

**CONFIRMATION OF REPRESENTATIVE  
HILDA L. SOLIS**

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

FIRST SESSION

ON

CONFIRMATION OF REPRESENTATIVE HILDA L. SOLIS, OF CALIFORNIA,  
TO BE SECRETARY, U.S. DEPARTMENT OF LABOR

—————  
JANUARY 9, 2009  
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Printed for the use of the Committee on Health, Education, Labor, and Pensions



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**CONFIRMATION OF REPRESENTATIVE  
HILDA L. SOLIS**

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**FRIDAY, JANUARY 9, 2009**

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

The committee met, pursuant to notice, at 9:33 a.m. in room SD-430, Dirksen Senate Office Building, Hon. Edward Kennedy, chairman of the committee, presiding.

Present: Senators Kennedy, Dodd, Harkin, Mikulski, Reed, Sanders, Enzi, Alexander, Isakson, Hatch, and Roberts.

Also present: Senator Feinstein and Senator Boxer.

OPENING STATEMENT OF SENATOR KENNEDY

The CHAIRMAN. Good morning. It is a good morning. We have a wonderful group of our colleagues and friends here today, an extraordinary number really, to join with us. It's a real indication of the fact of how much we admire our nominee and how important this committee is on these important matters. We understand, I think, all of us, given the challenges that we face, the importance and significance of the committee and how important to have a Secretary that is as strong a nominee as we can possibly have.

We want to welcome Senator Feinstein and Senator Boxer, and we're also joined by Representative Sheila Jackson Lee. But, we'd like to ask Senator Feinstein and Senator Boxer if they'd be willing to make a comment, in introduction, for our nominee this morning. Senator Feinstein.

STATEMENT OF SENATOR FEINSTEIN

Senator FEINSTEIN. Thank you very much, Mr. Chairman, Senator Enzi, and members of the committee.

For me, this is a wonderful moment, because to see women progress and go on and be very good at what they do is very special. Hilda Solis is one of those women. I'm really very pleased and very proud to recommend her confirmation as Secretary of Labor.

She is one person who has actually dedicated her life to public service and to improving the lives of people in her community. Hilda was the first member of her family to attend college. She graduated from California State Polytechnic University and later earned a master's in public administration from the University of Southern California, known as USC, with that great football team.

[Laughter.]

Representative Solis began her career in public service in President Carter's administration as the editor of publications in the Office of Hispanic Affairs. After returning to California, she served as a trustee of the Rio Hondo Community College Board. In 1992—it was a big year—she was elected to the California State Assembly, and, unusually, 2 years later, became the first Hispanic woman in California history to be elected to the California State Senate.

She was the chairwoman of the very powerful Industrial Relations Committee, and she was instrumental in the successful battle to increase the State minimum wage. She has authored a record 17 State laws aimed at combating domestic violence, including a bill to allow workers to take leave from their jobs to obtain restraining orders against their abusers. She won the John F. Kennedy Profile in Courage Award for authoring groundbreaking environmental justice legislation that seeks to reduce the number of polluting projects in minority and low-income areas. So, she now knows the Hill, is very much respected in the House, and, I believe, will be, as well, by the Senate.

This is a woman of common sense and, I believe, very sound judgment. She understands the balances. And I think she very well understands the balance, as Secretary of Labor, between management and labor issues. She obviously is going to fight for worker rights, but, after all, this is the position of Secretary of Labor.

I really think it's a wonderful thing that President-elect Obama nominated her for this position, and I'm just very proud to be here to support that nomination, along with my friend and colleague Senator Boxer.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Diane Feinstein. It's a wonderful welcome and introduction, and we know what a strong supporter you are of Hilda Solis, and I thank you for taking the time and joining with us.

We see our friend and colleague, your co-conspirator—

[Laughter.]

The CHAIRMAN [continuing]. Senator Barbara Boxer, and we are always glad to see her. We thank her very much, as we do Senator Feinstein, for taking the time and joining with us here today. It makes a great difference to all of us. Thank you very much.

We'd be glad to hear from you.

#### STATEMENT OF SENATOR BOXER

Senator BOXER. Chairman Kennedy and Ranking Member Enzi and all my dear friends and colleagues on both sides of the aisle, this is a wonderful day for Senator Feinstein, and for me, for the reasons that you just heard from Senator Feinstein; and I will not reiterate those things, but I probably will wind up saying them a slightly different way.

Mr. Chairman, I know I speak for millions of Americans when I say it is beyond wonderful to see you presiding today in all of your glory. I just love it. We look forward to seeing this committee do its work. It's such an important time for every committee of the Senate.

Well, this is an opportunity for me to introduce a dear friend and colleague, someone I've worked with very closely over the years.

And, you know, I think why this is such a very important nomination is, we really need to hear the voices of working men and women in this country today, when things are so rough. I think that this nomination is a clear message from President-elect Obama that America's working families will be heard.

Congresswoman Solis has a strong understanding of their everyday struggles. I see her deal with them every day. She understands the challenges facing our economy, and she understands the need to be part of the team, working with us to jump start this economy and to create jobs.

This change couldn't come a moment too soon. You know the sobering news this morning about the current state of the labor market. Last month, the economy lost 524,000 jobs; and in 2008, 2.6 million jobs were lost, the most since 1945. Unemployment continues to climb. In some areas of our home State of California—and I just did a survey of the various counties—unemployment is over 12 percent, Mr. Chairman, in some areas of our great State. The wages for many in the middle class have stagnated; in some cases, they've decreased in the past 8 or 9 years. We are in the midst of the greatest economic challenge this country has faced in a generation. I can think of no one who will take on the task that faces all of us and will work with us better than Hilda Solis, because she has energy, as a lot of you will see, and she has creativity.

And here's the thing. She's a woman of great integrity. Throughout her career, Congresswoman Solis has been a forceful advocate for working men and women. She was born and raised in southern California, San Gabriel Valley, where she was instilled early-on with the values of hard work. And that's what you deal with, people who work.

Her father emigrated from Mexico, and he worked various jobs before becoming a teamster shop steward. Her mother came to the United States from Nicaragua and worked at a local toy factory. From them, Hilda learned about the importance of having a voice in the workplace and the sacrifices many parents make to provide opportunities for their children.

As the very first Latina elected to the California State Senate, Congresswoman Solis worked tirelessly to pass progressive laws, to strengthen our economy and build California's middle class. In addition to her many other accomplishments, as Senator Feinstein said, she led efforts to pass a much-needed increase in the minimum wage in California.

In the 1990s, when Congresswoman Solis discovered that toxic sites were disproportionately located near minority and low-income communities, she wrote an environmental justice law. And I remember, one of the first things we discussed when I got to the Senate, because I was on the Environment and Public Works Committee, was continuing to fight for those without a voice who find themselves in situations where their children are exposed to toxics in the air and sometimes in the water, in the workplace. And as Senator Feinstein said—and I will repeat this—she became the first woman honored with the John F. Kennedy Profile in Courage Award.

