



**Opening Statement of Rep. Virginia Foxx (R-NC), Chairwoman
Committee on Education and the Workforce**

**Markup of H.R. 6585, the *Bipartisan Workforce Pell Act*; H.R. 6655, *A Stronger Workforce for America Act*; H.J. Res. 98, *Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to “Standard for Determining Joint Employer Status”*; and H.R. 3400, the *Small Businesses before Bureaucrats Act*
December 12, 2023**

(As prepared for delivery)

Today’s markup agenda includes four items: the *Bipartisan Workforce Pell Act*, *A Stronger Workforce for America Act*, a *Congressional Review Act* resolution disapproving of the National Labor Relations Board’s joint employer rule, and the *Small Businesses before Bureaucrats Act*.

These four bills represent a major chunk of the Committee’s policy priorities this Congress, so we have a lot of work ahead of us today.

I find some of the Committee’s most important work sits squarely at the intersection of education and the workforce, not entirely dedicated to one or the other.

It is at the critical juncture of education and the workforce that young people’s lives can change forever. What’s the next step after graduating high school? What’s your first job in the real world going to be?

The uncomfortable truth is that the first job out of high school or college can reverberate throughout the trajectory of one’s career. It is especially uncomfortable as modern professionals graduate with more degrees and less to show for them, often treading water by working at the local bar or coffee shop.

According to a Strada Institute study titled “The Permanent Detour,” initial underemployment has lasting consequences. Today, 43 percent of young

professionals enter the workforce overqualified for their job. Twenty-nine percent remain underemployed after five years. A total of nearly one in four hasn't escaped the trap after a decade. This detour comes with a cost too—\$10,000 in lost income per year per worker.

The transition from education to career is a critical moment. In its current state, the transition feels like less of a pipeline and more of a tightrope. Fewer than one in five students move smoothly from high school to college to a career according to a 2022 report.

That is why I emphasize all education is career education. Additional pathways to enter the workforce along with more reskilling and upskilling opportunities must become potential offramps from “The Permanent Detour.”

Before us are two bipartisan bills which can provide those offramps. Together, the *Bipartisan Workforce Pell Act* and *A Stronger Workforce for America Act* will broaden the precarious education tightrope to a true pipeline in which many paths can lead to a rewarding career. I'd like to thank the Ranking Member and his staff for working with us on these bills. I think they are stronger pieces of legislation because of our bipartisan work.

Also, the Committee will consider two more bills today, each concerned with the NLRB's burdensome rules and overreach.

H.J. Res. 98 is a *Congressional Review Act* resolution that will nullify the NLRB's final joint employer rule, which recklessly holds a company liable for employees it does not employ or directly supervise.

This broadened language will confuse and harm franchisors, franchisees, and entrepreneurs across the country. A similar Obama-era standard cost the franchising sector an estimated \$33.3 billion and 376,000 jobs. That's unacceptable.

The final bill under consideration today is Rep. Bob Good's *Small Businesses before Bureaucrats Act*, which shields many small businesses from the Board's radical rules and decisions by raising the NLRB's monetary jurisdictional thresholds. Since 1958, the NLRB has declined to assert its jurisdiction over retail businesses with under \$500,000 in revenue.

The problem is that the \$500,000 threshold has been frozen for over six decades, and the dollar is not what it once was. Thanks to compounding inflation, and more recently, Bidenomics, \$500,000 in 1958 is worth over \$5,000,000 in today's dollars.

Rep. Bob Good's *Small Businesses before Bureaucrats Act* will increase the NLRB's jurisdictional threshold for retail businesses to over \$5,000,000 in annual gross volume, a number which reflects the growth of the economy and the modern value of the dollar.

Finally, I want to thank the Members who have worked together diligently to bring forward these proposals. Because of you, we are considering four important, commonsense pieces of legislation for the betterment of our constituents, the American people.