labor is outside of the NLRB where Collective bargaining is committed and happening independent of the Department of Labor.

I will work with your office in determining exactly what it is that you're specifically asking. But outside of the Department of Labor, is to protect the American worker. And then, of course, as we overlap because Department of Labor expands a little bit more than collective bargaining and unfair labor practices under the NLRB.

Senator MARKEY. But will you advise President Trump and Elon Musk that they must reverse all decisions that violated the contracts that were negotiated between the unions and their agency employer?

Ms. CHAVEZ-DEREMER. Well, my certainly my role if confirmed, is to advise the President on a full picture. And I will be candid on what that full picture looks like, and then work with the White House. And if it aligns with, with the President's America first agenda, I will be that advisor to him.

Senator MARKEY. Well, I mean, obviously, collective bargaining is not part of his agenda. And that's where the Department of Labor historically has intervened to make sure that those protections are put in place. In 2023 during a house Committee on Education and Workforce markup, you said you can't have a strong union without the presence of the NLRB. On January 27th, President Trump ille-

gally fired NLRB Board member Gwynne Wilcox in direct violation of the National Labor Relations Act.

The NLRB now lacks a quorum and cannot enforce laws meant to protect working people from union busting and other illegal behavior by companies. And last night, President Trump signed an executive order stating the previously independent NLRB must now report to him. And the overall effect of this full on assault is that President Trump has left workers unprotected with no way to exercise their labor rights.

As Secretary of Labor, you'll be the President's top advisor on labor issues. If President Trump called you today and asked if he should reinstate Gwynne Wilcox, how would you advise him?

Ms. CHAVEZ-DEREMER. That's hypothetical, as you know, and I have not been confirmed but I respect the President's executive authority to run the executive office as he sees fit. He is the one who was elected President by the American people, and he's honoring the promise he made to the American people.

If confirmed, I will work on behalf of the President, but I will present him a clear and candid picture with the facts, and we will consult them together. But it is important from the Department of Labor that I give him that full picture.

Senator MARKEY. Well unfortunately, according to President Trump, the NLRB is no longer an independent agency. And by signing that executive order to abolish the independence of the NLRB, it puts a lot of pressure on you to make sure that there is a protection for the independence and capacity of that agency.

I appreciate your record of engaging with unions, but workers are under threat at their workplace and in their homes. Greedy corporate executives chip away at their rights, lay them off, gut their retirement, all while driving up prices, and the President is letting the richest man on the planet cut public school funding, threatening our children's education and jobs of the largest sector of union workers in the country.

He lined his inauguration with billionaires collectively worth over a trillion dollars. And since his inauguration union workers in Massachusetts have already lost many, many jobs, and some of my Republican colleagues are eyeing cuts to programs that help people get food, housing, and healthcare.

If you are confirmed and I'm assuming that you will be, I commit to working in support of all workers, and I hope you'll work with me to stand up to President Trump when he takes actions that harm American workers. I think it's very important that the Department of Labor and you be the voice for those workers. Thank you, Mr. Chairman.

Ms. CHAVEZ-DEREMER. Thank you, Senator Markey.

The CHAIRMAN. Now Senator Hawley.

Senator HAWLEY. Thank you, Mr. Chairman. Congresswoman Chavez-DeRemer, welcome. It's great to see you here. I enjoyed our conversation. It's been a month or more ago, but it's great to see you here. I know you are taking questions, obviously from both sides, and I know you've taken a little heat from both sides, you've handled it beautifully. Let me just get a few things straight. For

my Republican colleagues, let me just clarify, you are President Trump's choice to lead the Department of Labor. Have I got that right?

Ms. CHAVEZ-DEREMER. Yes, you have.

Senator HAWLEY. You support the President's policies and will implement his agenda. Have I got that right?

Ms. CHAVEZ-DEREMER. Yes.

Senator HAWLEY. Of my Democrat colleagues, you very proudly sponsored many pieces of pro-labor legislation. In your time, the U.S. House of Representatives, you have a long record of working with labor, of working with business to try to advance a pro worker agenda. Is that fair to say?

Ms. CHAVEZ-DEREMER. Yes.

Senator HAWLEY. Which is probably why the President chose you for this role, if I'm speculating, is that fair? I think your record is reasonable, is really outstanding. Let me ask you about one issue that hasn't gotten a whole lot of airtime today, but I think is so important. That's the significance of immigration when it comes to the American worker.

I've got a chart here that I want to show you. This is the Department of Labor's own data on jobs following the pandemic and in the last administration, the Biden administration. If you look here in the red, those are foreign born workers, if you look at the blue, those are American born workers and as you can see, the data that you can see at the graphic itself tells the story. American born workers, no change in employment just to return to the norm in the Biden administration.

Foreign-Born workers, that's where all the jobs go. What's does it mean? According to the Department of Labor's own statistics during the Biden administration, virtually all of the job gains, which were pretty—to say, but even that, virtually all of them went to foreign-born workers.

Now we know, again, from the Biden administration's own statistics that about 11 million encounters with the illegal immigrants were recorded at the border. During 1 month alone, the Biden administration allowed 370,000 illegal immigrants to cross the border. Many of these people got work permits and started working, competing with American workers and legal residents, many of them union members, and of course, illegal immigrants, not union members. Companies don't pay them the same wages. They don't offer them the same protections. Speak to the danger of out of control, illegal immigration when it comes to wages and benefits for American workers.

Ms. CHAVEZ-DEREMER. Thank you, Senator. Very important issue. And one that I know that the President has been very public about protecting the American worker and understand that we don't want to displace American workers. I understand some of the Senators in the guest visa program on the immediacy of certain industries. But as a whole, we want to make sure that we're always investing in the American worker first.

We want to be one of the strongest economies in the union and in the world. So we can be on a level to compete with our foreign

adversaries when we're talking about China. But what's important to the President and important to me and how we align is making sure that we're putting the American worker first, and that they have the opportunities to earn and be at those jobs as they see fit. And the Department of Labor to support them in that investment, in those industries.

Senator HAWLEY. Is it fair to say that a tough border policy that cracks down on illegal immigration that stops the flow of mass illegal immigration across our border, stops the work permits being given to illegal immigrants, this is pro worker, this helps American workers maintain their wages and maintain their jobs. Is that fair to say?

Ms. CHAVEZ-DEREMER. Yes.

Senator HAWLEY. Let me ask you about some of the children who came across the border, that were trafficked across the border in the last administration, 520,000 of them to be precise. Unaccompanied children trafficked across the border, hundreds of thousands of them lost, and now being exploited by companies like Tyson's Food, for example. Let me just give you an example of bad corporate behavior.

Tyson's food has closed down two major plants in my state, the state of Missouri, just in the last year and a half. They have canceled contracts with farmers. They have put thousands of workers in my state out of business. And yet we know from the investigations done by the New York Times and others that they have huge numbers of illegal child labor in their supply chains. In their factories, they are putting children who are trafficked here to work.

They're firing American workers, but they are exploiting child workers. Will you go after companies like Tysons and anyone else who would violate our labor laws and exploit children while they are firing American workers?

Ms. CHAVEZ-DEREMER. Yes. It's an important remit under the Department of Labor, as you know, to protect and not exploit all workers, but certainly child labor should not be accepted by anybody in America. And the Department of Labor has the enforcement capability to double down if they knowingly are breaking the law and exploiting children in their factories.

Senator HAWLEY. I think we've got to make the penalties even tougher. Senator Brooker and I have bipartisan legislation to do that. And again, it is pro worker to say, we're going to protect Americans who are working legally and we're not going to allow children to be exploited in this country, or people trafficked into this country to be exploited for the purpose of profits by these mega corporations.

Ms. CHAVEZ-DEREMER. Thank you.

The CHAIRMAN. Thank you, Senator Hawley.

Senator Alsobrooks.

Senator ALSO BROOKS. Thank you. Good morning, Mrs. Chavez-DeRemer.

Ms. CHAVEZ-DEREMER. Good morning.

Senator ALSO BROOKS. I want to first of all congratulate you and your family on your nomination. And to begin by saying, the workers that we're talking about today, Maryland has the highest per capita share of Federal workers in the country. So the people that we're talking about are my constituents by and large, and they are reeling from this Administration's mass firings.

Now, when we had our conversation last week, and I know that it was reinforced today, you assured me that you would abide by the law, that even if encouraged to break the law. You said that you commit to following the law. Is that still the case?

Ms. CHAVEZ-DEREMER. Yes.

Senator ALSO BROOKS. Now, do you believe that a collective bargaining agreement is enforceable under the law?

Ms. CHAVEZ-DEREMER. Yes.

Senator ALSO BROOKS. If I can ask you, are you aware of the statute which recognizes the right of Federal employees to engage in collective bargaining?

Ms. CHAVEZ-DEREMER. No, I don't know the statute number.

Senator ALSO BROOKS. It's Title VII of the Civil Service Reform Act. But what I can tell you is that statute—are you aware of that statute or any statute that limits the binding nature of a collective bargaining agreement based on when it was signed?

Ms. CHAVEZ-DEREMER. I'm not an attorney as you know, and so I would like to—

Senator ALSO BROOKS. But you would be in charge of enforcing the law, so if it is the law, yes, that there is no statute that limits the binding nature of a collective bargaining agreement, then you would enforce that collective bargaining agreement?

Ms. CHAVEZ-DEREMER. I will fully and fairly enforce the law.

Senator ALSO BROOKS. Now I want to tell you that President Trump has canceled what he has called as Lame-Duck Collective Bargaining Agreement. I want to ask you what statute there is that you believe would give the President the authority to cancel or void approved union contracts certified during a Lame-Duck?

Ms. CHAVEZ-DEREMER. I'm not familiar, and I cannot weigh in on any specific statute that you're asking me about.

Senator ALSO BROOKS. But again, if it is the case, and it's, that there is no statute that allows you to set aside a collective bargaining agreement, there is no time limit. Would you enforce that collective bargaining agreement pursuant to the law?

Ms. CHAVEZ-DEREMER. Again, Senator, being not familiar specifically, I would certainly want to discuss this with the solicitors that the Department of Labor have confirmed, just to make sure that I am on the same page without committing to exactly—

Senator ALSO BROOKS. Well, but once it's confirmed for you that it's the law, you have committed that you will enforce the law?

Ms. CHAVEZ-DEREMER. I'm committed to always fully and fairly enforce the law, and I will work with the solicitors of the Department of Labor to make sure before I weigh in specifically on this specific that you're talking about.

Senator ALSO BROOKS. Okay, let me ask you another question. Now, President Trump made some I would call it troubling and shameful comments after the devastating fatal plane crash that occurred here in Washington, DC. I'm sure you're aware of that plane crash.

Ms. CHAVEZ-DEREMER. Yes, ma'am.

Senator ALSO BROOKS. He blamed at the time, while the bodies were still in the water, many of them were children. He took that moment to blame the incident on Federal aviation administration hiring people with intellectual and mental health disabilities, again, while the recovery efforts were going. Do you agree with the President's comments?

Ms. CHAVEZ-DEREMER. Senator, I cannot comment on what the President says or does not say, I support the President in this agenda that he is moving forward with—

Senator ALSO BROOKS. No, no, the questions is not his agenda. Do you agree with the comment that hiring people with intellectual mental health disabilities was the reason? do you agree with the comment that was the cause?

Ms. CHAVEZ-DEREMER. I have not had a conversation with the President on this, and I cannot weigh in and speak to that any further. Okay.

Senator ALSO BROOKS. I want to make you aware that the same hiring language that appeared on the Federal Aviation Administration's Web site under President Biden was also there during President Trump's first administration as well. So nothing has changed in terms of the hiring practices, but should workers with disabilities be allowed to work at FAA.

Ms. CHAVEZ-DEREMER. Absolutely.

Senator ALSO BROOKS. Okay. Now, in an e-mail that was sent out across the government through OPM, it classified, it used language that quote said "that their goal was to move from their lower productivity jobs in the public sector to hire productivity jobs in the private sector". Do you agree that public sector jobs are low productivity jobs?

Ms. CHAVEZ-DEREMER. Again, I mean—

Senator ALSO BROOKS. This is hypothetical. This is—

Ms. CHAVEZ-DEREMER. Unless we determine what those are, it's hard for me to—if just putting it all in one size fits all, it's hard for me to comment on that.

Senator ALSO BROOKS. It's a yes or no. Do you believe that public sector jobs or quote low productivity jobs, is that your opinion?

Ms. CHAVEZ-DEREMER. I mean, on its face, no.

Senator ALSO BROOKS. Okay. Thank you so much. Yes, thank you. I yield.

The CHAIRMAN. Thank you, Senator. Alsobrooks, our Senator from Kansas, who's a little humbler this week than he was 2 weeks ago.

[Laughter.]

Senator MARSHALL. Chairman. I hadn't even thought about that issue for about 3 minutes.

[Laughter.]

Senator MARSHALL. But I am serving lunch today to the junior Senator from Pennsylvania.

The CHAIRMAN. Senator Blunt Richardson noticed that you're wearing Philadelphia eagle colors.

[Laughter.]

Senator MARSHALL. Guilty as charged. All right. Welcome Congresswoman. Thank you for being here today. I'm so grateful for President Trump nominating you.

Ms. CHAVEZ-DEREMER. Thank you.

Senator MARSHALL. I think when he did this, it was certainly a shout out to the hardworking men and women across this country, based upon your resume the work you've done, that you certainly have been a person committed to, again, those hardworking men and women across the country, union, or non-union workers, those are people that President Trump supports.

We want them to be successful, we want you to be successful, and I think you're going to be a great representative at the table represent him as we're going forward. I want to talk about workplace development for a second. Though unemployment's relatively low, supposedly our participation rate isn't as good. That and I think there's an opportunity there to get people back in the workforce. And if they don't have the skills, the education to do that, then let's help them out.

I see there's so many great opportunities. Our community colleges, our technical colleges, the unions, apprenticeships, all those pieces are out there. What can we do, what can you do to help support them and help them be successful?

Ms. CHAVEZ-DEREMER. Thank you, Senator Marshall. And I'm sorry that the Chairman is being so mean to you in the first few minutes of you being here. But again, it was great meeting with you because we had that conversation about workforce development and workforce investment in our communities and how it can differ oftentimes in a metro area versus a rural area, and all of the above. And how you mentioned to me your family in the local community colleges.