I could go on; I'll put my entire statement into the record, but I'll conclude this way. I'm here to really bear witness to this

woman. I know her as well as I know any other colleague. We have spent hours traveling back and forth to California, sitting next to each other, and working the entire time trying to figure out ways to bring bipartisan support so that we can improve the lives of working men and women. So, today it's a special day, to see Senator Kennedy in the chair, to be sitting next to my colleagues Senator Feinstein and Hilda Solis. What a banner day it is. And I hope you will swiftly confirm this very worthy nominee.

Thank you very much, Mr. Chairman.

[The prepared statement of Senator Boxer follows:]

#### PREPARED STATEMENT OF SENATOR BOXER

Good morning Chairman Kennedy, Ranking Member Enzi, and committee members.

Thank you for the opportunity to introduce my good friend and colleague from California, Congresswoman Hilda Solis, President-elect Obama's nominee for Secretary of Labor.

Mr. Chairman, too often over the past 8 years, the voices of working men and women in this country went unheard.

But in selecting Congresswoman Solis, President-elect Obama has sent a clear message that America's working families will be heard.

Congresswoman Solis has a strong understanding of the everyday struggles of working families, the challenges facing our economy, and the need for change to jumpstart the economy and create jobs.

This change could not come a moment too soon.

This morning we received more sobering news about the current state of the labor market.

Last month the economy lost 524,000 jobs, and in 2008, 2.6 million jobs were lost—the most in 1 year since 1945. Unemployment continues to climb—in some areas of our home State of California, the unemployment rate is over 12 percent. And wages for many in the middle class have actually decreased over the last 8 years.

We are in the midst of the greatest economic challenge this country has faced in a generation. And I can think of no one who will take on the task of jump starting our economy and bolstering the middle class with more energy, creativity, and integrity than Congresswoman Hilda Solis.

Throughout her entire career, Congresswoman Solis has been a forceful advocate for working men and women in California and throughout the Nation.

Born and raised in southern California's San Gabriel Valley, she was instilled early-on with the values of hard work. Her father emigrated from Mexico and worked various jobs before becoming a Teamsters shop steward. Her mother came to the United States from Nicaragua and worked at a local toy factory. From them Congresswoman Solis learned about the importance of union membership, and the sacrifices many parents make to provide opportunities for their children.

As the first Latina elected to the California State Senate, Congresswoman Solis worked tirelessly to pass progressive laws to strengthen our economy and build California's middle class.



In addition to her many other legislative accomplishments, she led efforts to pass a much-needed increase in California's minimum wage.

In the 1990s, when Congresswoman Solis discovered that toxic sites were disproportionately located near minority and low-income neighborhoods, she wrote an environmental justice law to guarantee protections for these communities.

For her dedication to this cause, she became the first woman honored with the John F. Kennedy Profile in Courage Award.

From the time she was first elected to represent California's 32d Congressional District in 2000, she has focused on solutions to strengthen our economy. In 2007 she secured passage of a bill to establish an energy efficiency and renewable energy worker training program.

Knowing Congresswoman Solis as I do, I am confident that as Labor Secretary, she will turn the many challenges we face into new opportunities for the American people.

As Secretary, she will continue to promote policies that will invigorate our economy, protect American jobs, re-train our workforce for a sustainable energy future, ensure safe working conditions, enforce wage and hour laws, protect against worker discrimination, and strengthen the middle class.

Congresswoman Solis is truly the new face of the American dream, and as Secretary of Labor, she will continue her life's work to help millions of Americans secure their own American dream.

Thank you.

The CHAIRMAN. Thank you very much. An excellent statement. We know that our colleagues, and we welcome them to remain here, but we know that they have important responsibilities, so we'll excuse them at any time.

Senator FEINSTEIN. Thank you, Mr. Chairman.

Senator BOXER. Thank you.

The CHAIRMAN. Good morning. I'm pleased to welcome our distinguished nominee for the Secretary of Labor, Representative Hilda Solis. And I thank Senator Feinstein and Senator Boxer for their gracious introduction.

This is not an ordinary hearing, because we do not live in ordinary times. America's families are suffering in ways we haven't seen in many years, and the crisis is growing worse every day. Every morning, working families wake up to more bad news—more jobs lost, more pensions gone, more dreams that disappear. Just this morning, we learned that we lost another 524,000 jobs last month.

That is not just a number, it is families, like Paula Stines. Paula worked hard for 30 years. A year ago, she lost her job. Now she can't find work. She struggles to pay her bills. She stopped taking her medication, because she can't afford it. She almost lost her home. Paula played by the rules. She took care of her family. And now everything is gone—her dignity, her pride, her savings. All is gone.

The fact that remains is, Paula is not alone. There are millions more Americans just like her, men and women who can't sleep at night, parents who look into the eyes of their children, wondering if they can make it through another day. They wonder, How can

we afford healthcare? How can we pay the rent? How can we put food on the table?

Throughout our history, Americans have come together in times of crisis. Our neighbors, our families, our communities, our churches are pitching in. But, we need leadership in our government, too. We need leaders who understand what working families are facing in today's economy.

I believe that Hilda Solis is just such a leader. She comes from a working family. Her parents sacrificed to give her greater opportunity. Throughout her career, Hilda has given back to her community and to her Nation. She has fought for working families all of her life.

In the California Senate and now in Congress, she has been a voice for the voiceless, with a true passion for fairness and justice. For her dedication and leadership, she received the Profile in Courage Award. No one could be more deserving of that great honor.

The task before us is great, but Hilda Solis has overcome great challenges all her life. I have no doubt that she can do it again, to help our families reclaim the American Dream.

Hilda, I want to thank you for answering President-elect's call to serve the country, and I look forward to hearing more today about your plans for helping American families.

Senator Enzi.

#### OPENING STATEMENT OF SENATOR ENZI

Senator ENZI. Thank you, Mr. Chairman. And thank you for holding this important hearing. And the significance of how important it is: this was the last Cabinet position nominated and it's the second person being heard.

I first want to join in welcoming Representative Hilda Solis as the nominee for Secretary of Labor, and to extend to her, and to her family, my personal congratulations on her selection by President-elect Obama. Your life is one that epitomizes the American Dream, and your dedication to public service is admirable and should serve as an example to young people everywhere.

The Department of Labor plays a vital role for millions of Americans and for the businesses, both large and small, that employ them, and the economic downturn does emphasize that connection between business and labor, and most particularly in small business.

Now, there are few departments or agencies that share anything like the breadth and width of responsibility that the Department of Labor does. The Department oversees dozens of programs and enforces a host of statutes and regulations designed to ensure that our Nation's workers are safe, equitably treated, and fairly compensated when they're working, that they're assisted, trained, and retrained when they're unable to work, and that they enjoy economic security and freedom when their working days are over. The breadth of these responsibilities is matched only by their importance.

