



BACKGROUND

- On February 28, 2023, the President nominated Deputy Secretary Julie Su for Secretary of Labor. Su's nomination has withered in the Senate.
- On July 20, 2023, Julie Su became the longest serving cabinet nominee—when the same party controls the White House and the Senate—since 1887. The press dubbed Su “Biden’s forever nominee.”

THE PROBLEM

- President Biden does not have the votes to confirm Su. He is skirting the Constitution to advance a nominee who favors Big Labor special interests over the American worker.
- Su's record as California Secretary of Labor is mired with mismanagement, allowing California taxpayers to lose \$32 billion in unemployment insurance to fraudsters.
- Su was also the architect and chief enforcer of AB 5, a California law that mirrors current federal anti-worker proposals like the PRO Act and DOL's proposed rule. AB 5 forced many independent contractors to be reclassified or lose work opportunities.
- As Deputy Secretary, Su helped impose DOL's tyrannical, illegal vaccine mandate on employers. The rule applied to nearly 84 million workers. Not only was DOL wrong on the science of COVID, but its sweeping COVID dictates also compromised our economic supply chain.

THE SOLUTION

- H.R. 4957, the *Department of Labor Succession Act*, clarifies federal law to ensure that the tenure of an Acting Secretary of Labor aligns with the *Federal Vacancies Reform Act of 1998*.
- Acting Secretary of Labor is supposed to be a temporary position. Ensuring it is temporary will bring accountability to federal bureaucrats, ensuring Congress and the American people have a say in who heads the Department of Labor.
- This will be another check on the Biden administration's unauthorized regulatory overreach, which has subverted the separation of powers vital to the Constitution.

BOTTOM LINE: Republicans are fighting back against Julie Su's radical DOL that seeks to strip Americans of their livelihoods.