I took Clackamas Community College right outside in Clackamas County right from Happy Valley, and how important that was for the community as a whole. And from the Department of Labor, I couldn't, again, be more proud that I had served on education and workforce on the WIOA reauthorization. And while I didn't make it through, I hope Congress, if the President sees that this is important, that Congress will take this back up for the reinvestment into our young people so that they can be skilled and reskilled in our respective states.

I can't wait to come out and visit, and I think I've mentioned this, a couple Senators coming out to all 50 states would be amazing, to really learn how the labor laws are affecting your respective states and the investment in the workforce. So I commit to you that I will work hard through the Department of Labor and the agencies within the Department of Labor to make sure that our young people are ready to go in the workforce.

I also know we talked about the average age of a community college entrance is 27 years old. Sometimes people are looking to upscale or get another certificate so they can stay in their communities where they're raising their families, and that's their investment. So I look forward to making this wholeheartedly a pillar of the Department of Labor is workforce investment development.

Senator MARSHALL. Certainly, more flexibility in the Pell Grants would be a step forward.

Ms. CHAVEZ-DEREMER. We worked on that also and in workforce and sponsored that bill. We did it for young pilots, but certainly that was important.

Senator MARSHALL. How can you better work with state agencies?

Ms. CHAVEZ-DEREMER. Well oftentimes the Department of Labor and the Federal State partnership is key and sometimes forgotten. I think one of the areas that we can look together is unemployment insurance. It was talked about over the last several years and how we can be a better Federal partner, give them the tools that they need the state partners in order to develop their workforces and make sure that they have people who are in the workforce who want to stay in the workforce and not pick up and leave and again, invite people back.

Many people have left the workforce even to the search of a job, and we want to make sure that those people are coming back from full force.

Senator MARSHALL. I want to take a moment and talk about the franchise model. Again, I heard the Chairman's opening remarks or questions kind of touched on this, but I want to go back there. In my mind what the franchise model has done has helped many people achieve their American dream of owning their own business and being successful too. And I think it's been a great opportunity, especially for women, for minorities, for veterans as well.

We have to work on this balance, I want the unions to be successful, I want the franchises to be successful as well. How do we achieve that balance? Any thoughts on where's the win-win opportunity when it comes to that issue?

Ms. CHAVEZ-DEREMER. Well, a lot of times the references to the gig economy and understand the franchise model as well. And I support that the efforts of the franchise model as it does allow the flexibility for business owners to determine do they want to be in business for themselves, do they want to work for somebody else?

But I think the only change that can be talked about today that will work in all of these is everybody has to have that voice and understanding at the table. One of the reasons the President nominated me, and that it's kind of been mentioned, it's not always that we're going to agree on both sides, but we're going to be understood that they'll have a voice. That's the difference this time, that I want everybody at that table to have that voice and what is valuable to them and their membership or them and their employees or a business owner when they're struggling, compliance is important, education of compliance.

Then also that we can protect all American workers. There's a continuum from the first day that we have our first job all the way through retirement, wherever a worker is or a retiree on that continuum, they should be respected for the hard work that they've put in. I can tell you, bringing everybody at the table is going to do just that and reinforce the things that we care about in our respective states. Thank you.

The CHAIRMAN. Senator Hickenlooper.

Senator HICKENLOOPER. Thank you, Mr. Chairman, and thank you representative Chavez-DeRemer, I enjoyed our conversation last week and appreciate your enthusiasm. I thought I'd start with it's a quick question, that if you track the shrinking of the middle class, which we've seen in this country over about the last 60 years, I think safe to say it almost exactly tracks the reductions in United Labor in terms of, as a percentage of the workforce, they track almost perfectly. Do you agree that we want to get more workers in unions as a method to expand the middle class? Is that a worthy goal?

Ms. CHAVEZ-DEREMER. Well, I think the goal is the option. If people choose to organize, they should have a free and fair right to organize, and if they choose not to, they should also have that, right?

Senator HICKENLOOPER. Isn't the country better off with more working people getting paid better wages and really the only way that generally happens is through union representation.

Ms. CHAVEZ-DEREMER. Well, again, supportive of both sides of the table is going to be important, if an employee chooses that they want to be in a union, they have the right to do so and the same if they choose not to.

It was just mentioned on the other side about what does it look like for the franchise model or the independent contractor model. So I think the flexibility and the conversation is what's key here. And is there room for both? I believe there is, the President certainly believes there is because this is the new direction of where oftentimes we've had the extremes arguing. If we keep the American worker first and foremost, we're going to come to the center of that table and I think develop exactly what you're talking about, keeping more of their hard-earned dollars.

Senator HICKENLOOPER. I appreciate that and again, the ultimate goal we want to expand the middle class. I appreciate your small business background, as a small business person myself, in a past life I think that will be invaluable. We met last week with some of the leadership from the South Cherry Creek School district in South Metro Denver. One of many that has an innovative apprenticeship system they put in place in their training teachers, HVAC, technicians, engineers, aerospace manufacturers, go down the lists, healthcare workers of various sorts. And this is just one of many programs we've got in Colorado.

Now, the President's proposed funding freezes are going to prevent us from keeping many of these programs running in our state and I think taking valuable opportunities away from the kids. How can you, as secretary, assuming you get approved, how can you pro-

tect these programs against attempts to unilaterally and I think in some cases unlawfully claw back the Federal funding from these programs?

Ms. CHAVEZ-DEREMER. Well, I think the key here is going to be presenting to the President again—I mentioned visiting and understanding exactly what's happening in Colorado and all the respective states and presenting to the President as his advisor what's happening on the ground. That's what he wants to see; a candid, clear, concise picture so that as we move forward in the America First agenda. That we're going to be supporting the American worker. That is first and foremost in his agenda. Is it we're aligned in that? That's the conversation that we had; is he wants to support the American worker. And so, I will present to him the clear facts from all of the respective states.

Senator HICKENLOOPER. Back to youth apprenticeships, which as you know, that's a—my last 6 years as Governor, that's what I spent a lot of time on. And I look at it as one of the great gaps that 65 to 70 percent of our kids aren't going to get a 4-year degree. And we have done a poor job of giving them the tools to acquire the skills necessary to have the American dream.

Are there ways that we can look at to expand apprenticeship programs, youth apprenticeship programs? So, I'm not just talking about 18 and over, I'm talking about 16-year-old, 17-year-old, 18-year-old kids who could want to work in an accounting firm or advanced manufacturing or a hospital, whatever. How can you see us expanding that through your tenure at the Department of Education?

Ms. CHAVEZ-DEREMER. Well, I think we can certainly agree that and you heard the conversation about speaking to even our youngest, our junior high, our middle school kids all the way up into high school. But I would like to work with your office and as I, if confirmed, get into the Department of Labor, really expand, and explore what can be done.

But if I could work with your office specifically on this and get to know it a little bit better, I would like to have that conversation with you.

Senator HICKENLOOPER. I will take that and we'll follow-up on that. We'll get you out to Colorado. Last a lot of the records and on February 5th DOGE went to the Department of Labor and demanded that certain Federal employees' information be released. And I think there's a lot of retirement account private information.

I haven't seen any disclosure of how those records are going to be used. And I think what are the reassurances that the American people have that those are still safely secure?

Ms. CHAVEZ-DEREMER. Well, I haven't seen them either and because I have not been confirmed, as you all know. I have not been read in onto what is happening with DOGE in the Department of Labor. But if confirmed, that'll be the first thing I do, is make sure that I'm briefed on it and made aware of everything that's happening. So, I don't have that answer for you because I don't know what's been happening either.

Senator HICKENLOOPER. Okay. Fair enough. Thank you.

Ms. CHAVEZ-DEREMER. Thank you, Senator.

The CHAIRMAN. This concludes our hearing. You did very well and thank you for that.

[Applause.]

The CHAIRMAN. To your parents and husband and children, I know y'all are incredibly proud.

Ms. CHAVEZ-DEREMER. Yes. This is my husband, my mom and dad, my daughter, my parents.

The CHAIRMAN. For any Senator who wishes to ask additional questions, questions for the record will be due tomorrow at 5 p.m. We now conclude the hearing. Thank you.

QUESTIONS FOR THE RECORD

RESPONSES BY LORI CHAVEZ-DEREMER TO QUESTIONS OF SENATOR SANDERS, SENATOR MURRAY, SENATOR BALDWIN, SENATOR KAINES, SENATOR HASSAN, SENATOR HICKENLOOPER, SENATOR MARKEY, SENATOR BLUNT ROCHESTER AND, SENATOR ALSO BROOKS.

SENATOR SANDERS

Question 1. During your hearing, there was much discussion of right-to-work laws.

- (a). Are you aware that the worker fatality rate is *56 percent* higher in right-to-work states as compared to non-right-to-work states?
- (b). Are you aware that full-time workers in right-to-work states earn *\$1,670* less per year than workers in non-right-to-work states?
- (c). Are you aware, that despite claims to the contrary during your hearing, there are *no discernable impacts* on employment levels and economic growth was *3 percent* slower in right-to-work states as compared to non-right-to-work states before the COVID-19 pandemic?
- (d). Are you aware that the number of households living in poverty is *15 percent* higher in right-to-work states as compared to non-right-to-work states? And that the number of families on food stamps is *10 percent* higher in right-to-work states as compared to non-right-to-work states?
- (e). Are you aware that workers in right-to-work states are less likely to have health insurance or pension plans? So much so that if national right-to-work had been imposed over a decade ago, *2 million* workers would have lost access to health insurance and *3 million* would have lost their pensions?
- (f). Given these facts illustrating the harmful impacts right-to-work laws have on workers, would you reconsider your stated position at the hearing that “the right to work is a fundamental tenet of labor laws” and that you “fully and fairly support states that want to protect their right to work”?

Answer 1(a)–(f). I appreciate you sharing that data with me. A fundamental tenet of labor law is allowing workers to decide whether to join—or refrain from joining—a union. Federal law protects the ability of states to enact right-to-work laws—or refrain from enacting—right-to-work laws. I fully support the ability of voters in each state to elect state-level legislators who best represent their interests and may pass state laws accordingly. I respect Vermont’s decision not to become a right-to-work state.

Question 2. Please answer the following questions with yes or no only:

- (a). Do you believe the National Labor Relations Board is constitutional?
- (b). Will you commit to responding to any oversight or document requests from Members of this Committee and other Members of Congress in a timely and accurate manner?
- (c). Will you commit to ensuring DOGE personnel do not access sensitive personal data and information?
- (d). Will you commit to ensuring the integrity of any ongoing investigations into violations of labor and employment laws, including any investigations

into companies owned or managed by friends or advisors of President Trump?

Answer 2(a)–(d). While I am not an attorney, I do believe the National Labor Relations Board (NLRB) serves an important function in the labor policy process independent from the Department of Labor and understand that the Supreme Court previously found the NLRB to be constitutional.

If confirmed, I look forward to working with you and your colleagues on a variety of issues within the Department's remit.

If confirmed, I will ensure all personnel are executing their roles in full compliance with Federal law. I will also work with career ethics officials and others in the Solicitor's Office to ensure that Federal privacy laws are being followed.

If confirmed, I commit to fully and fairly enforcing all laws under the Department's jurisdiction, and that includes ensuring the integrity of all ongoing investigations, regardless of who owns the company.

Question 3. Protecting life and property is an important responsibility of any public safety employee. The Department of Labor designates hundreds of employees—such as OSHA and MSHA inspectors—as necessary to protect life and property during a lapse in appropriations. The President's "Department of Government Efficiency" (DOGE) Workforce Optimization Initiative Executive Order explicitly exempts functions related to public safety from the executive order's hiring ratio and reductions in force requirements. It also gives agency heads the discretion to exempt any position deemed necessary to meet public safety responsibilities from the requirements of the executive order. Will you commit to ensuring that the Labor Department adheres to the language in the President's DOGE executive order that explicitly exempts important safety-focused staff such as OSHA and MSHA inspectors and other positions from the hiring ratio and reduction in force requirements?

Answer 3: I am deeply committed to the Department of Labor's workplace safety and enforcement mission. No worker should have to worry about whether they will make it home safely after a day of work. If confirmed, I will follow the President's Executive Order 14210.

Question 4. According to the U.S. Bureau of Labor Statistics, the 2023 unemployment rate for people with disabilities was approximately 7.2 percent, more than double the unemployment rate for people without disabilities.

- (a). As Secretary of Labor, what is your opinion of the pervasive unemployment and low workforce participation rate of people with disabilities?
- (b). How will you prioritize the improvement of employment and independent living outcomes for people with disabilities?
- (c). Do you support competitive integrated employment (CIE) for people with disabilities, including people with the intellectual and developmental disabilities (IDD) and youth in transition?
- (d). From your perspective, what are ways to increase competitive integrated employment for people with disabilities?

Answer 4(a)–(d). I share your concern about the high unemployment rate of people with disabilities and strongly believe in strengthening employment opportunities for these individuals. It is also important to support those discouraged workers with disabilities who are out of the workforce. In 2024, the labor force participation rate of people with disabilities ages 16–64 was just 40.7 percent. I understand the Department's Office of Disability Employment Policy (ODEP) works with the Social Security Administration and the Department of Health and Human Services to educate people with disabilities on available resources and work incentive programs to increase labor force participation. If confirmed, I commit to working with experts at the Department, stakeholders, and you and your colleagues, to learn more about what we can do to support employment and training opportunities for people with disabilities. I want to make sure employers have the support they need to successfully recruit, hire, and retain employees with disabilities.

Question 5. Subminimum wages reduce the financial independence, self-sufficiency, and workforce participation of people with disabilities. If confirmed, will you finalize the Department of Labor's proposed rule to phase out subminimum wages for people with disabilities?

Answer 5. The 14(c) program was established by Congress and is part of the *Fair Labor Standards Act*. I understand this is a deeply personal and important issue for many Senators. I've heard from Senators from states where the program works well and whose constituents rely on 14(c) for employment. I have also heard from Senators whose states have passed laws to eliminate the subminimum wage. Ulti-

mately, this program is statutory, and in the absence of congressional action, many states have decided what works best for them.

If confirmed, I will commit to working with all Senators to explore different opportunities for people with disabilities across the country. My goal will be to enhance, rather than hinder, programs that strengthen their employment opportunities. While I would need to fully review the regulatory history and consult with agency experts, I would not want to disrupt programs that are working well.