Running any operation of the size and diversity of the Labor Department requires consummate managerial skill. With more than 17,000 employees and a budget of over \$70 billion and a responsibility for administering dozens of programs and enforcing a host of

Federal employment laws and regulations, the task is a daunting one.

Given the complexity of this task, I believe it would be enormously helpful to the committee if you could share with us today any specifics regarding your managerial experience and your experience with the substantial laws and programs which fall within the Department's jurisdiction that you believe are important.

Beyond managerial and substantial experience, the successful stewardship of the Department also requires the ability to work constructively with many stakeholders. A managerial or policy perspective that's too narrow or too partisan won't serve the Department well, nor will it ultimately serve those whose interests the Department is there to protect.

Any governing philosophy which rests on the assumption that the interests of employers and employees are always adversarial is one that's destined to be counterproductive. The President-elect has often spoken eloquently and persuasively about the need for change. Repudiating the "us versus them" mentality that has, unfortunately, characterized much of labor-management relations would certainly be a change that I believe everyone would welcome. Acknowledging the fact that employers are not the enemies of those that they employ, and that, particularly in these economic times, cooperation and engagement may often be far better strategies than confrontation and dismissal, this committee has shown their ability to work through those different phases. We made the first nine changes in OSHA, in the history of OSHA. One of those was a needlestick bill that protects both the janitorial staff as well as the nursing and doctor staff. We also made the first change in mining laws in 28 years. And we did that in 6 weeks, as compared to the normal 6 years of getting a new concept through.

Now, I often call upon my experience as a small-businessman, two decades of selling shoes, used during my work here on the HELP Committee. I know that your husband, who I think is here with us today, also runs a small business. He may agree with me that, for a small-businessman, employees are like family, and everyone strives for the ability to make payroll, provide good benefits and a flexible work environment. An inflexible regulatory environment can hamstring the ability of such employers to achieve the balance that best serves his or her employees.

Again, I believe that it would be enormously helpful to the committee if you could outline your governing philosophy in these respects, and how it's been reflected in your previous public service.

As I indicated to you in our meeting yesterday, I recognize the fact that, on most of the current labor issues, you and I have very different views. From my perspective, however, I do not believe that fact precludes individuals from working constructively together. Not only do I believe that people can disagree without being disagreeable, I also believe that if they try, they can often find common ground, and, as I mentioned yesterday, I think that happens in at least 80 percent of the instances.

One area where common ground should certainly be found is in retooling our Nation's job-training system. I commend you on the emphasis you placed on skills development and job-search assistance, and the background that you have through community col-

lege. At a time when our economy is being challenged to create jobs that will bolster our infrastructure and our competitive edge in the 21st-century global economy, the skills of our workforce have not kept pace.

My colleagues know that I strongly believe we must reauthorize and improve the Workforce Investment Act, the law that helps provide American workers with skills they need to compete in the global economy, not just in traditional jobs. I hope you'll work with me to improve this vital program.

Again, I congratulate you on your nomination and commend you for your public service, and I look forward to your testimony and then with working with you.

Thank you, Mr. Chairman.

[The prepared statement of Senator Enzi follows:]

#### PREPARED STATEMENT OF SENATOR ENZI

Thank you very much, Mr. Chairman, for holding this important hearing.

I first want to join in welcoming Hilda Solis as the nominee for Secretary of Labor; and, to extend to her, and to her family, my personal congratulations on her selection by President-elect Obama. Your life is one that epitomizes the American Dream; and your dedication to public service is admirable, and should serve as an example to young people everywhere.

The Department of Labor plays a vital role for millions of American workers, and for the businesses, both large and small, that employ them. There are few Departments or Agencies that share anything like the breadth and variety of responsibility that the Department of Labor does. The Department oversees dozens of programs, and enforces a host of statutes and regulations designed to insure that our Nation's workers are safe, equitably treated and fairly compensated when they are working; are assisted, trained and retrained when they are unable to work; and, enjoy economic security and freedom when their working days are over. The breadth of these responsibilities is matched only by their importance.

Running any operation of the size and diversity of the Department of Labor requires consummate managerial skill. With more than 17,000 employees, a budget of over \$70 billion, and responsibility for administering dozens of programs, and then enforcing a host of Federal employment laws and regulations, the task is a daunting one. Given the complexity of this task, I believe it would be enormously helpful to the committee if you could share with us today any specifics regarding your managerial experience, and your experience with the substantive laws and programs which fall within the Department's jurisdiction that you believe are important.

Beyond managerial and substantive experience, the successful stewardship of the Department also requires the ability to work constructively with its many stakeholders. A managerial or policy perspective that is too narrow or too partisan will not serve the Department well, nor will it ultimately serve those whose interests the Department is there to protect. Any governing philosophy which rests on the assumption that the interests of employers and

employees are always adversarial is one destined to be counter-productive.

The President-elect has often spoken eloquently and persuasively about the need for change. Repudiating the “us versus them” mentality that has unfortunately characterized much of labor/management relations would certainly be a change that I believe everyone would welcome. Acknowledging the fact that employers are not the enemies of those that they employ; and, that, particularly in these economic times, cooperation and engagement may often be far better strategies than confrontation and dismissal would certainly be an important first step in that direction.

I often call upon my experience as a small businessman during my work here on the HELP Committee. I know that your husband, who is here with us today, also runs a small business. He may agree with me that for a small businessman, employees are like family; and everyone strives for the ability to make payroll, provide good benefits and a flexible work environment. An inflexible regulatory environment can hamstring the ability of such employers to achieve the balance that best serves his or her employees.

Again, I believe that it would be enormously helpful to the committee if you could outline your governing philosophy in these respects and how it has been reflected in your previous public service.

As I indicated to you in our meeting this week, I recognize the fact that on most of the current labor issues you and I have very different views. From my perspective, however, I do not believe that fact precludes individuals from working constructively together. Not only do I believe that people can disagree without being disagreeable, I also believe that if they try, they can often find common ground more frequently than one might suspect.

One area where common ground should certainly be found is retooling our Nation’s job training system. I commend you on the emphasis you have placed on skills development and job search assistance. At a time when our economy is being challenged to create jobs that will bolster our infrastructure and our competitive edge in the 21st century global economy, the skills of our workforce have not kept pace. My colleagues know that I strongly believe we must reauthorize and improve the Workforce Investment Act, the law which helps to provide American workers with the skills they need to compete in the global economy. I hope you will work with me to improve this vital program.

Again, I congratulate you on your nomination and commend you on your public service. I look forward to your testimony.

The CHAIRMAN. OK. Thank you very much, Senator Enzi, who’s so active in the workings of this committee. We thank you for your comments.

I wanted to start with Senator Murray, who is the chair of our Labor Subcommittee. She could not be here today because of the floods, which are overwhelming in her State. We’ll go to Senator Harkin. What we have tried to do is—with our subcommittee chairs—is get the recognition for them and then follow the order of priorities in the workings of our committee. And so, I want to welcome my friend Lois Capps, as well, for being here.

Before we hear from Senator Harkin, perhaps we could introduce the members of your family. If you have a moment, we'd welcome that. We do not have the extended family here today, because—

[Laughter.]

The CHAIRMAN [continuing]. We wanted to leave a little room for others in here, but I've had the chance to meet a good share of them, and they are delightful and enormously resourceful and extraordinarily hard workers and wonderful individuals. But, perhaps we could start. Hilda, why—

Mrs. SOLIS. Senator, would you like me to—

The CHAIRMAN [continuing]. Don't you introduce them.

Mrs. SOLIS [continuing]. Introduce them?

The CHAIRMAN. Yes, that'll be good.

Mrs. SOLIS. Thank you, Senator. Again, it's a privilege to be here with you and with your distinguished colleagues.

I'm happy that at least one-fifth of my family is here with me.

[Laughter.]

They traveled from California to be here at this very important hearing. My husband, Sam Sayyad, who is a small-business owner, and has been for over 20 years, is with me. My youngest sister, who has a twin. Senator, you recall meeting the twins. This is Anna Solis. She is a chemical engineer from Orange County. And my sister, who just received her Ph.D. this year, Dr. Beatrice Solis. Her Ph.D. is in public health. And we have various friends in the audience. So, thank you, Senator.

The CHAIRMAN. Very good.

Mrs. SOLIS. I thank my colleagues from the House of Representatives for being here, distinguished member Lois Capps and distinguished member Sheila Jackson Lee.

The CHAIRMAN. Thank you very much, and we'll look forward to hearing your statement.

Did Senator Harkin want to make his—

Senator HARKIN. Mr. Chairman, I'll just put my statement in the record and I'll join in with questions.

The CHAIRMAN. OK, fine.

[The prepared statement of Senator Harkin follows:]

#### PREPARED STATEMENT OF SENATOR HARKIN

Thank you, Chairman Kennedy, and congratulations on your nomination, Congresswoman Solis. I'm glad we could get this hearing in early, because we need someone to hit the ground running at the Department of Labor from day one. Working men and women in this country are facing tougher economic times than we've seen in our lifetimes. In my home State of Iowa, the Department of Workforce Development is scrambling to get unemployment checks out. We're now the second highest in new unemployment claims, and paid \$60 million in claims *last month*—compared to \$27 million in December 2007.

The trouble is, workers never saw their share during the last economic boom but they are getting more than their share of the bust. As Labor Secretary, you are poised to dramatically improve the lives of these working Americans. In the last 8 years, we have seen outrageous erosion in health and safety enforcement, wage and hour enforcement, and job training. At the same time, the De-

partment has imposed onerous new reporting requirements on the very same union workers who have historically fought to improve economic security and workplace safety. It's been hard to pick up a newspaper without reading about plant shutdowns, pension terminations and freezes, or employers dropping health care coverage. As of last October, pension plans in the United States have lost \$2 trillion. This means the workers have lost \$2 trillion of their retirement security. We must work together to restore retirement security to American workers, and we need new ideas about how to get us there.

Wages have declined or stagnated, and many jobs have outright disappeared, in part because of trade agreements that did not have sufficient labor protections. U.S. workers are forced to compete with child workers overseas. These child laborers are forced to work in hazardous conditions for little or no pay. As Secretary, you will be in charge of the International Labor Affairs Bureau, which I began funding in 1996 and which remains among my top priorities. I am pleased that when we spoke on Wednesday you said you share my commitment to eliminating the worst forms of child labor. Also, as you are well aware, our enforcement of domestic child labor law is wholly insufficient. Even in my State of Iowa, after the immigration raid at Agriprocessors plant in Postville, the company was charged with over 9,000 counts of child labor. The Department of Labor recently increased the maximum child labor penalties for violations resulting in the death or permanent disability of a child. However, as you know, those maximums are rarely assessed and that the average fine in 2007 was only \$887. I hope you share my view that this kind of slap on the wrist for violations that result in death or permanent disability to a child should not be happening in this country, and I look forward to working with you to address this injustice.

Another issue near and dear to my heart is equal opportunities for people with disabilities. Sadly, the employment rate among people with disabilities is around 37 percent—that is, 37 percent of people with disabilities are employed and 63 percent are unemployed. Many of those who are not working want to work, but are prevented from doing so due to a variety of factors, including work disincentives and lack of adequate transportation. I hope that we can work together with other agencies, such as Social Security and CMS, in order to start removing these barriers so that individuals with disabilities can have a real opportunity to be productive members of our workforce.

Finally, as we talked about previously, it is astonishing that women in the United States are only earning 78 cents for a dollar earned by their male counterpart. I am pleased to hear that the House today is voting on legislation to fix the gaping loophole in the law left by the Supreme Court's Ledbetter decision. The House is also voting on the Paycheck Fairness Act which will put real teeth into enforcing the laws that we have on the books. But as you know, I intend to go a step farther by working to eliminate the discrimination between traditionally male and female dominated occupations, and I hope we can work together on both stepping up enforcement of current law and moving forward to close the wage gap.

I understand that you come from a similar background to mine—your dad worked at a battery recycling plant and your mom worked on the line at Mattel. My dad was a coal miner. I can tell you without question that growing up and knowing what my parents went through to put food on the table really shaped who I am today. At this time of economic crisis, it is so important for America to have a Secretary of Labor who has lived the experience of working people, and who understands their struggles and challenges. I wish you all the best and look forward to your opening statement.

The CHAIRMAN. Senator Isakson is the other co-chair of our committee.

#### STATEMENT OF SENATOR ISAKSON

Senator ISAKSON. Thank you very much, Mr. Chairman. I want to echo the comments of Senator Boxer. We're all very glad to see Senator Kennedy here, chairing today and looking so fit and so well, and we thank you for being here.

I welcome Representative Solis, with whom I served in the U.S. House of Representatives on the Education and Labor Committee. We had a great meeting, 2 days ago in my office, and discussed many of the things of concern to me. The most important thing, of course, of the Secretary of Labor's job is to look after the workforce of America and see to it that they are safe and they are treated fairly. And certainly in the last 8 years, that's happened.

In the last 8 years, we've reduced workplace injuries and fatalities to the lowest level in history, recovered a billion and a quarter of wages that had been unpaid and should have been paid, and nearly 100 million in stolen funds from unions, all of which were done in the Department of Labor. And I am sure Secretary Solis, if confirmed as Secretary, will be able to continue that legacy.

I have two main interests, that we discussed in our meeting, which I do want to bring up in my opening remarks, and hope that Representative Solis will address in her statement or in question and answers later.

First of all is, with Senator Murray's able leadership on our subcommittee, we have dealt with three significant issues: the banning of asbestos, which has been attempted for 37 years, and has yet to be done; the critical issue of mine safety following Sago and Crandall Canyon disasters, which caused the loss of lives; and pension legislation. We did that by finding an equilibrium and a balance between labor and management, employer and employee circumstances, and fact and fiction. And so, I hope, as we go forward on workplace safety issues, we will get the facts, we will find the answers, and then we'll act in accordance to what really happened rather than emotion at the time.