Question 6. The passage of the *WORK Act*, as part of *SECURE 2.0*, created the Employee Ownership Initiative at the DOL. Do you commit to continuing to implement this program in a robust fashion, including by maintaining staff to lead this work? Further, do you commit to ensuring that the Chief of the Division of Employee Ownership will work closely with the Employee Benefits Security Administration when the adequate consideration rule is reconsidered in order to balance protecting plan participants while providing clear guidance to fiduciaries on determining the fair market value of employer stock?

Answer 6. I understand Employee Stock Ownership Plans (ESOPs) are important to many Americans' retirement security, and they often give American workers an enhanced sense of ownership in the organizations for which they work. For these employee-owners, it is more than just a job—they have personal interest in the success of where they work. It's important that the Department provide regulatory clarity and high-quality compliance assistance to ESOPs. If confirmed, I look forward to working with the experts at the Employee Benefits Security Administration and with ESOP stakeholders to determine how best to support participants in ESOPs.

Question 7. You previously voted in favor of the Biden administration's retirement security rule. This rule is currently being challenged in the 5th Circuit. If the court permanently stays implementation or you decide to rescind or significantly scale back the rule, what kinds of protections do you think need to be put in place to ensure that hardworking individuals and retirees receive advice that is solely in their best interest? Will you commit to using a transparent process and allowing members of the public to comment fully on any analysis, guidance, or regulatory changes that the DOL proposes to replace the Biden administration's rule?

Answer 7. I understand this rule is currently the subject of ongoing litigation. If confirmed, I look forward to being briefed on this matter and commit to work closely with my colleagues at the Department of Labor and at the Department of Justice. More generally, the Department of Labor plays a critical role in protecting the retirement benefits that Americans have earned. Workers should have access to sound financial advice, and the law requires retirement plan fiduciaries to act in the best interest of plan participants and beneficiaries. The retirement system needs to work for workers, retirees, retirement plan sponsors, plan fiduciaries, and service-providers. If confirmed, I look forward to consulting—in a transparent manner—with all stakeholders and receiving feedback in determining whether and how the system can be improved.

Question 8. In your hearing, you noted to Senator Cassidy that you look forward to working with Members of Congress to improve retirement benefits for American workers. According to the National Institute on Retirement Security, “83 percent of Americans say that all workers should have a pension so they can be independent and self-reliant in retirement” and “77 percent agree that the disappearance of pensions makes it harder to achieve the American Dream.” As Secretary, what concrete steps will you take to make sure that all Americans have access to a pension plan?

Answer 8. The Department of Labor plays an important role in every American worker's life—from their very first job all the way through retirement. If confirmed, I will take my responsibility to ensure the welfare of retirees seriously. I commit to working with you and your colleagues, stakeholders, and experts at the Department to explore ways to ensure more workers have access to retirement benefits and that these benefits are safe and secure.

Question 9. If confirmed as Secretary, will you commit to not providing WIOA funding to programs that have violated labor laws?

(a). As the president's primary labor advisor, would you recommend that companies that violated Federal labor laws deserve WIOA funding? If not, why?

Answer 9—(a). As I understand it, much of the funding available through WIOA is not awarded directly to programs by the Department but rather flows down to the state and local level. State and local workforce organizations direct it to meet the specific needs of the job seekers and employers in each community. If confirmed,

I commit to looking into your requests with the Department's experts and to learn more about the statutory requirements under programs funded by WIOA.

Question 10. In recent years, the number of non-degree credentialing programs has increased dramatically. According to researchers, over 500,000 distinct non-degree post-secondary certifications are available in the United States. Shorter-term workforce training programs are becoming more and more popular among employees and students looking to develop new skills and progress in their jobs. Although these programs provide more flexible, expedited, and cost-effective alternatives to traditional degree programs, they also address a crucial need. However, this enormous sector is virtually unregulated.

- (a). As Secretary, how would you leverage the Department's authority and resources to provide greater transparency into outcomes from WIOA Eligible Training Provider programs?
- (b). How can DOL better support state agencies and local workforce boards in their efforts to use Eligible Training Provider List (ETPL) program performance data for continuous improvement?
- (c). Throughout the hearing, you mentioned several times how you worked and supported WIOA while a member of the House and would like to see it move forward. Will you encourage the President to support the bipartisan WIOA agreement between Senators Cassidy and Sanders and Representatives Foxx and Scott that was initially included in the Continuing Resolution agreement at the end of last year?

Answer 10(a)–(c). Enhancing the quality and availability of data on taxpayer-funded workforce investments is critical for both job seekers and policymakers. The American worker deserves accurate and actionable data to determine the best career pathways or upskilling opportunities for their future, and policymakers need to be able to put public workforce funding to its best possible uses to ensure it can deliver when workers are underemployed, displaced, or out of the labor force. Good data on the performance of programs that receive taxpayer funding are also crucial for agencies to be good stewards of taxpayer dollars. I understand the Department made this a priority during President Trump's first term and launched *TrainingProviderResults.gov*. If confirmed, I look forward to working with my colleagues at the Department and collaboratively across government to identify opportunities to enhance transparency, usability, and application of workforce investment and outcomes data. I also look forward to working with Congress as it moves forward with its reauthorization of WIOA and would be happy to provide any needed data or technical assistance to make the reauthorization a success.

Question 11. Will you commit to following the *Administrative Procedure Act*, which governs the rulemaking process, in all rulemakings you participate in if confirmed? Will you do so even if the President asks you to do otherwise?

Answer 11. If confirmed, I will follow the *Administrative Procedure Act* and any directives from the White House when developing or rescinding regulations.

Question 12. Can you ensure that hiring made by the Department remains strictly non-politicized?

Answer 12. If confirmed, I will follow the law and the advice of the Department's Solicitor's Office and human resources experts, along with any directives from the White House, when making employment-related decisions.

Question 13. How will you ensure that the Department has sufficient staff to meet its mandates, as well as enforce rules and regulations about retirement plans, in the current anti-government worker climate?

Answer 13. I am deeply committed to the Department of Labor's mission to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. If confirmed, I look forward to partnering with agency experts to assess available resources and identify any additional needs. The Department will leverage its resources and staffing levels to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

Question 14. During the process of formulating rules and other policies, will you commit to advocating for and ensuring that senior Department leadership meet with all affected stakeholders, including groups that represent workers?

Answer 14. If confirmed, I will follow the *Administrative Procedure Act* and any directives from the White House when developing or rescinding regulations. I also commit to fostering a transparent environment within the Department, ensuring that our door is always open and that we hear from all stakeholders to ensure the development of well-rounded policies.

SENATOR MURRAY

Question 1. In his first week in office, President Trump rescinded an Executive Order from 1965 that sought to prevent taxpayer dollars from being awarded to Federal contractors and subcontractors that illegally discriminate based on race, sex, and other protected characteristics. The Trump administration ordered the Department of Labor (DOL), to stop all related discrimination investigations and enforcement actions. Do you believe that taxpayer dollars should go to companies that discriminate?

(a). President Trump is reportedly planning to eliminate the office focused on these important issues. That office, the Office of Federal Contract Compliance Programs (OFCCP), is currently responsible for enforcing laws that protect veterans and those with disabilities from discrimination by Federal contractors. Do you commit to preserving OFCCP?

Answer 1—(a). No worker should be discriminated against in the workplace on the basis of race, sex, or other characteristics protected under Federal law. President Trump's Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, furthers that interest, including by prohibiting Federal contractors from engaging in illegal discrimination and making it the policy of the United States to "protect the civil rights of all Americans and to promote individual initiative, excellence, and hard work." If confirmed, I anticipate reviewing the current organization of the Department of Labor and its sub-agencies to ensure the Department executes its mission efficiently and effectively in line with Federal law and the President's priorities and policies.

Question 2. If confirmed as Secretary of Labor, will you commit to ensuring that OSHA continues to enforce our Country's core workplace health and safety standards?

Answer 2. If confirmed, I commit to following OSHA's important mission of ensuring that employees work in safe and healthful environments by setting and enforcing standards, and by providing training, outreach, education, and assistance. I fully believe employers must comply with all applicable OSHA standards.

Question 3. If confirmed, will you commit to ensuring that the Department of Labor completes the rulemaking process on the *Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings rule*?

(a). If confirmed, will you fully implement the *Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings Rule*?

Answer 3—(a). I fully recognize the importance of ensuring workers are safe in high-heat environments and am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments. No worker should have to worry about whether they will make it home safely after a day of work. As with many other pending regulations, this is subject to President Trump's regulatory freeze Executive Order. If confirmed, I will work with experts at the Department, stakeholders, and the public when reviewing any worker safety regulations. My goal will be to uphold the highest standards of occupational safety, ensuring that rules prioritize the well-being of workers while being clear, practical, and achievable for employers. This approach will also align with the President's America First Agenda, supporting both worker protection and a strong, resilient American workforce.

Question 4. The last Trump administration instituted a program, the Payroll Audit Independent Determination Program, that essentially allowed employers to avoid the consequences for wage theft. If confirmed to be Secretary of Labor, how will you make sure workers receive the wages they have earned, and employers who fail to pay fairly are held accountable?

Answer 4. If confirmed, I will use all available tools to fully and fairly enforce all the laws that the Department of Labor administers, including the *Fair Labor Standards Act*, which is at the heart of this question. Sometimes the Wage and Hour Division learns of a violation through an investigation. Other times, an employer discovers a violation on its own and brings that information to the agency's attention in order to show good faith and to obtain the agency's supervision of the payments to the affected workers. I look forward to learning more about the PAID program

and exploring options to help employers come into compliance with the law. But, make no mistake: if there are bad actors, we will use the enforcement tools at our disposal to protect workers in America.

Question 5. What does the Federal trust responsibility to Tribes mean to you?

- (a). What role do you believe the Department of Labor plays in fulfilling the Federal trust responsibility?
- (b). How will you ensure that the Department of Labor's budget requests, funding allocations, staffing levels, and implementation of policies will uphold and advance the Federal trust responsibility to Tribes?
- (c). What steps will you take to ensure that government-to-government consultation between the Department of Labor and Tribes is a meaningful and enforceable process, rather than a box checking formality?

Answer 5(a)–(c). I am generally aware that the Federal trust responsibility requires the Federal Government to respect tribal rights. I am not aware of the Department of Labor's responsibility in this space. If confirmed, I will work with agency experts to learn more about the Department's obligations under this responsibility.

Question 6. Historically, Tribes have not been well served by Federal, state, and local workforce development programs—despite some of the greatest need. There have been efforts to rectify this, including passage of the *Indian Employment, Training, and Related Services Demonstration Act*, the *Native American Programs Act*, the *Workforce Innovation and Opportunity Act*, and the *Native Hawaiian Education Act*, but Tribes still struggle to access the resources they need. Will you commit to maintaining the Department of Labor's central role in workforce policy and ensure that programs reach Tribes in the first place?

Answer 6. If confirmed, I look forward to learning more about the Department's workforce programs that help Tribes access resources. I will work with the experts at the Department to ensure the Department's Tribal workforce development programs are carried out according to statute. I would also be happy to work with you and your colleagues to learn more about where there may be gaps in resourcing.

Question 7. What do you believe the Department of Labor's role to be in administration of P.L. 102–477, or the 477 Program?

- (a). Will you commit to working with Tribes and other stakeholders to identify additional programs for integration into the 477 Program?
- (b). Will you commit to ensuring that funding provided to Tribes and Tribal organizations under the 477 Program is distributed in a timely manner upon approval of a 477 plan?
- (c). Will you commit to ensuring that the biennial labor force report required under P.L. 102–477—to be conducted by the Secretary of Labor, in consultation with the Secretary of the Interior, Tribes, and the Director of the Bureau of the Census—is published?

Answer 7(a)–(c). I am not familiar with the 477 program, but should I have the honor of being confirmed, I commit to learning more about this program—including by working with your office and the experts at the Department—to ensure we fully follow its statutory requirements.

Question 8. Our nuclear weapons program and ensuing cleanup programs left a heavy toll on the workers that powered these vital missions. In their service to our Nation, many of these workers were exposed to toxic and radioactive substances, causing horrific illnesses like cancer, chronic silicosis, and chronic beryllium disease. In response, Congress passed the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) to make sure those workers that were injured or became ill as a result of their service would receive compensation and medical benefits. What concrete steps will you take to ensure that claimants and potential claimants are able to access these benefits more easily?

Answer 8. Workers covered by the EEOICPA program deserve excellent care. I understand the importance of the EEOICPA program and, if confirmed, I commit to working with the experts at the Department's Office of Workers' Compensation Programs to learn more about the program and administrative challenges that may exist, in addition to working with you and your colleagues to understand your specific concerns regarding access to these vital benefits.

Question 9. If confirmed, will you advance the proposed rulemaking that would phase out the subminimum wage for individuals with disabilities?

Answer 9. The 14(c) program was established by Congress and is part of the *Fair Labor Standards Act*. I have not reviewed the particular rule you reference, but I am aware it is subject to the President's regulatory freeze Executive Order. I understand this is a deeply personal and important issue for many Senators. I've heard from Senators from states where the program works well and whose constituents rely on 14(c) for employment. I have also heard from Senators whose states have passed laws to eliminate the subminimum wage. Ultimately, this program is statutory, and in the absence of congressional action, many states have decided what works best for them.

If confirmed, I commit to working with all Senators to explore different opportunities for people with disabilities across the country. My goal will be to enhance, rather than hinder, programs that strengthen their employment opportunities. While I would need to fully review the regulatory history and consult with agency experts, I would not want to disrupt programs that are working well.

Question 10. If confirmed, how will you ensure that registered apprenticeship programs remain responsive to the evolving needs of high-demand industries?

Answer 10. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so more Americans can choose this proven pathway into a career. If confirmed, I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Engaging more employers will be essential to expanding apprenticeships, as apprenticeships are not simply a training program but are paid jobs with wage progression connected to the apprentice gaining skills. I also recognize the importance of the Department of Labor encouraging more state leadership and initiative in apprenticeship expansion, and promoting better coordination with the WIOA system to leverage existing resources to support American workers and businesses. As you know, Congress has annually provided funding to the Department of Labor for the apprenticeship expansion, and I will be focused on ensuring those taxpayer resources are directed as effectively as possible to grow apprenticeships and benefit the American worker.

Question 11. If confirmed, what is your plan for increasing registered apprenticeships to meet workforce needs, in high-demand trades?