In particular, in my State right now we are awaiting the outcome of possible criminal indictments or criminal charges in the Imperial Sugar explosion, and we're also awaiting the chemical Safety Board's report on what actually caused that dust explosion. And I hope we will wait until we have all those facts before we act in haste and possibly miss doing some constructive things that we can do to help see that that never, ever happens again in the United States of America.



Second, and last, card check is a huge issue. I told the Secretary-designate or nominee before that that would be a major issue I would want to discuss, because I'm so concerned with skewing the relationship between labor and management. The secret ballot has been critical in organized labor for years. In fact, organized labor sought the secret ballot to protect against company intimidation of employees in whether or not they would unionize or not. I know the Secretary has supported card check in the House, but I also know, in the 1990s, in the California legislature, the Secretary-designate Solis authored legislation guaranteeing overtime pay for over 8 hours of work, but also guaranteeing negotiation for flex time to avoid that overtime mandate if the employers and the employees agreed. And in that legislation, Secretary-designate Solis had legislation that said the following, quote, "Only secret ballots may be cast by effective employees at any election held pursuant to these procedures." And I'm assuming that, at the time, that was to ensure that every employee had a voice unaffected by management or labor, in terms of whether or not they would agree to alternative flex time. I think that demonstrates the possibility for openness on the card-check issue, and I look forward to hearing from the Secretary-designate on that issue.

But, I'd end where I began. I congratulate you on your nomination. I congratulate your sister on her Ph.D., recently, and welcome your husband being here today. I also was a small-business operator, and we guys always stick together.

Thank you very much, Mr. Chairman.

[The prepared statement of Senator Isakson follows:]

#### PREPARED STATEMENT OF SENATOR ISAKSON

The Secretary of Labor is charged with protecting American workers and their interests. The Department, under the capable leadership of Secretary Elaine Chao, has done just that for 8 years. Under her leadership, the workplace fatality rate plummeted to its lowest level in history. Over \$1.25 billion has been recovered in back wages for employees. Nearly \$100 million in stolen union funds have been restored to workers.

Since the Secretary of Labor must be an advocate for American workers, I find it troubling that a nominee for that position would support legislation that deprives workers of their fundamental rights, including the right to vote on unionization via a secret ballot. Legislation to do just that—a bill deceptively named the Employee Free Choice Act—easily passed the House in the 110th Congress and fell only nine votes shy of passing in the Senate. I am eager to hear the nominee's views on this legislation.

The Congresswoman and I had a good talk the other day about the importance of maintaining a balance when it comes to Labor Department regulations. We can, and have, write regulations that both protect workers and simultaneously allow businesses to grow and prosper. In my 4 years on this committee as the Senior Republican on the Employment and Workplace Safety Subcommittee, I have worked with Senator Murray to try and strike this delicate balance. We have a strong record of working together, whether on mine safety reform, asbestos prohibition, or pension protection. I

urge you, if confirmed, to work with our subcommittee as you go about issuing regulations.

As Congresswoman Solis notes in her opening statement, these are difficult times for many Americans. There are areas where Democrats and Republicans can work together to get this economy moving again, but this is the worst possible time to inflict anti-worker legislation like the Employee Free Choice Act onto American workers.

The CHAIRMAN. Well, you've received quite an introduction here, and we are all enormously appreciative for your service to the country and your willingness to take on this responsibility. We look forward to hearing from you now.

**STATEMENT OF HILDA L. SOLIS, MEMBER OF THE HOUSE OF REPRESENTATIVES FOR CALIFORNIA (32d CONGRESSIONAL DISTRICT), LOS ANGELES COUNTY, CA**

Mrs. SOLIS. Thank you, Mr. Chairman. I, too, am delighted that you could preside over this particular hearing today. Ranking Member Senator Enzi, we had a great discussion the other day, thank you, and also all the distinguished members of the committee. I believe I had a chance to speak with just about everyone, with the exception of Senator Alexander, but I'm sure we will take time, after this meeting, and hopefully get a chance to talk and discuss what your concerns are. So, I want to thank all of you.

I am deeply honored and grateful that President-elect Obama has selected me to serve as his designee for Secretary of Labor. If confirmed, I'm eager to serve the American people and lead the Department of Labor to improve the opportunities for hardworking families.

My vision of the Department of Labor is rooted in who I am. My father, as you know, worked hard as a teamster shop steward in a battery recycling plant for more than 20 years. His membership in the union helped my family have health and other benefits, even when times were tough. My mother emigrated from Central America, Nicaragua. She was a stay-at-home mom for most of the time that I was a child, but, like anything else, she later went to work at a toy factory to help make ends meet, and became a member of the United Rubber Workers.

I'm proud to have been the first of my six brothers and sisters to graduate from college. I'm very proud of my siblings, including two of my sisters who are here, who you met earlier. We could not have gone to college without Federal financial aid, like Pell grants. I know Senator Pell was a member of this very distinguished committee, and I'm very grateful for the work that he provided for millions and millions of young people.

Before I became a public official, I worked as director of the California Student Opportunity and Access Program, a State-funded program, so that I could help others from similar backgrounds achieve the dream of higher education. As a board member for the community college, Rio Hondo College, I had the opportunity to help implement workforce training programs, something that I am deeply passionate about.

In 1992, I was elected to serve in the California State Assembly. In 1994 I became the first Latina State Senator in California. I am

proud to have served the people, the distinguished people, of the 32d Congressional District for the last 8 years, and I thank them for their confidence in re-electing me.

The fact that I'm sitting before you today as a child of an immigrant family, a working family, is proof that in America, anything is possible.

Now, more than ever, we must work together to ensure that all Americans have the same opportunities that I had. Unfortunately, increasing numbers of middle-class families, retirees, and youth in America are losing their jobs, their homes, and their retirement savings. Data released this morning, as you know, shows that unemployment has risen to 7.2 percent. Youth unemployment exceeds well over 20 percent. And more than 500,000 jobs were lost in December. In my district alone, the city that I reside in, the city of El Monte, I believe the unemployment rate has gone above 11 percent.

Among those facing tough economic challenges happen to be women. According to the U.S. Census Bureau, women continue to make only 77 cents for every \$1 earned by a man. And minority women have even more cause to be concerned. Latinas earn just 57 cents, and African-American women just 68 cents, for every dollar that a man earns.

Our returning servicemen and women are also facing tough challenges in these hard economic times. Increasing numbers of young veterans are returning from combat in Iraq and Afghanistan with many disabilities, including posttraumatic stress disorder and brain injuries.

If confirmed, Senators, I will join our President-elect's team as a voice for working families. I am eager to work with you, and believe we have an obligation to restore trust and hope for a better future, for a better tomorrow.

I would like to highlight four areas that I would like to focus on, if confirmed.

First, the Department of Labor must help workers by prioritizing job training and assistance. Retooling our workforce not only helps workers, but supports high-growth industries by ensuring they have the skilled workers that they need. If confirmed, I will work with President-elect Obama, my colleagues in the Cabinet, and you to reinvest in and restructure workforce development and ensure a strong unemployment insurance system. This includes promoting what we now know as green-collar jobs. These are jobs that would provide economic security for our middle-class families while reducing our Nation's dependency on foreign oil and resources. These are jobs that will also stay in the United States. My hope is that these jobs will not be outsourced.

Second, the Labor Department must ensure that American workers are paid what they deserve, are treated fairly, and have safe and healthy workplaces. We can accomplish this through enforcement, transparency, cooperation, and balance.

Third, the crisis in retirement security demands action. We must expand retirement savings, ensure that existing pension plans are solvent, and provide retirees and workers with the information they need to make good decisions in how to invest for their retirement.

The Labor Department must assure that the door to opportunity is open to every American, regardless of race, sex, veteran status, or disability. If confirmed, members, I would work to ensure that our sons and daughters returning from Iraq and Afghanistan are provided with the needed assistance that they deserve, including job training and re-employment assistance. On the battlefields of war, our soldiers pledge to leave no one behind; together, we must pledge not to leave veterans behind. Through these and other efforts, we can help strengthen America's greatest assets: its human resources.

In closing, members, let me express my sincere hope that this is just the beginning of an open dialogue with you and other members of this committee. As a Member of Congress, I value open communication, and, if confirmed, my door will always be open to you. I thank you for your time and this very, very wondrous occasion for me to be before you. And I thank you.

[The prepared statement of Mrs. Solis follows:]

PREPARED STATEMENT OF HILDA L. SOLIS

I appreciate the opportunity to testify before the committee today and for the opportunity to have spoken with many of you over the past several days. I am deeply honored and grateful to the President-elect for designating me to serve as the Secretary of Labor, subject to confirmation by the Senate.

Over the course of the campaign, the President-elect often spoke of his commitment to improving the lives of working people. His desire to serve working Americans brought him to politics. I share his commitment. Like the President-elect, I entered public life to improve opportunities for families like mine—hard-working families eager to realize the American Dream.

This is an especially difficult moment for middle-class families in America, increasing numbers of whom are losing their homes, their jobs, and their retirement savings. The latest unemployment reports from the Bureau of Labor Statistics confirm what we all have felt for some time: the economy is in a severe recession and shedding jobs at an alarming rate. In November alone, approximately half a million jobs were lost—the largest monthly payroll loss since the 1970's. Unemployment has reached 6.7 percent and, even more disturbing, the numbers of long-term unemployed—those who have been unemployed for more than 6 months—has risen to about one in four of all unemployed workers.

Because American workers were already in a weak position when the recession began, middle class families have no real cushion with which to absorb these repeated blows. When we entered this recession, household debt was already at an historic high, and household income had been stagnant or falling for several years. Although the economy expanded from 2001 to December 2007, the share of the civilian population that is employed did not increase, and teenage employment actually fell.

You have my solemn commitment that, if confirmed, I will work hard every day to make sure that middle-class families do not lose hope. My job as Secretary of Labor will be to help make the American Dream a reality for millions more families. I am eager to begin that important work.

My passion for improving opportunities for middle-class Americans is the product of my life story. I am one of seven children born in La Puente, a town in the San Gabriel Valley. My mother emigrated from Nicaragua and my father worked as a laborer, a farmworker, a railroad worker and a Teamsters shop steward in a battery recycling plant.

From a young age, my parents instilled in my siblings and me the value of hard work, public service and commitment to family. For much of my childhood, my mother was a stay-at-home mom. After my youngest sisters were born, however, she had to take a job at a nearby Mattel toy factory to help make ends meet. Like many parents, my parents sacrificed throughout our childhood so my siblings and I could live up to our potential to achieve whatever our talents would allow. My father was a Teamsters shop steward who regularly told us about the opportunities his union association would bring to help secure our family a place in America's middle class.

Though our family could not afford college, my parents stressed education. I was the first in my family to graduate from college, something that would have been im-

possible without Pell grants and Federal guaranteed student loans, along with the sacrifices made by my parents. I am very proud of my siblings' considerable accomplishments, including one sister with a Ph.D. in public health and two sisters who are engineers.

For most of my adult life I have lived in El Monte, CA, a city near where I was born. I am proud to have had the opportunity, as the Director of the California Student Opportunity and Access Program and as a Trustee of Rio Hondo College, to give students the same opportunities to get a college degree that I had. Every child should have that opportunity and every parent should have the chance to see their dreams realized.

In 1992, I was elected to the California State Assembly and, in 1994, I became the first Latina State Senator in California. I authored a record 17 laws to protect victims of domestic violence, championed worker rights, helped small businesses, and sought to strengthen the economy. The fact that I have had the opportunity to serve the people of California in the State legislature and the U.S. House of Representatives—and the fact that I am sitting here today—is proof that anything is possible in America. Anything is possible through hard work, the sustenance of a loving family, and the support of a government that sees every child and every family as an asset to be valued for the benefit of all of us. I believe we must work together to help make sure that, despite tough economic times, this path to opportunity remains open for every American in our Nation's diverse workforce.

Unfortunately, the current crisis is making the American Dream harder to realize. Over the last few years, middle-class families across this Nation have been challenged by rising unemployment, stagnant wages, and a housing crisis. In the communities around my home town in the San Gabriel Valley, frustration and fear have grown as wages have failed to keep up with the rising costs of basic needs and unemployment rates have exceeded 10 percent.

Families are struggling in the face of wage disparities, which significantly impact women of color. A Latina earns on average 57 cents for every dollar that a man earns. An African-American woman earns just 68 cents for every dollar that a man earns. These wage disparities directly contribute to a cycle of poverty and lower retirement savings and Social Security benefits for women throughout their lifetime.

Our servicemen and women also face significant challenges. Increasing numbers of young veterans are returning from combat in Iraq and Afghanistan with disabilities and long-lasting injuries. This includes the more than one-third of the 230,000 new veterans who have applied for medical assistance from the Veterans' Affairs Department and suffer from traumatic brain injuries. I have seen first hand the challenges these servicemen and women and their families face in reintegrating into the workforce.

If confirmed, I will join the President-elect's team as a voice for America's middle-class families and workers. I will work with my colleagues in the Cabinet and the White House and members of Congress—most particularly the members of this committee—to restore people's faith and confidence in our economy and rebuild their sense of security. The Labor Department can and should be a critical contributor to our Nation's economic future. If confirmed, I will be ready to lead the Department in this important effort.

Among the many ways in which the Labor Department can contribute, I would like to highlight four areas that will be a particular focus of my time as Secretary of Labor, if I am confirmed. I will not neglect any part of the Department's mission. But these are my priorities as I contemplate where to begin this important work.