Answer 11. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so more Americans can choose this proven pathway into a career. Engaging more employers will be essential to expanding apprenticeships, as apprenticeships are not simply a training program but are paid jobs with wage progression connected to the apprentice gaining skills. I also recognize the importance of the Department of Labor encouraging more state leadership and initiative in apprenticeship expansion, and promoting better coordination with the WIOA system to leverage existing resources to support American workers and businesses.

Question 12. How do you see workforce development, including registered apprenticeships, playing a role in ensuring the United States remains competitive in the global race for leadership in artificial intelligence?

Answer 12. I believe the continued economic success and global leadership of the United States is dependent on the skill, effort, and initiative of the American worker. Providing America's workforce the best opportunities to gain skills and achieve their potential is a core element of President Trump's America First Agenda. Artificial intelligence depends on critical skills that are not easily replicated, and we will need to explore all workforce development options to ensure that the American worker is poised to benefit from AI and that the U.S. continues to be a global leader in AI. If confirmed, I will work to expand high-quality workforce development programs in emerging industries and occupations, including high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Upskilling workers to succeed as American business evolves and adapts to the use of artificial intelligence is a national security, economic security, and workforce imperative.

Question 13. How do you view the role of civil servants at DOL?

Answer 13. Civil servants are an integral part of the Department of Labor and help the Department execute on its mission on a daily basis. If confirmed, the best interests of employees at the Department of Labor will always be top-of-mind.

Question 14. The U.S. Department of Labor (DOL) has a critical role in ensuring health insurance plans comply with the requirements of the Affordable Care Act (ACA). How will you ensure that health plans under DOL jurisdiction are complying with all statutory health coverage requirements, including all ACA requirements?

Answer 14. If confirmed, I will fully and fairly enforce the law under the Department's jurisdiction, including enforcement related to the laws governing employer-sponsored benefits. This includes ensuring that workers and their families receive the benefits they are owed and that problems related to health benefits are appropriately remedied. I will also work to ensure that these investigations are timely, targeted, time-limited, and that they preserve the due process rights of those subject to investigation.

Question 15. Do you commit to prioritizing investigations of Employment Retirement Security Act (ERISA) health plans to ensure coverage requirements are being met?

- (a). If yes, how will use these investigations to ensure compliance with health coverage requirements?

Answer 15—(a). If confirmed, I will fully and fairly enforce the law under the Department's jurisdiction, including enforcement related to the laws governing employer-sponsored benefits. This includes ensuring that workers and their families receive the benefits they are owed and that problems related to health benefits are appropriately remedied. I will also work to ensure that these investigations are timely, targeted, time-limited, and that they preserve the due process rights of those subject to investigation.

SENATOR BALDWIN

Question 1. As a supporter of the House companion to “the *Employee Equity Investment Act*,” which I cosponsored last Congress, how do you plan to promote the growth and adoption of ESOPs if confirmed as Secretary of Labor?

Answer 1. I understand Employee Stock Ownership Plans (ESOPs) are important to many Americans' retirement security and they often give American workers an enhanced sense of ownership in the organizations for which they work. For these employee-owners, it is more than just a job; they have personal interest in the success of where they work. It's important that the Department provide regulatory clarity and high-quality compliance assistance to ESOPs. If confirmed, I look forward to working with the experts at the Employee Benefits Security Administration and with ESOP stakeholders to determine how best to support participants in ESOPs.

Question 2. Self-Employment and entrepreneurship can be a valuable employment option for people with disabilities.

- (a). How will you provide support to individuals with disabilities who choose to pursue entrepreneurship?
- (b). Will you commit to working with the Department of Commerce and the Small Business Administration on this issue?
- (c). Will you commit to including businesses owned by entrepreneurs with disabilities in competitions for government contracts?

Answer 2(a)—(c). I agree that self-employment and entrepreneurship can be a valuable employment option for people with disabilities. I understand the Department's Office of Disability Employment Policy (ODEP) has resources to assist people with disabilities in self-employment and entrepreneurship. If confirmed, I commit to working with experts at the Department, stakeholders, and you and your colleagues, to learn more about what we can do to support these opportunities for people with disabilities. I also commit to working with my colleagues at the Department of Commerce and the Small Business Administration, and other agencies, to identify ways to support entrepreneurs with disabilities and those who seek self-employment. I will also work with the Department's procurement team to learn more about opportunities for businesses owned by entrepreneurs with disabilities to compete for government contracts.

Question 3. Workplace violence is unacceptable and preventable. It is also a significant factor contributing to nurse burnout. According to OSHA's own data, health care workers now face up to six times the risk of violence at work than workers in other industries. Seventy-five percent of the nearly 25,000 workplace assaults reported annually occurred in health care and social services settings. OSHA is the Federal agency charged with protecting health care professionals from workplace violence, yet there are no specific OSHA standards for workplace violence. I have in-

roduced the *Workplace Violence Prevention for Health Care and Social Service Workers Act* during the past several sessions.

This bill directs OSHA to issue a standard requiring health care and social service employers to write and implement a workplace violence prevention plan to prevent and protect employees from violent incidents. Unfortunately, while OSHA has taken steps toward issuing a workplace violence standard, we continue to see a lack of movement toward issuing a final standard. You committed to working on the issue during our conversation in your nomination hearing. What actions will you direct the agency to take to address this critical issue and ensure nurses and other health care professionals can finally be certain of a safe workplace?

Answer 3. I am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments. Workplace violence is unacceptable, and no worker should have to worry about whether they will make it home safely after a day of work. If confirmed, I look forward to learning more from you on this important issue and will work with experts at the Department, stakeholders, and the public when evaluating regulatory needs, including with respect to workplace violence. My goal will be to uphold the highest standards of occupational safety, ensuring that rules prioritize the well-being of workers while being clear, practical, and achievable for employers. This approach will also align with the President's America First Agenda, supporting both worker protection and a strong, resilient American workforce.

Question 4. Ms. Chavez-DeRemer, the Department's Women in Apprenticeship and Nontraditional Occupations grant program helps recruit, train and retain more women in quality pre-apprenticeship and Registered Apprenticeship programs and encourages women to pursue nontraditional occupations. The fiscal year 2024 appropriations for the Department requires it to spend no less than \$6 million on this important grant program, which recently supported the Wisconsin Regional Training Partnership in my home state of Wisconsin. However, I am hearing concerning reports that these grants are being frozen because of the administration's Executive Orders on DEI. This is just one example of the absurdity of the implementation of these orders. First of all, this funding is required to be spent for these purposes by Congress. Second, I hope we can all agree that funding to expand apprenticeships opportunities for women is a good use of Federal funding. Do I have your commitment to look into this issue and ensure that grantees under this program can access their funds?

Answer 4. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. If confirmed, I commit to working with your office and the experts at the Department of Labor to learn more about the Women in Apprenticeship and Nontraditional Occupations grant program. As a former lawmaker, I greatly respect the legislative process and Congress's role in appropriations. If confirmed, I will approach this responsibility with that in mind, while also ensuring resources are used effectively to support the administration's priorities and align with the America First policy agenda.

Question 5. The Executive Order on DEI is also causing Federal agencies to take down Web sites with important resources for Americans. DOL provides information about issues facing women in the workplace such as equal pay and pay transparency, and working while pregnant and nursing. Do you agree this is important information for the DOL to provide, and to keep this information available on DOL's Web site?

Answer 5. If confirmed, I will ensure the Department of Labor is following President Trump's Executive Order 14151 as directed.

SENATOR KAINE

Question 1. Our Nation's coal miners have worked for decades to keep the country's lights on and manufacturing plants running, which has resulted in a black lung epidemic in our Country. A study was conducted between 2013 and 2017 in Southwest Virginia, where over 400 miners were identified to have progressive massive fibrosis—which is a very complicated form of black. Many coalfields in Virginia have been coaled out, leaving miners to cut through stone and rock, resulting in silica dust inhaling. Researchers have found that exposure to silica dust, in particular, is causing severe and complicated forms of black lung disease that affect folks at a younger age. At my urging, the Mine Safety and Health Administration finalized a rule to reduce miner exposure to silica dust. Coal mines will have to come into

compliance with the rule's requirements by April. I'm hopeful this will help reduce the risk of this debilitating disease.

(a). As Secretary, will you agree to implement and enforce the new silica dust standard?

(b). Will you work with Congress to ensure MSHA has the resources to properly and effectively implement the new silica dust standard?

Answer 1(a)–(b). I fully support the Department's mission of protecting workers against workplace hazards, including in mining. No worker should ever have to worry that once they leave their home, they could be injured on the job. I understand that last year MSHA published a final rule lowering its crystalline silica permissible exposure limit and that rulemaking is currently in litigation. If confirmed, I commit to ensuring you and your colleagues have the data needed to make decisions regarding appropriations, and I will work closely with my colleagues in the Department of Labor and at the Department of Justice on the ongoing litigation.

Question 2. Analysis from Appalachian Voices and Appalachian Citizens Law Center finds that the cost of living in many coal communities is significantly higher than black lung benefits payments. The report—*Benefits for Coal Miners with Black Lung Falling Behind*—finds that in some places, the average monthly cost of living for a miner and a dependent is \$3,000 more than benefit payments. Benefit levels are currently tied to the Federal pay scale rather than the cost of living, which disconnects benefit levels from inflation. In 2023, inflation rates were 8 percent, but benefit levels increased by just 4 percent. We must ensure those who sacrificed their health in the mines do not have to choose between groceries and rent by aligning the payments to miners with the actual cost of living. As Secretary, how will you close the growing gap between the cost of living and the stipends paid to miners with black lung and their families?

Answer 2. I understand and appreciate the critical role of our Nation's coal miners, and I fully support the Department's mission of protecting workers against workplace hazards, including in mining. No worker should ever have to worry that once they leave their home, they could be injured on the job. If I have the honor of being confirmed, I will work with the experts at the Department to better understand the program and our options to ensure the health and safety of our coal miners.

Question 3. Federal black lung benefits provide a small monthly disability payment and health care. Coal mine operators are required to insure their black lung liabilities, but many fail to do so. If a responsible operator cannot be identified, the Federal Black Lung Disability Trust Fund pays the benefits. Operators have been allowed to self-insure for years, leaving the Trust Fund nearly \$1 billion in debt, with the Department of Labor securing just 19 percent of the necessary funds. Last month, the Biden administration required self-insured operators to cover their current and future black lung liabilities fully. As Secretary, will you protect the Black Lung Disability Trust Fund and ensure coal mine operators who self-insure fully cover all current and future black lung liabilities?

Answer 3: I understand and appreciate the critical role of our Nation's coal miners and I fully support the Department's mission of protecting workers against workplace hazards, including in mining. No worker should ever have to worry that once they leave their home, they could be injured on the job. If I have the honor of being confirmed, I will work with the experts at the Department to better understand the Black Lung Disability Trust Fund program and our options to ensure the health and safety of our coal miners.

Question 4. Across Virginia, the issue I hear the most about is workforce—training, retention, recruiting, and more. Despite our widespread workforce shortages, 5 million young Americans are disconnected from the education and the workforce systems, known as opportunity youth. It is not viable for our government to ignore this issue, and we must remove the barriers that keep these young people from pursuing their education and starting their careers. That is why I reintroduced the *Opening Doors for Youth Act* last spring, which would help at-risk youth find summer or year-long jobs that can set them up for success in future careers. It complements the youth-focused *Workforce Innovation and Opportunity Act* programs like *YouthBuild* and *Job Corps*. As Secretary, how will you continue to build on the progress made toward reconnecting opportunity youth into the labor market?

Answer 4. Reengaging all Americans that have been disconnected from the dignity and security that comes from meaningful work is critical to the strength of our Nation, but it is particularly important for the millions of disconnected youth who have their whole adult lives ahead of them. As you mentioned, the Department of Labor

administers several programs that are specifically targeted to low-income and out-of-school youth. If confirmed, I will look closely at the outcomes that are being achieved by these programs and identify opportunities for the Department to make improvements so they effectively reconnect youth with employment. I would welcome the opportunity to learn more about your legislative proposal or other ideas for opportunity youth, and look forward to ways in which the Department could be a collaborative partner.

Question 5. Defined Contribution retirement plans are now the primary employer-based retirement savings vehicle available to American workers. However, millions still do not have access to such plans, and many who have access do not participate. I've introduced two bipartisan bills with Senator Cassidy to help address these gaps. *The Auto Reenroll Act* would encourage retirement plans to innovate with automatic reenrollment. Surveys show that many non participants mistakenly believe they are participating in their workplace plan—automatic reenrollment would help prod those non-participants to start participating on a periodic basis, while still allowing them to opt out if they so choose. *The Helping Young Americans Save for Retirement Act* would ensure that the millions of 18-, 19-and 20-year olds who work full-time hours have access to their workplace retirement plans, in a way similar to how the *Secure Act* and *Secure Act 2.0* expanded coverage to long-time, part-time workers. What are your priorities when it comes to expanding access to and participation in workplace retirement plans?

Answer 5. The Department of Labor plays an important role in every American worker's life—from their very first job all the way through retirement. If confirmed, I will commit to working with you and your colleagues, stakeholders, and experts at the Department to identify ways to strengthen opportunities for workers to save for their retirement—including how best to incentivize younger and part-time workers to begin investing through employer sponsored plans earlier in their career.

Question 6. Last August, Senator Marshall, myself, and several of our colleagues wrote to the Department of Labor asking the agency to move forward on the long-awaited Adequate Consideration rule. Putting forward a rule that provides clarity to business owners on how to value their companies when converting to an Employee Stock Ownership Plan (ESOP) would encourage more businesses to take this route. In January, the Office of Management and Budget moved forward a draft rule from DOL. Will you commit to prioritizing and pushing this long-awaited rule through the process?

Answer 6. I understand that Employee Stock Ownership Plans (ESOPs) are important to many Americans' retirement security and that they often give American workers an enhanced sense of ownership in the organizations for which they work. For these employee-owners, it is more than just a job; they have personal interest in the success of where they work. It's important that the Department provide regulatory clarity and high-quality compliance assistance to ESOPs. If confirmed, I look forward to working with the experts at the Employee Benefits Security Administration and with ESOP stakeholders to determine how best to support participants in ESOPs.

Question 7. The complex, multi-step, multi-agency (DOL, then DHS) process for H-2B seasonal workers begins when an employer files an application for a prevailing wage determination for the H-2B job to DOL's Office of Foreign Labor Certification National Prevailing Wage Center. Processing times for prevailing wage determinations—especially if they involve redeterminations or Center Director Reviews—can take several months. Such lengthy processing time is particularly problematic for industries such as seafood processors, which have clearly defined seasons dependent on the types of seafood to be caught and processed, as well as state law regulating the work that can be performed during such seasons. Yet even when Virginia seafood processors use the same wage surveys that they have used over the years without any problems—such as the wage survey conducted by the Virginia Marine Products Board, a part of the Virginia Department of Agriculture and Consumer Services, a state government agency—DOL will sometimes reject the survey. Even when the initial determination is clearly erroneous, legitimate seasonal employers such as Virginia seafood processors risk losing their H-2B workers for entire seasons because the redeterminations/reviews take several months, and they cannot move to the next step of the H-2B process until they get a prevailing wage determination. If confirmed, what will you do to bring down the lengthy processing times for H-2B prevailing wage determinations, especially involving redeterminations or Center Director reviews?

Answer 7. I understand that the seafood industries in many parts of the country—not only the Eastern Shore of Virginia and Maryland, but also in Maine and Alaska

and elsewhere—are reliant on H-2B visas to keep their seasonal processing operations running. The Department of Labor's role is to test the labor market and ensure employers applying are offering wages at least equal to the prevailing wage. If confirmed, I will work with experts at the Employment and Training Administration, and my colleagues at the Departments of Homeland Security and State, to do everything we can to streamline processing of these applications.

Question 8. Since 2019, DOL's Office of Foreign Labor Certification Chicago National Processing Center (Chicago NPC) moved from first-in, first-out to a random selection process, where all H-2B labor certification applications filed within a 3-day filing window would be placed in an "Assignment Group," comprised of approximately 20,000 worker positions per group. For example, in January 2023, DOL conducted the randomization process for the H-2B labor certifications filed for the start date of April 1, 2023. It received applications for 142,796 worker positions. According to DOL, Group A included enough worker positions to reach the semi-annual H-2B cap of 33,000 and had to create six additional Assignment Groups for the remaining labor certification applications. Unless they are fortunate enough to be in Group A, employers will not have any certainty that they will be able to get the H-2B workers that they need by the time that they need them. Even though DOL and DHS will release supplemental H-2B visas later in the year, that will not necessarily help employers in Groups B and below, because DOL adjudicates the labor certification applications in order of the Group placement. Because DOL will not get to the latter groups until April or May, the employers in these groups may not have the approved labor certification applications that they need in order to file the H-2B visa petitions with USCIS in time for them to access the supplemental visas. As a small business owner myself, I hope you can see how the current DOL H-2B processes make it very difficult for seasonal businesses such as Virginia seafood processors to plan for upcoming seasons. If confirmed, what will you do to improve timely adjudication of H-2B labor certification applications?

Answer 8. While I am not yet fully versed on changes to the Chicago NPC's selection process for labor certification applications, I understand their importance of the H-2B labor certification process to Virginia's seafood and fishing industries. If confirmed, I will work with experts at the Employment and Training Administration, and my colleagues at the Departments of Homeland Security and State, to do everything we can to streamline processing of these applications.

SENATOR HASSAN

Question 1. I voted for a measure that President Trump signed into law during his first term guaranteeing paid leave for Federal employees. This was an important step forward in supporting working families. If confirmed, how will your Department work with Congress to ensure that more workers have access to guaranteed, job-protected leave?

Answer 1. I believe it is important for workers to have access to paid leave, and I commend employers who provide it. If confirmed, it will be my pleasure to provide technical assistance to Congress as it considers various paid leave proposals.

Question 2. Currently, victims of domestic violence, sexual assault, and stalking are not provided job-protected unpaid leave under the Family and Medical Leave Act. Expanding job-protected leave would allow victims to seek medical treatment, get legal protection, and take care of other emergency needs such as moving their children to safety. If confirmed, would you work with me to examine legislative options to close this gap in job-protected leave?

Answer 2. Thank you for raising this serious question to me. It is important to me that we provide robust protections and assistance to survivors of domestic violence and sexual assault. If confirmed, I would be happy to work with your office and provide technical assistance as you explore ways to fill in this gap in our laws.

Question 3. Registered apprenticeships are an affordable pathway to good-paying jobs and are increasingly being developed to help address in-demand fields that are facing labor shortages, such as in the health care sector and in the teaching profession. How will you support the expansion of registered apprenticeships in in-demand fields that are facing worker shortages?

Answer 3. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. If confirmed, I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Engaging more employers will be essential to expanding apprenticeships, as apprenticeships are not

simply a training program but are paid jobs with wage progression connected to the apprentice gaining skills. I also recognize the importance of the Department of Labor encouraging more state leadership and initiative in apprenticeship expansion, and promoting better coordination with the WIOA system to leverage existing resources to support American workers and businesses. As you know, Congress provides funding to the Department of Labor for the apprenticeship expansion, and I will be focused on ensuring those taxpayer resources are directed as effectively as possible to enhance apprenticeships and benefit the American worker.

SENATOR HICKENLOOPER

Question 1. The Department of Labor has been stagnant in advancing a requirement in the *No Surprises Act* which requires health plans to provide patients with an advance explanation of benefits and a good faith estimate of the cost of their care. This allows patients, like me, to better understand their out-of-pocket costs before a hospital provides the care. There has been no word on the status of implementing this requirement since last July when the Department indicated it would be published in 2025. If confirmed, will you prioritize moving forward on this long-delayed process so patients will have the health care price transparency they deserve?

Answer 1. I understand the importance of ensuring American workers have price transparency when making healthcare decisions. If I have the honor of being confirmed, I will work with the experts at the Employee Benefits Security Administration to learn more about this rulemaking and determine the best path forward to meet the Department's statutory requirements under the *No Surprises Act*.

Question 2. As Secretary, you will oversee processes to collect and investigate whistleblower complaints regarding workers' safety on the job, ensuring they are properly compensated, and that they are treated fairly according to Federal law. Whistleblowers are important in any workforce. They give us a glimpse into workers' experiences and signal areas for improvement. And because of their sensitive nature, workers are offered confidentiality and protection from retaliation.

- (a). What assurances will you give workers—who I remind you are private citizens—that the Trump administration will not censure their voices in the workplace?
- (b). If President Trump proposed rolling back whistleblowers' protections or clawing back resources from DOL's whistleblower investigations, how would you advise him?

Answer 2(a)–(b). I am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments and this includes its Whistleblower Protection Program (WPP). WPP enforces more than 20 Federal laws to protect employees from retaliation for raising concerns about violations of law in the workplace. These whistleblower laws provide important protection for American workers and, if confirmed, I commit to fully and fairly enforcing these laws to protect workers from retaliation.

Question 3. Representative Chavez-DeRemer, your testimony talks about the recent widespread layoffs workers have seen in the private sector, specifically in the auto-industry. Now, we're seeing President Trump's administration and his Department of Government Efficiency (DOGE) acting swiftly, and often unlawfully, to implement sweeping layoffs in the Federal workforce and reducing transparency. As Secretary of Labor, you will oversee programs like the joint Federal-state unemployment benefits program, and programs to protect workers' retirement benefits and pensions. These are funds that Americans rely on to live, so they must continue reaching our constituents. How do you intend to navigate these staff changes as losing long term, qualified civil servants jeopardizes DOL's ability to oversee these vital programs?

Answer 3. I am deeply committed to the Department of Labor's mission to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. If confirmed, I look forward to partnering with agency experts to assess resources. The Department will leverage its resources and staffing levels to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

Question 4. As part of President Trump's recent freeze on Federal regulations, dozens of pieces of Federal guidance from the Occupational Safety and Health Administration have been paused indefinitely subject to the Administration's review. Across the country, tragic workplace incidents have brought workers and employers to Congress and to our Executive Branch to ask what can be done to help make their industries safer. For example, Colorado's tree care industry has tirelessly advocated for a new safety standard for years. And now, the standard is being held up as part of this regulatory freeze.

- (a). Do you acknowledge the important role that OSHA, and its guidance, plays in ensuring workers' safety?
- (b). Will you commit to getting this guidance out the door quickly to protect these workers and these small businesses that want regulatory clarity?
- (c). Will you also oppose any future efforts by the White House or by Congress to undermine OSHA or its work?

Answer 4(a)–(c). I am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments. No worker should have to worry about whether they will make it home safely after a day of work. As with many other pending regulations, this is subject to President Trump's regulatory freeze Executive Order. If confirmed, I look forward to learning more from you on this important issue and will work with experts at the Department, stakeholders, and the public when reviewing any worker safety regulations, including with respect to a tree care standard. My goal will be to uphold the highest standards of occupational safety, ensuring that rules prioritize the well-being of workers while being clear, practical, and achievable for employers. This approach will also align with the President's America First Agenda, supporting both worker protection and a strong, resilient American workforce.

Question 5. Representative Chavez-DeRemer, Over 50 million Americans go to work everyday but don't have a convenient way to save for retirement. This is particularly true of our independent workforce, which includes self-employed business owners, farmers, and our gig economy workers.

- (a). If confirmed, what specific actions will you take to help make sure every American has the opportunity to plan and save for a financially secure retirement?
- (b). Will you be able to help American families achieve these goals if the department loses qualified staff?

Answer 5(a)–(b). The Department of Labor plays an important role in every American worker's life—from their very first job all the way through retirement. If confirmed, I will commit to working with you and your colleagues, stakeholders, and experts at the Department to identify ways to strengthen opportunities for workers to save for their retirement and learn more about barriers and challenges that workers may face in accessing health insurance and retirement plans—including for app-based workers, independent contractors, and employees of small businesses.

Question 6. In my home state of Colorado, we worked to make skills and education attainment more user friendly by creating a credential registry. This registry publishes information about the credentials and skills available through our state's WIOA providers and helps to inform tools for students and workers like *My Colorado Journey*.

- (a). Given the growing demand for skills-based hiring and career navigation tools like these, how will DOL leverage credential transparency to improve workforce outcomes?
- (b). What steps could the agency take to support and scale these efforts in and across states and nationally?

Answer 6(a)–(b). I'm glad to hear about Colorado's efforts on credential transparency and skills-based hiring. It is important to improve opportunities for the millions of Americans who choose not to pursue a 4-year degree. If confirmed, I look forward to learning more about the programs and initiatives at the Department that support workforce data tools and innovations. I also believe it's important for the Federal Government to learn best practices from states that have successfully launched workforce initiatives, like *My Colorado Journey*.

Question 7. Jobs for the Future (JFF) has asked: "Under your leadership, what steps would the Department take to ensure cross-agency collaboration around data-sharing, data quality, and transparency to ensure the Federal Government is accu-

rately tracking the impact of taxpayer-funded training programs on long-term labor market outcomes, and sharing that information with the public?"

Answer 7. Enhancing the quality and availability of data on taxpayer-funded workforce investments is critical for both jobseekers and policymakers. The American worker deserves accurate and actionable data to determine the best career pathways or upskilling opportunities for their future and policymakers need to be able to put public workforce funding to its best possible uses to ensure it can deliver when workers are underemployed, displaced, or out of the labor force. Good data on the performance of programs that receive taxpayer funding is also crucial for agencies to be good stewards of taxpayer dollars. If confirmed, I look forward to working with my colleagues at the Department and collaboratively across government to identify opportunities to enhance transparency, usability, and application of workforce investment and outcomes data.

Question 8. The datacenters that power American AI require an infrastructure ecosystem that is heavily reliant on skilled tradesmen and women. Data center construction companies are particularly reliant on large numbers of skilled electricians and pipe fitters, including members of organized labor unions. In the U.S., the growing demand for electricity and the critical need for skilled electricians is likely to require over 500,000 new registered apprentices by 2032. What is your vision for expanding apprenticeships to meet the workforce needs, including for high demand occupations like electricians and pipe fitters that will be needed for the United States to win the geopolitical race on AI?

Answer 8. Hickenlooper Answer 8: I believe the continued economic success and global leadership of the United States is dependent on the skill, effort, and initiative of the American worker. Providing America's workforce the best opportunities to gain skills and achieve their potential is a core element of President Trump's America First Agenda. Artificial Intelligence depends on critical skills that are not easily replicated, and we will need to explore all workforce development options to ensure that the American worker is poised to benefit from AI and that the U.S. continues to be a global leader in AI. If confirmed, I will work to expand high-quality workforce development programs in emerging industries and occupations, including to expand high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Upskilling workers to succeed as American business evolves and adapts to the use of AI is a national security, economic security, and workforce imperative.

Question 9. Students with disabilities graduate high school at rates significantly lower than the general population. How will you partner with other Departments and agencies, such as the Department of Education, to ensure that youth with disabilities are prepared to enter the workforce?

Answer 9. I share your concern that students with disabilities graduate high school at lower rates and strongly believe in strengthening educational and employment opportunities for these individuals. I understand that the Department's Office of Disability Employment Policy (ODEP) works on policies related to youth transitioning from school to adulthood and the world of work and has various initiatives to help prepare youth with disabilities for the workforce. If confirmed, I will commit to working with experts at the Department, stakeholders, you and your Senate colleagues, as well as my counterparts at other agencies to learn more about what we can do to support employment opportunities for youth with disabilities. I want to make sure employers have the support they need to successfully recruit, hire, and retain youth employees with disabilities.

Question 10. Our national workforce development systems are not reaching rural and Native communities, partially because our workforce system has been underfunded. During your time in Congress, you supported the *Workforce Innovation and Opportunity Act* reauthorization. Implementation of this landmark law requires Federal workers at DOL to issue payments for what WIOA funding we do have, review plans, and provide support to career training efforts on the ground in rural and Native communities.

- (a). If confirmed, will you protect DOL workers who help get *Workforce Innovation and Opportunity Act* dollars out the door to our communities?
- (b). Will you also uphold DOL's legal obligation to Tribes by ensuring these workers get WIOA Sec. 166 program dollars out to their communities?

Answer 10(a)–(b). If confirmed, I will work to ensure *Workforce Innovation and Opportunity Act* funds are disbursed to states as efficiently as possible. I will also

work with the Department's Office of the Solicitor to ensure we are meeting all legal obligations, including those required by WIOA.