First, the Labor Department must expand the skills development and job search assistance it provides to all workers so that their employment opportunities will expand and their earnings will grow and employers will have the skilled workforces they need to succeed. If we are going to create or preserve millions of jobs, we must assure that American workers are ready, willing, and able to perform those jobs at the highest level of productivity. American workers are the most productive workers in the world. They are doing their part. We must do our part.

If confirmed, I will work with President-elect Obama, my colleagues in the Cabinet, and you to reinvest in and restructure workforce development, build effective career ladders for at-risk youth and other underserved populations, and support high-growth industries by training the workers they need. This includes promoting "green-collar jobs"—that is, jobs that will provide economic security for middle-class families while securing our energy supply and combating climate change. It also includes an unemployment insurance system which provides workers with the income support and the job-training opportunities they need to assure that losing a job does not mean permanently falling out of the middle class.

Second, the Labor Department must assure that American workers get the pay they have earned working in safe, healthy, and fair workplaces. The Labor Depart-

ment is charged with assuring compliance with dozens of employment laws. I believe these laws codify values that are fundamental to our society. A fair day's work deserves a fair day's pay. Workers should not have to sacrifice their lives or their health to keep their jobs. Workers need time and flexibility to care for their families and themselves. These are American values. They must be America's ordinary way of doing business.

Third, the crisis in retirement security demands solutions. The Labor Department and its sister agency, the Pension Benefit Guaranty Corporation, should be in the forefront of finding that solution. We must expand retirement savings, assure that existing pension plans are secure, and provide retirees and workers with the information they need to make good decisions about how to invest for a future beyond work.

Finally, but just as important as my other priorities, the Labor Department must assure that the door to opportunity is open to every American regardless of race, sex, veteran status, or disability. The Labor Department is one important part of the Federal Government's civil rights enforcement and compliance infrastructure. If confirmed, the Labor Department's message will be clear and simple: no unjust barrier should keep any worker from achieving the American Dream.

In particular, I will work with my colleagues in the Cabinet to assure that we welcome home the heroes returning from Iraq and Afghanistan—including our heroes with disabilities—and provide them with the job training and adjustment assistance they deserve. On the battlefields of war, our soldiers pledge to leave no one behind. For all veterans, past, present, and future, this must be our pledge: after our servicemen and women come home, we leave no veteran behind. This includes ensuring economic security.

In closing, let me express my sincere hope that this is the beginning of a dialogue with the members of this committee. You have my commitment that, if confirmed, I will listen and respond to your concerns. My door will always be open to you and your colleagues in the House and Senate. We may not always agree. But I promise that I will not let those disagreements get in the way of the pursuit of our common goal—a genuine opportunity for every family to achieve the American Dream.

I look forward to working with each of you if I am confirmed and I thank you for your consideration.

The CHAIRMAN. Thank you very much.

We want to now move to the questions period. We'll have 5-minute rounds on this.

Let me ask you, Mrs. Solis—American families are suffering during this period of time, and, as we mentioned, as you mentioned this morning, the loss of some 524,000 jobs, and millions of Americans fear they'll be the next, that they'll lose their jobs, their pensions, their healthcare, and the American Dream. So, what should the Department of Labor do to help all of these individuals, particularly the 11 million who have lost their jobs? Any economic recovery plan must create new jobs. As Secretary, how will you ensure that Americans will have access to new jobs?

Mrs. SOLIS. Thank you, Mr. Chairman. I am happy to expound upon my testimony and to tell you that I believe, as you stated, we are in a crisis situation. The public is demanding action on the part of the Congress to see that there is relief provided to, not just the families that we're talking about here today, but also those future families, those future young men and women who are also looking to this great country here for their better future.

I am very excited that the opportunity might present itself to allow for more investment in that human resource, and that human resource would provide, I think, a sufficient opportunity to help change the direction of this country and hopefully stimulate our economy by providing infusion of Federal assistance and funding to help jump start this Congress by creating 3 million jobs.

Now, some of us have heard that there will be a recovery package. I don't have all the details, and can't really elaborate in full

detail about what that will mean, but I can tell you that there is an earnest concern, in terms of providing infrastructure funding for those jobs—for those particular projects that might be ready to go in different parts of the country. I know, in the State of California, we are looking very anxiously to see that we can help rebuild our schools, help to transform our transportation systems, to help reduce air pollution and congestion, and get people to work on time.

And then, second, I think the greatest asset that I see here, sitting before you, is to promote the green-collar jobs, and trying to make that opportunity available, not just to those that are already looking for jobs, but those that want to have an opportunity for a career change. This is a potential, I believe, that we have not seen before. We now have the calling to reduce our dependency on foreign oil and other sources of energy that are so costly to this country. We need to make those investments here. I know that there are many, many small businesses and medium-sized businesses that are waiting to see the action on the part of the Federal Government to help provide for that workforce potential, whether it be through community colleges, vocational programs and other essential programs, through apprenticeship programs that have often been very essential for key construction, but also in the energy-efficiency cycle. I see an area where we can potentially increase the growth for many, many individuals who have fallen off our radar, in terms of not being accounted for even in the unemployment lines.

They are desperately in need of having retooling, educational opportunity, and we need to make that human investment, whether it's short term—and we should be able to make it in a very strategic manner, not to waste money; to bring together those programs where we know work efficiently, bring the stakeholders together. And that means business, it means our educational institutions, and it also means our community groups, nonprofit groups and other organizations that want to help us undertake this very, very important challenge that we have before the American public.

The CHAIRMAN. Thank you very much. I just have a short time left, but I want to talk about the work family, what your views are about that. We have now—70 percent of families are headed by working families, Americans also are working harder. The typical couple works close to 90 hours a week. I was glad that President-elect Obama was creating a Working Families Task Force. So, I'd be interested in the role we'll play on the Working Families Task Force, and how you believe that we should be addressing the working families' struggle to balance family and work responsibilities.

Mrs. SOLIS. Yes, Senator Kennedy. I know that this is going to be a very, very important component in our restructuring and planning of how we actually implement the recovery for the America families. Working families is something that I think all of us, perhaps in the last few years, have kind of lost sight of, because we do see our families struggling. You see two heads-of-household, if not others, now having to provide sufficiently for a roof over the family's head, providing essentials just to make a living. I think what we are envisioning here—and I've had an opportunity to speak with Vice President-elect Biden about this—is that we need to restore the respect and integrity of those individuals that work

in the workplace. And that begins by providing a safe, secure environment for workers where they are, that they have protections in the workplace, that they have a livable wage, a wage that can provide sufficiently for their families, but also provide those other necessities that will allow—for example, if there is an illness in the family, there may be a returning veteran returning that may need another family member to provide assistance, so appropriate family leave, sick leave, are also very, very essential components to providing structure for the working families.