Question 11. My state of Colorado has a number of former Department of Energy workers who have serious illnesses due to toxin exposure at the Rocky Flats site. I am a strong supporter of the Department of Labor's program, the *Energy Employees Occupational Injury Compensation Program*. Today there is a shortage of doctors to treat these patients, especially in rural areas across the country. Senator Blackburn and I introduced a bill last Congress to update the law to allow nurse practitioners and physician assistants to be able to recertify the patient's participation in the program and to allow them to order care for these patients. Do you agree that these workers deserve excellent care and that an update is needed to address this issue?

Answer 11. Workers covered by the EEOICPA program deserve excellent care. I understand the importance of the EEOICPA program, and if confirmed, I will commit to working with the experts at the Department's Office of Workers' Compensation Programs to learn more about the program and administrative challenges that may exist, in addition to working with you and your colleagues to understand your specific concerns regarding access to these vital benefits.

Question 12. In Colorado, we have seen a lot of upheaval in the labor market over the past few years. Going forward, we must efficiently direct our workers and students to in-demand occupations and supplement our workforce with the best and brightest from outside the United States when it makes sense. We think that DOL's Schedule A list could be a useful tool for identifying which occupations are in the most need for workers, but it has not been meaningfully updated since 1991. In Congress, there is demonstrated bipartisan support for this solution from recommendations from the *House China Committee* and the *Joint Economic Committee* to *bipartisan letters*, such as the one I sent with my colleagues, Senators Rounds, Cramer, and former-Senator Manchin. As Labor Secretary, do you plan to modernize the Schedule A list? Will you commit to working with Congress to identify what the Department would need to do so?

Answer 12. I agree that we must efficiently prepare the American worker and our students for in-demand occupations. While I am not fully versed on Schedule A, if confirmed I look forward to working with the Department of Labor's experts and you and your colleagues to learn more about Schedule A and its policy and programmatic options.

Question 13. According to DOL's Web site, the average processing time for a permanent labor certification application is 489 days (as of February 1, 2025), up from 96 days in fiscal year 2019. The average processing time for a prevailing wage determination can be 6 months or more. This means that to complete the requirements for hiring an international worker on a green card can take more than 18 months. The wait can be especially impactful for Colorado, where our largest industries, manufacturing, aerospace, and bioscience, rely on being able to attract and retain the brightest workers from all over the world.

- (a). Would you commit to investigating why processing times are so long for permanent labor certification applications and identifying the challenges the Department faces to reduce these processing times?
- (b). As Secretary, would you work with Congress to help the Department develop a plan to reduce these processing times in the next year?

Answer 13(a)–(b). If confirmed, I will gladly commit to examining the efficiency of labor certification processes and to working with experts at the Department to find reforms that can improve the administration of related programs. Also, if I have the honor of being confirmed, I will seek insight from Congress and impacted stakeholders as I work to improve the Department's labor certification programs.

Question 14. Individuals applying for adjustment of status must wait 180 days before being able to switch employers. Given that the 180-day clock begins only after the PERM is certified, is it fair to say that cutting down on these PERM backlogs is necessary to ensure that foreign workers are not tied to their employers and is important to maintain a competitive labor market?

Answer 14. I'm not familiar with the PERM backlog and cannot at this time make a determination as to the best path forward. However, if confirmed, I will gladly commit to examining the efficiency of labor certification processes and to working with experts at the Department to find reforms that can improve the administration of related programs. Also, if I have the honor of being confirmed, I will seek insight from Congress and impacted stakeholders as I work to improve the Department's labor certification programs.

Question 1. If confirmed, do you commit to abiding by all terms and conditions of collective bargaining agreements between the Department of Labor and agency staff?

Answer 1. My focus, if confirmed, will be ensuring that the Department of Labor carries out its responsibilities to protect American workers and strengthen our economy. If confirmed, I will follow the law and work with the experts at the Department to understand the collective bargaining process at the Department as well as the terms and conditions of the collective bargaining agreements in place.

Question 2. If confirmed, how do you plan to respond to requests made by Trump administration officials, DOGE personnel, or White House staff to unlawfully fire career personnel within the Department of Labor?

Answer 2. If confirmed, I will follow the law and the advice of the Department's Solicitor's Office and human resources experts, along with any directives from the White House, when making employment-related decisions.

Question 3. If confirmed, do you commit to reinstating any Department of Labor employees fired in violation of law or in violation of collective bargaining agreements?

Answer 3. If confirmed, I will of course comply with any court orders related to Department of Labor employment decisions.

Question 4. If confirmed, what steps will you take to ensure that career personnel within the Department of Labor are protected from politically motivated dismissals and reassignments?

Answer 4. If confirmed, I will follow the law and the advice of the Department's Solicitor's Office and human resources experts, along with any directives from the White House, when making employment-related decisions.

Question 5. What will you do to protect employer and worker data and confidentiality from DOGE personnel?

Answer 5. If confirmed, I will ensure that all personnel are executing their roles in full compliance with Federal law. I will also work with career ethics officials and others in the Solicitor's Office to ensure that Federal privacy laws are being followed.

Question 6. President Trump's actions related to the disbursement of Federal funding, funding freezes, and funding cuts has created widespread confusion and halted critical government programs. What will you do to work with President Trump to ensure DOL funding is maintained so the agency can continue to function effectively and fulfill its mission and designated duties?

Answer 6. I am deeply committed to the Department of Labor's mission to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. If confirmed, I look forward to partnering with agency experts to assess available resources and identify any additional needs. The Department will leverage its resources and staffing levels to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

Question 7. Amazon is the second largest private sector employer in the country, with over one million workers. Amazon uses a punishing quota system powered by invasive surveillance technology to enforce speed standards. In 2023, one in 15 Amazon workers were injured on the job. If confirmed, do you commit to dedicating resources toward enforcing warehouse worker safety?

Answer 7. I am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments. No worker should have to worry about whether they will make it home safely after a day of work. If confirmed, I look forward to learning more from you about this important issue and will work with experts at the Department, stakeholders, and the public when evaluating regulatory needs, including with respect to warehouse worker safety. My goal will be to uphold the highest standards of occupational safety, ensuring that rules prioritize the well-being of workers while being clear, practical, and achievable for employers. This approach will also align with the President's America First Agenda, supporting both worker protection and a strong, resilient American workforce.

Question 8. In your ethics letter, you said that you would not “participate personally and substantially in any particular matter . . . in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter” unless you obtain a written waiver. You also wrote that you understand that the interests of your spouse are imputed to you. The Department of Labor has significant sway over a number of regulations and programs that are implicated by the takeover of the healthcare industry by private equity companies. Your husband, Shawn DeRemer, testified last year in opposition to an Oregon State Senate bill that would have limited the ability of private equity companies to take over healthcare companies in the state of Oregon.

- (a). Has Anesthesia Associates Northwest received any investment from private equity?
 - i. Has Anesthesia Associates Northwest received any other private investment, and if so, when and from who?
 - ii. Will Anesthesia Associates Northwest ever receive private equity investment?
- (b). If confirmed, do you commit to recusing yourself from decisions related to private equity companies’ involvement in health care during your time as Secretary?
- (c). If confirmed, do you commit to recusing yourself from decisions that would impact the allowance of private equity investments in retirement plans?
- (d). If confirmed, do you commit to recusing yourself from decisions that would impact private equity-owned companies’ obligations under the *Employee Retirement Income Security Act* of 1974 (ERISA)?
- (e). If confirmed, do you commit to recusing yourself from decisions that would impact private equity-owned companies’ use of *Consolidated Omnibus Budget Reconciliation Act* (COBRA) continuation benefits?

Answer 8(a)i—ii—(e). I kindly ask that you please correct the record regarding the spelling of my husband’s name. It is Dr. Shawn DeRemer. Thank you. Anesthesia Associates Northwest has not received any investments from private equity firms, nor has it received any other private investment. If confirmed, I will consult with the ethics officials at the Department of Labor to ensure there are no conflicts of interest.

Question 9. Shawn DeRemer also testified that including “non-competitive covenants, and non-disclosure covenants within healthcare provider contracts” would “negatively impact Oregon medical businesses.”

- (a). If confirmed, do you commit to recusing yourself from any decisions relating to non-compete clauses during your time as Secretary?
- (b). If confirmed, do you commit to recusing yourself from any decisions relating to non-disclosure agreements during your time as Secretary?

Answer 9(a)—(b). I kindly ask that you please correct the record regarding the spelling of my husband’s name. It is Dr. Shawn DeRemer. Thank you. If confirmed, I will consult with the ethics officials at the Department of Labor to ensure there are no conflicts of interest.

Question 10. In addition to worse patient care and higher death rates for patients, private equity ownership of health care is tied to lower staffing ratios, increased worker safety risks, and high rates of bankruptcy and closure, which threatens health care workers’ wages and pensions. Do you believe that private equity ownership of health care is a threat to workers?

Answer 10. The decision as to whether private equity can own health care companies is not within the jurisdiction of the Department of Labor. To the extent that a health care company is subject to the jurisdiction of the Department of Labor’s laws and violates the law, I will commit to fully and fairly enforcing the law if confirmed.

Question 11. How does the Department plan to engage to support workers in response to hospital and other health care bankruptcies driven by private equity?

Answer 11. It’s difficult to speak to hypotheticals, but where workers are displaced due to health care bankruptcies—driven by private equity or otherwise—I would expect the Department to treat these workers the same as all other displaced workers. I understand the Department has jurisdiction over the *WARN Act* and other programs under the Employment and Training Administration. If confirmed,

I look forward to learning more about these programs and commit to working with you and your colleagues when workers are displaced.

Question 12. The Department of Labor Occupational Safety and Health Administration (OSHA), when combined with state partners, has about 1,850 workplace health and safety investigators for over 130 million workers at 8 million worksites. That's one inspector for every 70,000 workers.

- (a). What additional resources does OSHA need to effectively enforce health and safety laws at workplaces within its jurisdiction?
- (b). If confirmed, do you commit to submitting a budget request that increases funding for OSHA over the previous fiscal year, for each year you serve as Secretary of Labor?
- (c). Do you believe that the Wage and Hour Division (WHD) has sufficient resources to effectively enforce health and safety laws at workplaces within its jurisdiction?
- (d). If confirmed, do you commit to submitting a budget request that increases funding for WHD over the previous fiscal year, for each year you serve as Secretary of Labor?
- (e). If President Trump and Elon Musk achieve their goal of cutting 10 percent of the Federal workforce, how, in your opinion, could the Department of Labor adequately enforce the laws it is tasked to enforce?

Answer 12(a)–(e). The Department of Labor enforces more than 180 Federal workplace laws. I strongly believe in the missions of the Department's sub-agencies—including the Occupational Safety and Health Administration and the Wage and Hour Division. If confirmed, I look forward to partnering with leadership at the Department to assess resources. The Department will leverage its resources to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

Question 13. In 2024, the Department of Labor finalized the Employee or Independent Contractor Classification Under the *Fair Labor Standards Act* regulation which revised the Department's criteria for classifying workers as independent contractors.

- (a). If confirmed, do you commit to enforcing the regulation as written?
- (b). If confirmed, will you seek to change this regulation?

Answer 13(a)–(b). If confirmed as Labor Secretary, I understand that I will have the ability to enforce President Trump's rules and parameters around who is an employee and who is an independent contractor. However, I cannot comment on the *Fair Labor Standards Act* independent contractor regulation specifically, as it is in litigation. If confirmed, I will consult with the Solicitor of Labor as well as the Department of Justice with respect to that matter. Apart from the litigation, if confirmed, I will consult with my advisors at the Department, including the Solicitor of Labor as well as the Administrator of the Wage and Hour Division, to determine the Department's course of action with respect to this regulation.

Generally speaking, I believe it's important to allow workers to have the flexibility to be in business for themselves—including through the independent contractor model. I also believe it's important to ensure no one is circumventing the laws by intentionally misclassifying their employees. I understand that President Trump previously issued guidance and rulemaking on the issue of independent contractors, and if confirmed, I will deliver on President Trump's America First Agenda.

Question 14. In 2021, the Department of Labor finalized the Rescission of Joint Employer Status Under the *Fair Labor Standards Act* rule to rescind the regulations established in the 2020 Joint Employer Rule.

- (a). If confirmed, do you commit to enforcing the regulation as written?
- (b). If confirmed, will you seek to change this regulation?

Answer 14(a)–(b). The Department of Labor has an important role in ensuring that employers receive clear guidance on their obligations and potential liability. If confirmed, I look forward to being briefed on this matter by experts at the Department. As a small business owner myself, I fully support policies that help create and protect small businesses, including the franchise business model. As Labor Secretary, I understand that I will have the authority to regulate in this space, and

I will be determined in my commitment to enforce President Trump's America First agenda.

Question 15. In 2024, the Department of Labor finalized the Retirement Security Rule and Amendments to Class Prohibited Transaction Exemptions for Investment Advice Fiduciaries regulation to define investment advice fiduciaries under the *Employment Retirement Income Security Act* (ERISA).

- (a). If confirmed, do you commit to enforcing the regulation as written?
- (b). If confirmed, will you seek to change this regulation?

Answer 15. I understand that this rule is currently the subject of ongoing litigation. If confirmed, I look forward to being briefed on this matter and will commit to work closely with my colleagues at the Department of Labor and at the Department of Justice. More generally, the Department of Labor plays a critical role in protecting the retirement benefits that Americans have earned. Workers should have access to sound financial advice, and the law requires retirement plan fiduciaries to act in the best interest of plan participants and beneficiaries. The retirement system needs to work for workers, retirees, retirement plan sponsors, plan fiduciaries, and service-providers. If confirmed, I look forward to consulting—in a transparent manner—with all stakeholders and receiving feedback in determining whether and how the system can be improved.

Question 16. In 2024, the Department of Labor announced a proposed rule to protect indoor and outdoor workers from extreme heat. If confirmed, do you commit to finalizing the regulation as written?

Answer 16. I fully recognize the importance of ensuring workers are safe in high-heat environments and am deeply committed to OSHA's mission of ensuring that employees work in safe and healthful environments. No worker should have to worry about whether they will make it home safely after a day of work. As with many other pending regulations, this is subject to President Trump's regulatory freeze Executive Order. If confirmed, I will work with experts at the Department, stakeholders, and the public when reviewing any worker safety regulations. My goal will be to uphold the highest standards of occupational safety, ensuring that rules prioritize the well-being of workers while being clear, practical, and achievable for employers. This approach will also align with the President's America First Agenda, supporting both worker protection and a strong, resilient American workforce.

Question 17. In 2024, the Department of Labor finalized the Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees regulation to raise the salary eligible for overtime benefits of employees in certain sectors.

- (a). If confirmed, do you commit to continuing to pursue the appeal of the November 15, 2024 Eastern District of Texas?
- (b). If confirmed, will you seek to change this regulation?

Answer 17. I understand that this rule is still in litigation. If confirmed, I will commit to carefully reviewing all regulations under the Department's jurisdiction and working with my colleagues in the Solicitor's Office and at the Department of Justice as appropriate on regulatory litigation. Overtime rulemaking authority is an important part of the Department of Labor's scope, and I believe that threshold should be periodically reviewed to reflect the changing economy and current economic conditions without shocking the economy.

Question 18. If confirmed, you will serve as the Chairman of the Board of the Pension Benefit Guaranty Corporation (PBGC).

- (a). What will you do to protect the pensions of workers across the country?
- (b). What safeguards will you implement to ensure that DOGE does not have influence over Pension Benefit Guaranty Corporation (PBGC) single-employer plan surplus that ensures PBGC has sufficient resources to pay benefits?
- (c). What will you do to ensure that DOGE does not interfere with PBGC payment plans or payment disbursement mechanisms?

Answer 18(a)–(c). The Department of Labor plays an important role in every American worker's life—from their very first job all the way through retirement. If confirmed, I will take my responsibility to ensure the welfare of retirees seriously. In my capacity as Chairman of the Board of the PBGC, I will work with fellow Board members, the PBGC's Advisory Committee, and PBGC staff to ensure that PBGC is effectively executing on its responsibilities under ERISA to backstop defined benefit pension plans subject to PBGC's jurisdiction.

Question 19. The Department of Labor's Employee Benefits Security Administration (EBSA) devotes substantial resources to protecting the contributions made by employees and the matching contributions promised by their employers to employer-sponsored benefit plans, including 401(k)'s and health plans. Workers have had their contributions to their pension or health plans withheld from their paychecks without their employers depositing the money in the plans in a timely manner—or even at all in some cases. Instead, these employers kept the workers' contributions and used them for their own purposes or for other unrelated purposes. What should the Department do to more effectively protect working people against employers' misuse of their retirement and health money?

Answer 19. The Department of Labor plays an important role in every American worker's life—from their very first job all the way through retirement. If confirmed, I will take my responsibility to ensure the welfare of retirees seriously. I will commit to working with you and your colleagues, stakeholders, and experts at the Department to ensure workers' retirement benefits are safe and secure. I will also fully and fairly enforce the law against bad actors who misuse workers' retirement benefits.

Question 20. Employers are increasingly relying on artificial intelligence (AI) in the selection and management of employees. However, AI systems have been proven to unlawfully discriminate against employees and prospective employees, including on the basis of race, gender, age, and disability status. Do you support ensuring that artificial intelligence products utilized by employers are not discriminatory or biased?

Answer 20. No worker should be discriminated against in the workplace, and discrimination in the workplace is unlawful—whether it occurs through a human or artificial intelligence. If confirmed, I commit to ensuring the Department of Labor provides all the tools necessary under the Department's jurisdiction to ensure workers are protected against potential bias by artificial intelligence, based upon long-standing civil rights laws. The Equal Employment Opportunity Commission, a Federal agency independent of the Department of Labor, has the responsibility to enforce civil rights laws as they relate to discrimination in hiring and the workplace.

Question 21. What steps would you take to protect workers from the discriminatory impacts of AI related to the hiring and management of workers?

Answer 21. No worker should be discriminated against in the workplace and discrimination in the workplace is unlawful—whether it occurs through a human or artificial intelligence. If confirmed, I commit to ensuring the Department of Labor provides all the tools necessary under the Department's jurisdiction to ensure workers are protected against potential bias by artificial intelligence, based upon long-standing civil rights laws. It is important that the Department proactively work with AI technology vendors to provide them with a clear understanding of any civil rights laws under the Department's jurisdiction that apply to the products they are developing. The Equal Employment Opportunity Commission, a Federal agency independent of the Department of Labor, has the responsibility to enforce civil rights laws as they relate to discrimination in hiring and the workplace.

Question 22. If confirmed, how do you plan to address the increase of AI-enabled worker surveillance?

Answer 22. If confirmed, I will ensure that existing workplace privacy laws under the Department's remit are enforced when appropriate to AI-enabled workplace software.

Question 23. Should employers be required to notify employees, or potential employees, about the use of AI in the workplace related to the management and evaluation of workers?

Answer 23. Under existing Federal law, workers generally have limited rights to privacy when using workplace technologies. I am aware that many states, like Massachusetts, have passed laws restricting certain workplace monitoring and requiring employee consent. If confirmed, I look forward to working with your office to learn more about this issue and providing technical assistance if Federal legislation is necessary.

Question 24. You have spoken about your support of apprenticeship programs, which provide high-quality training and wages.

- (a). What will you do to support registered apprenticeship programs?
- (b). Do you believe the Department of Labor should recognize apprenticeships that are not federally registered, such as the Industry Recognized Apprenticeship Program (IRAP) created under the previous Trump administration?

Answer 24(a)—(b). I believe that we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. If confirmed, I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Engaging more employers will be essential to expanding apprenticeships, as apprenticeships are not simply a training program, but paid jobs with wage progression connected to the apprentice gaining skills. I also recognize the importance of the Department of Labor encouraging more state leadership and initiative in apprenticeship expansion, and promoting better coordination with the WIOA system to leverage existing resources to support American workers and businesses. As you know, Congress has annually provided funding to the Department of Labor for apprenticeship expansion, and I will be focused on ensuring those taxpayer resources are directed as effectively as possible to grow apprenticeships and benefit the American worker.

Question 25. President Trump has issued executive orders related to diversity, equity, and inclusion. Some agencies have begun purging funding for projects include the words "female," "historically" and "male-dominated." If confirmed, would you revoke funding for programs such as the Women in Apprenticeship and Nontraditional Occupations grant program that seeks to help females enter and advance in historically male-dominated industries such as construction?

Answer 25. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. If confirmed, I commit to working with your office and the experts at the Department of Labor to learn more about the Women in Apprenticeship and Nontraditional Occupations grant program.

Question 26. If confirmed, what will you do to ensure all federally funded projects comply with Davis-Bacon standards?

Answer 26: Federal agencies that contract for construction work are responsible for incorporating the Davis-Bacon Act into their contracts. The Department of Labor is responsible for determining prevailing wage rates under the act, as well as enforcing the law's substantive terms. Should I have the honor of being confirmed, I will work with experts at the Wage and Hour Division to ensure, as appropriate, that the act is enforced, wages are properly calculated, and contractors are appropriately guided on compliance. Also, if confirmed, I hope to build strong interagency relationships to advise my counterparts on this and other elements of the law within the Department's remit.

Question 27. Do you support project labor agreements (PLAs)? What will you do to ensure PLAs continue to be used on Federal construction projects over \$35 million?

Answer 27. If I have the honor of being confirmed, I will work to implement President Trump's America First labor agenda. It is important to me that bidding on Federal contracts is competitive, results in awards that represent a good value to the public, and that employees of Federal contractors have good working conditions.

Question 28. President Trump recently illegally fired NLRB Board Member Gwynne Wilcox in violation of the National Labor Relations Act.

(a). Do you believe that this firing was illegal?

(b). What will you do to work with President Trump to reverse this action?

Answer 28(a)—(b). The National Labor Relations Board serves an important function in the labor policy process independent from the Department of Labor. I respect the authority the President has to oversee the executive branch, including with respect to personnel decisions. The legality of Ms. Wilcox's termination is currently being considered by the court. My focus, if confirmed, will be ensuring the Department of Labor carries out its responsibilities to protect American workers and strengthen our economy.

Question 29. In your confirmation hearing, you stated that the NLRB is an independent agency separate from the DOL. On February 18, the Trump administration issued an executive order stating that "all executive branch officials and employees are subject to [the President's] supervision." Do you believe the NLRB should exist as an independent agency?

Answer 29. The National Labor Relations Board serves an important function in the labor policy process independent from the Department of Labor. I respect the

authority of the President to oversee the executive branch, including with respect to personnel decisions. My focus, if confirmed, is ensuring the Department of Labor carries out its responsibilities to protect American workers and strengthen our economy.

Question 30. The Good Jobs Initiative facilitated partnerships between DOL and other Federal agencies to ensure Federal infrastructure investments created good jobs. Do you support the Good Jobs Initiative?

Answer 30. If confirmed, I look forward to working with the experts at the Department of Labor and learning more about all programs at the Department before making any determinations regarding which programs to continue or which to create in line with the America First policy agenda.

Question 31. Will you ensure DOL is working with other Federal agencies to ensure they prioritize the creation of safe, high-quality jobs in grant making and procurement processes?

Answer 31. We know what a good paying job can mean for a family. My father's union job was critical to our family's stability. If confirmed, my focus will be to expand rapid reskilling programs, apprenticeships, and partnering with industries to anticipate labor market needs. I would be happy to work with my colleagues at other agencies to provide guidance and technical assistance on the creation of safe, high-quality jobs, where appropriate, so all Americans can achieve the American dream.

Question 32. DOL has served as an advisor to the Commerce Department, Department of Energy, Department of Transportation, EPA and other Federal agencies to ensure projects funded through the *CHIPS and Science Act*, *Inflation Reduction Act*, and *Bipartisan Infrastructure Law* uphold strong labor standards and create good-paying jobs. However, some projects funding has been halted.

- (a). How will you approach already funded projects to ensure they continue?
- (b). Will you work with the Trump administration to advocate for these projects to be funded?

Answer 32(a)—(b). I am not familiar with the Department of Labor's role in these programs. If confirmed, I look forward to reviewing all projects at the Department in conjunction with the Department's experts, and I will advise the President regarding the programs that will help bring America First policies to every American.

Question 33. Do you believe Tribal, Indian, and Native career training and workforce placement is DEI?

Marky Answer 33: Discrimination against any person is wrong. American workers should be measured by the work they do—not by what they look like. If confirmed, I look forward to learning more about the many workforce development programs at the Department of Labor and how we can best expand opportunity for all American workers.

Question 34. Do you believe that the Department of Labor shares in the Federal trust responsibility?

Answer 34. I am generally aware that the Federal trust responsibility requires the Federal Government to respect tribal rights. I am not aware of the Department of Labor's responsibility in this space. If confirmed, I will work with agency experts to learn more about the Department's obligations under this responsibility.

SENATOR BLUNT ROCHESTER

Question 1. In the House, you cosponsored the *PRO Act*. Your support for various components of this legislation came up during the hearing. What portions of this bill do you continue to support, and what portions of this bill would you not support moving forward?

Answer 1. As a Representative from Oregon, I listened to my constituents who asked me to cosponsor the *PRO Act* and explained to me that they faced obstacles in organizing. I support a worker's right to organize and bargain collectively. But I believe our labor laws need to be updated and modernized, and, the *PRO Act* was the legislative vehicle to have those conversations as a Member of Congress. The *PRO Act* is imperfect, and I'm no longer a lawmaker. I believe in an even playing field—for businesses and unions—but above all that the American worker's interest should always come first. It's time for us to stop working against each other and start working together for the American worker.

President Trump is a pro-worker president—as evidenced by his strong support from union members. The president nominated me for Secretary of Labor because

I have personal experience as both a business owner and someone who has garnered union support. President Trump is confident that I can bring both sides to the table—and I intend to do just that, like I have throughout my career.

I know both sides of the aisle may disagree with me at times, but we have to keep having conversations—we must move forward. I commit to you that there will never be surprises. I will always have an open door and will never put my thumb on the scale.

Question 2. Research has shown that work experiences for people with disabilities while still in high school lead to successful transitions to employment. However, cuts to Vocational Rehabilitation funding, lack of partnerships between schools and employers, and a dearth of information and communication with students and families have led to students with disabilities experiencing difficulties in transitioning to employment. Youth with disabilities encounter many barriers to career readiness and work-based learning activities that ultimately impact their long-term employment. If confirmed as Secretary of Labor, what action would you take to increase pre-employment and employment opportunities for youth with disabilities?

Answer 2. All individuals with disabilities deserve the opportunity to contribute their talents to the economy and enjoy the benefits of meaningful work. I understand the Department's Office of Disability Employment Policy (ODEP) works on policies related to youth transitioning from school to adulthood and the world of work and has various initiatives to help prepare youth with disabilities for the workforce. If confirmed, I look forward to learning more about the programs and working to improve programs and outcomes for youth with disabilities, and if confirmed I commit to working with Congress as it considers further solutions to pre-employment barriers youth living with disabilities face.

Question 3. If confirmed, how will you lead the Department to protect workers from potential abuses of technologies like AI, including hiring bias, wage suppression, and workplace surveillance?

Answer 3. No worker should be discriminated against in the workplace, and discrimination in the workplace is unlawful—whether it occurs through a human or artificial intelligence. If confirmed, I commit to ensuring the Department of Labor provides all the tools necessary under the Department's jurisdiction to ensure workers are protected against potential bias by artificial intelligence, based upon long-standing civil rights laws. It is important that the Department proactively work with AI technology vendors to provide them with a clear understanding of any civil rights laws under the Department's jurisdiction that apply to the products they are developing. The Equal Employment Opportunity Commission, a Federal agency independent of the Department of Labor, has the responsibility to enforce civil rights laws as they relate to discrimination in hiring and the workplace.

Question 4. The World Bank's *Future of Jobs Report 2025* predicts significant job market changes, with 170 million new jobs created and 92 million displaced by 2030. Research from several sources, including the Joint Center for Political and Economic Studies, the McKinsey Institute, and others, shows that this job displacement will have the most impact on Black workers and other workers of color. How will you address the disproportionate impact, particularly in displaced roles?

Answer 4. All American workers deserve real, tangible support during economic shifts. We know what a good paying job can mean for a family. My father's union job was critical to our family's stability, so I understand how layoffs can impact communities. My focus will be to expand rapid reskilling programs, apprenticeships, and partnering with industries to anticipate labor market changes, so that we can prevent future displacements for all Americans.

Question 5. Do you think it is important that more workers have access to paid leave? Would you be supportive of national paid leave?

Answer 5. I believe it is important for workers to have access to paid leave, and I commend employers who provide it. If confirmed, it will be my pleasure to provide technical assistance to Congress as it considers various paid leave proposals.

Question 6. As the head of the department in charge of implementing WIOA, how will you promote workforce development? Do you think WIOA is working well? Would you advocate for changes?

Answer 6. If confirmed, I will work with stakeholders and experts at the Employment and Training Administration to see where *Workforce Innovation and Opportunity Act* (WIOA) programs work and where the metrics show they may be falling short. I also look forward to working with Congress as it moves forward with its reauthorization of WIOA and would be happy to provide any needed data or technical assistance to make the reauthorization a success.

Question 7. Do you support expanding registered apprenticeships?

Answer 7. I believe we have a unique opportunity to deliver on President Trump's America First Agenda by encouraging the expansion of high-quality Registered Apprenticeships, so that more Americans can choose this proven pathway into a career. If confirmed, I look forward to learning more about the ways the Department of Labor can encourage the expansion of apprenticeships, particularly in emerging industries and other occupations facing significant talent shortages. Engaging more employers will be essential to expanding apprenticeships, as apprenticeships are not simply a training program but are paid jobs with wage progression connected to the apprentice gaining skills. I also recognize the importance of the Department of Labor encouraging more state leadership and initiative in apprenticeship expansion and promoting better coordination with the WIOA system to leverage existing resources to support American workers and businesses. As you know, Congress has annually provided funding to the Department of Labor for the apprenticeship expansion, and I will be focused on ensuring those taxpayer resources are directed as effectively as possible to grow apprenticeships and benefit the American worker.

Question 8. The Black unemployment rate was 1.7 times the white unemployment rate in December 2024. How do you plan to address racial economic disparities within the labor market?

Answer 8. If confirmed, I will work to ensure that all unemployed Americans have access to the services and support needed to reconnect to the labor market. Unemployed workers often need to access pathways to gain skills, credentials, and get help to reenter the labor market. The workforce services provided by the American Jobs Center network under WIOA are an excellent place to start for any population with higher unemployment rates. Unemployment, particularly extended unemployment, can have lasting negative impact on future opportunities, so it is critical to help newly jobless workers connect quickly to available services for smoother transitions between jobs.

Question 9. The Office of Federal Contract and Compliance Programs (OFCCP) is an important civil rights enforcer. Under your leadership, will OFCCP continue to implement and enforce protections for Federal contractors?

Answer 9. No worker should be discriminated against in the workplace on the basis of race, sex, or other characteristics protected under Federal law. President Trump's Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, furthers that interest, including by prohibiting Federal contractors from engaging in illegal discrimination and making it the policy of the United States to "protect the civil rights of all Americans and to promote individual initiative, excellence, and hard work." If confirmed, I anticipate reviewing the current organization of the Department of Labor and its sub-agencies to ensure the Department executes its mission efficiently and effectively in line with Federal law and the President's priorities and policies.

Question 10. Will you commit to keeping the best interests of workers at the center of Department modernization?

Answer 10. If confirmed, the best interests of employees at the Department of Labor will always be top-of-mind. To the extent modernization occurs, I will follow the law and the advice of the Department's Solicitor's Office and human resources experts, along with any directives from the White House, when making employment-related decisions.

Question 11. Do you plan to work with DOGE? If so, in what ways?

Answer 11. If confirmed, I look forward to being briefed on the status of the DOGE efforts at the Department of Labor.

Question 12. What salary threshold would you consider appropriate for overtime exemption, and how would you phase in any changes?

Answer 12. I understand this rule is still in litigation. If confirmed, I commit to carefully reviewing all regulations under the Department's jurisdiction and work with my colleagues in the Solicitor's Office and at the Department of Justice as appropriate on regulatory litigation. Overtime rulemaking authority is an important part of the Department of Labor's scope, and I believe that threshold should be periodically reviewed to reflect the changing economy and current economic conditions without shocking the economy.

SENATOR ALSOBROOKS

Question 1. The President gutted the Merit Systems Protection Board (MSPB) by firing one of its three members last week. The MSPB provides Federal employees their due process and protects against partisan political personnel practices. If a

Federal employee is wrongfully terminated, they can appeal to the MSPB for relief. The President fired the one Democrat on the Board, in the middle of her 7-year term. Board Members can only legally be removed for “inefficiency, neglect of duty or malfeasance in office.” This follows the President’s move to gut the National Labor Relations Board.

- (a). Civil servants need to exhaust their options through the MSPB before they have standing to sue for wrongful termination. How will the thousands of recently terminated government employees seek recourse with a crippled Merit Systems Protection Board?
- (b). Can you provide evidence of the Board Member’s “inefficiency, neglect of duty or malfeasance?

Answer 1(a)–(b). The Merit Systems Protection Board is a Federal agency independent from the Department of Labor. I respect the authority the President has to oversee the executive branch, including with respect to personnel decisions. My focus, if confirmed, will be ensuring the Department of Labor carries out its responsibilities to protect American workers and strengthen our economy.

Question 2. President Trump has undermined workers’ rights and collective bargaining since taking office in 2025. One of his first executive orders nullified collective bargaining agreements finalized in the last month of the Biden administration, throwing Federal labor contracts into chaos. His administration has also pushed mass terminations of Federal employees, targeting those with less than 2 years of service. On top of that, President Trump is challenging a nearly century-old Supreme Court precedent that protects independent Federal agencies, threatening worker protections nationwide.

- (a). Do you believe that Federal employees, including those at the Department of Labor (DOL), have the right to organize and collectively bargain without fear of retaliation?
- (b). Will you commit to ensuring that no Federal worker loses their union membership or dues deductions due to administrative actions under your leadership?
- (c). Will you commit to honoring all legally binding collective bargaining agreements (CBAs) signed by Federal agencies and labor unions?
- (d). Will you commit to following the collective bargaining agreement with employees at DOL?
- (e). Several Republican-led states have passed laws restricting public-sector unions’ ability to bargain collectively. Do you support the Federal Government’s role in protecting public employees’ right to organize?
- (f). Many workers rely on pension plans negotiated through collective bargaining. Will you commit to protecting pension benefits and opposing any attempts to cut Federal support for multiemployer pension plans?
- (g). How will you work to collaborate in good faith with the unions at DOL?
- (h). DOL workers are essential to carrying out the mission of the agency. Will you honor collective bargaining agreements currently in place with DOL Unions?
- (i). Will you ensure merit-based hiring and promotions?
- (j). Do you agree to continue a robust Labor Management Forum?

Answer 2(a)–(j). My focus, if confirmed, will be ensuring the Department of Labor carries out its responsibilities to protect American workers and strengthen our economy. I believe in an even playing field—for business and unions—but above all that the American worker’s interest should always come first. If confirmed, I will follow the law and work with the experts at the Department to understand the collective bargaining process at the Department and the terms and conditions of the collective bargaining agreements in place. If confirmed, I will follow the advice of the Department’s Solicitor’s Office and human resources experts, along with any directives from the White House, when making employment-related decisions. As I stated at my confirmation hearing, I support the *Butch Lewis Act* and protecting the retirement of all workers in America.

President Trump is a pro-worker president—as evidenced by his strong support from union members. The President nominated me for Secretary of Labor because I have personal experience as both a business owner and as someone who has garnered union support. President Trump is confident that I can bring both sides to the table, and I intend to do just that, as I have throughout my career.

Question 3. Thousands of Federal employees have been fired across the government over the past few weeks—supposedly because of their probationary status. Yet many were wrongfully cited for poor performance as part of their termination notices, despite documented records of strong performance—raising questions about what benefits they will be eligible to receive.

- (a). Recent Federal labor actions have resulted in mass layoffs of workers, often with little notice. Will you commit to ensuring that all layoffs follow proper legal procedures and that affected employees receive due process?
- (b). Do you believe that civil servants pushed out of DOL by DOGE should be eligible for unemployment insurance?

Answer 3(a)—(b). If confirmed, I will follow the law and the advice of the Department's Solicitor's Office and human resources experts, along with any directives from the White House, when making employment-related decisions. Eligibility for unemployment insurance is determined by state law. The Unemployment Compensation for Federal Employees (UCFE) program provides coverage for eligible Federal employees who lose employment for no fault of their own.

Question 4. Maryland has one of the highest concentrations of Federal workers in the country, many of whom are members of labor unions. The Baltimore-Washington region is a hub for Federal infrastructure projects.

- (a). Will you commit to maintaining or increasing OSHA enforcement funding to protect workers from unsafe working conditions?
- (b). Studies show that low-wage workers, particularly immigrant and service industry workers, are disproportionately affected by wage theft. Will you strengthen Federal enforcement against wage theft and increase penalties for employers who steal workers' wages?
- (c). How will you ensure that Federal infrastructure funding prioritizes union labor and creates good-paying jobs in Maryland?
- (d). Maryland has invested in apprenticeship programs to help workers enter high-demand industries. Will you support increasing Federal funding for apprenticeship programs to expand opportunities in Maryland and nationwide?
- (e). Do you support expanding Social Security benefits to ensure that retirees—including low-wage workers—receive enough income to retire with dignity?

Answer 4(a)—(e). The Department of Labor enforces more than 180 Federal workplace laws. I strongly believe in the missions of the Department's sub-agencies—including the Occupational Safety and Health Administration, the Wage and Hour Division, and the Registered Apprenticeship Program administered by the Employment and Training Administration.

If confirmed, I look forward to partnering with the experienced professionals at the Department's agencies to assess resources. The Department will leverage its resources to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

With respect to Federal infrastructure funding priorities and the Social Security program, I do not believe these programs fall within the Department's jurisdiction, but to the extent that they do, I would be happy to work with you to understand your priorities and concerns.

Question 5. Women and people of color still face significant wage gaps.

- (a). Do you support robust enforcement of workplace anti-discrimination laws?
- (b). Will you push for stronger pay equity measures, including transparency requirements for large employers?

Answer 5(a)—(b). No worker should be discriminated against in the workplace on the basis of race, sex, or other characteristics protected under Federal law. If confirmed, I am committed to ensuring the Department is a discrimination-free work environment. The Equal Employment Opportunity Commission, a Federal agency independent of the Department of Labor, has the responsibility to enforce civil rights laws as they relate to discrimination in hiring and the workplace. If con-

firmed I will be glad to provide technical assistance on any pay equity measures proposed by Senators that fall within the Department's remit.

Question 6. Staff across the government who have worked on programs or published work related to communities of color have appeared on online "target lists" being compiled by conservative advocates.

(a). Do you know of any "target lists" of DOL employees compiled by the Administration or conservative activists?

(b). Is it appropriate for Federal workers to be targeted? In your capacity as Secretary, how will you protect all DOL workers and their families from attacks such as these?

Answer 6(a)–(b). I do not know of any "target lists" of employees and do not believe it's appropriate for Federal workers—career or political—to be targeted. If confirmed, I will work with the appropriate Department experts to understand any safety and security needs of Department employees.

Question 7. Last month, the Department of Labor announced that its Wage and Hour Division is holding \$6.8 million for more than 5,200 workers in Maryland in back wages—which were secured after DOL wage theft investigations.

(a). How are my constituents going to get the wages they are owed with this Administration slashing the civil servants responsible for investigating wage theft?

(b). Any cuts to the Wage and Hour Division would prevent investigators—who are already under funded and short-staffed—from doing their jobs. Will the Administration commit to exempting these investigators so they can continue to claw back pay denied to employees by their employers?

Answer 7(a)–(b). It is my understanding that the Wage and Hour Division maintains a data base of back wages collected but not yet distributed as a result of investigations under the agency's statutes, mainly under the *Fair Labor Standards Act*. The staffing levels at the Department do not affect the availability of that data base or the process by which workers can access the data base and obtain their funds.

I am deeply committed to the Department of Labor's mission to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. If confirmed, I look forward to partnering with agency experts to assess resources. The Department will leverage its resources and staffing levels to effectively fulfill its mission. While the President proposes the budget, it is ultimately up to Congress to determine funding. I am committed to supporting the President in developing budget proposals that prioritize the protection of American workers, and I will ensure that any resources allocated are used efficiently and responsibly.

Question 8. The Biden administration strengthened overtime protections for workers, ensuring that employees are fairly compensated for extra hours worked. Maryland has already passed legislation to increase its minimum wage. Many employers still misclassify workers as independent contractors to avoid providing benefits and fair wages.

(a). Will you uphold these protections?

(b). Do you support increasing the Federal minimum wage to \$15 per hour to help workers keep pace with the rising cost of living?

(c). Will you commit to ensuring that the Department of Labor works with states to expand wage protections rather than undermine them?

(d). What steps will you take to crack down on worker misclassification, particularly in industries like construction and gig work?

Answer 8(a)–(d). I cannot comment on the *Fair Labor Standards Act* overtime or independent contractor regulations specifically, as they are in litigation. If confirmed, I will consult with the Solicitor of Labor as well as the Department of Justice with respect to those matters. Apart from the litigation, if confirmed, I will consult with my advisors at the Department, including the Solicitor of Labor as well as the Administrator of the Wage and Hour Division, to determine the Department's course of action with respect to these regulations. The Federal minimum wage was last increased in 2009—over 15 years ago. Certainly, the cost of living has increased since then, but it is not for the Secretary of Labor to decide whether to increase the Federal minimum wage or to what level. I understand state and local governments have implemented their own minimum wage statutes—based on the specific economic factors unique in those states and localities. For example, in Portland, Or-

egon, the minimum wage is nearly \$16/hour. But what works for Portland may not work for Grant's Pass or other more rural areas in Oregon, so they have a different minimum wage. And of course this is even more diverse across the Nation.

This is a very important and passionate issue for many people. I do commit—if confirmed—to working with you to provide the best data possible to help you and your colleagues make an informed decision when considering a legislative change.

Question 9. Federal unions fought this week to prevent Elon Musk from accessing sensitive investigations data at the Department of Labor—some of which may be about his own companies.

- (a). Do you think it is a conflict of interest for an individual who may be the subject of Department of Labor investigations to access this sensitive data?
- (b). Can you guarantee that worker and investigations data was not accessed by individuals without appropriate security clearances?

Answer 9(a)—(b). President Trump has stated that he will not allow conflicts of interest from Elon Musk, and Mr. Musk has committed to recusing himself from potential conflicts. If confirmed, I look forward to being briefed on the status of the DOGE efforts at the Department of Labor.

[Whereupon, at 12:15 p.m., the hearing was adjourned.]