I think envisioning, also, opportunities for family members to grow in this changing and very dynamic economy, where we need to have better assessment of what types of job opportunities are available. We see now, for example, in the automotive industry, millions of people are being affected by the loss of jobs there. We need to retool that workforce. We need to look at other efficient types of programs that could readily put them into another job, with sufficient training and examination, and to be more targeted about it. And that, I think, is going to be one of the greatest challenges that we have, looking at refiguring the way we do business here in America, and keeping those jobs here, and keeping those working families healthy. And I mean economically.

The CHAIRMAN. Senator Enzi.

Senator ENZI. Thank you, Mr. Chairman.

I always try to start with a question that can be answered very easily, one word or two. One reason we pass a considerable amount of legislation through this committee, usually by unanimous consent or very large majorities and very little floor time for debate, is because of the good working relationship between the majority and the minority, both the Senators and the staffs. If confirmed, would you pledge to cooperate in this type of a working relationship with all Senators on this committee, Democrat or Republican, and by promptly responding to any written or phone inquiries, sharing information that you get as soon as it becomes available, and directing your staff to do the same?

Mrs. SOLIS. Senator Enzi, we spoke about this at the discussion that we had in your office, and I shared with you that I understand the frustration, as a member, as well, in the Congress, when we send letters to different agencies and sometimes are waiting to hear back a response. I know how important that is, to be timely and responsive. And even if we don't have an appropriate response, to at least get back to that office to let them know what the status is or that we are continuing to inquire.

I will make my best effort to every member of this committee and to every member of the Senate, if there is an inquiry and they would like to have time to speak to me personally or to get a response from any potential branch of the Department of Labor.

Senator ENZI. Thank you. I would mention that Senator Daschle, yesterday, just said "yes."

[Laughter.]

The current data and methodology for determining prevailing rates has been criticized as being highly unscientific, error-filled, self-selected sampling that often yields dramatically inaccurate results. There are instances where the Department-of-Labor-determined prevailing rate has been as much as 33 percent below the



actual market rate and as much as 75 percent above the market rate. The inspector general has found significant inaccuracies in 65 percent of the wage surveys. Those errors harm both the taxpayers and the workers. Do you believe that the process for determining prevailing wages could be reformed or needs to be reformed?

Mrs. SOLIS. Senator, that is a very good question, and one that I understand, I would be very happy to take another look at, and also take your concerns in mind. I know that there have been occasions where the Department of Labor has not received the most accurate information. And that takes also having good staff to be able to do that and having sufficient funds to be able to collect that data.

So, I would work with you to help see that we can achieve that goal, understanding that there are limited resources, but I would hope that we could get your support also to help provide the necessary tools for funding of the kinds of projects that we know, so we do not overestimate or underestimate anyone's proper pay.

Senator ENZI. Thank you.

Senator Kennedy raised the issue of families in the workplace. As a tool in attempting to balance the demands of work and family life, Federal Government employees have the right to enter into comp-time and flex-time arrangements with their employers. The same latitude that the Federal workers have is currently denied to workers in the private sector. Would you support extending these same rights to workers in the private sector? And if not, why not?

Mrs. SOLIS. Senator, another very good question. I would like to explore that more with this committee. I know that we may have similar concerns, and we may have some differences there, but that's something that I think I am not prepared to give you a complete answer on at this time.

Senator ENZI. OK. As you're considering that, if it is not a good idea for the private sector to have that, consider that it might not be a good right for the government sector to have. We have a lot of conflicts in Wyoming, where one family member is a Federal employee and one is a private-sector employee, and they can't get time off at the same time, because they don't have the same rights.

To change direction again, Executive Order 13-202 declares that neither the Federal Government nor any government agency acting with Federal assistance shall require or prohibit contractors to sign union agreements as a condition of performing work on federally funded construction projects. In the past 8 years, billions of dollars worth of federally and federally funded construction contracts have been bid competitively, open to both union and nonunion employees and their employers. Would you advise the preservation of Executive Order 13-202 and its requirement that all contractors, both union and nonunion, be allowed to compete for Federal Government contracts?

Mrs. SOLIS. Senator, I would just say to you that that is an item of great interest to me. I think that that is something that I am not able to speak to you, at this time, but will like to review and then come back to you personally in that matter.

Senator ENZI. OK. So far, we've got three reviews.

During the recent election, there was a great deal of discussion about the need for transparency in government. The logic here was

absolutely correct; as citizens, we're entitled to know what the government's doing and how it's spending our money. This is no less true for union members with regard to their union than it is for all of us with regard to our government. Since 2001, the Office of Labor Management Standards, through criminal court cases, has recovered \$88 million for union workers, yet the AFL-CIO has proposed returning OLMS funding to roughly 2001 levels. And I think you voted against an amendment to reverse the funding cut for that office in 2007. Would you support continuing all current initiatives and programs aimed at investigating and prosecuting those union officials that violate their fiduciary duties and abuse the trust of union members by misusing union funds?

Mrs. SOLIS. Senator Enzi, I believe that, wherever there's any corruption, that we have a responsibility to end that and to go after those individuals that might be involved in any type of corruptive behavior. So, I would look very closely, not only at the unions, but also at the business sector. I would look to find an approach that is balanced. And that's where I would like to receive more input from this committee and from yourself.

Senator ENZI. Thank you.

My time is expired. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Dodd.

Senator DODD. Thank you very much, Mr. Chairman.

And welcome, Hilda. It's a pleasure to have you before the committee. Congratulations, by the way, to the President-elect for choosing you and for your willingness to accept this tremendously challenging job.

And, Mr. Chairman, I'm going to ask that opening statements we have would be included—

The CHAIRMAN. Yes.

Senator DODD [continuing]. In the record, as well.

The CHAIRMAN. Yes, I will do that.

[The prepared statement of Senator Dodd follows:]

#### PREPARED STATEMENT OF SENATOR DODD

Thank you, Chairman Kennedy and Ranking Member Enzi, for this opportunity today. Thank you, Congresswoman Solis, for the time you will take today to answer our questions and discuss the vital work that goes on at the Department of Labor. You have long dedicated yourself to ensuring the rights of workers in California and across the country, and I look forward to working with you at the helm of the Labor Department.

We all know that these are tough economic times. Today, unemployment is rising. Incomes are stagnating—while at the same time the cost of health care, housing, education, and even groceries are skyrocketing. In my home State, we've seen unemployment rise from 4.8 percent in January 2008 to 6.6 percent this past November. That translates into over 36,000 more people in Connecticut who cannot find jobs.

That makes the role for which you are nominated, Congresswoman, more essential than ever. The Department of Labor enforces laws and regulations dealing with fair wages and hours, job training, workplace safety and health standards, unemployment,

and family and medical leave—each absolutely essential to a productive, healthy workforce and economy.

Unfortunately, over the last 8 years, many of us have watched the Department of Labor with concern as its focus moved away from the protection of employees and focused more effort on protecting employers and denying workers their right to organize. I do not view this as the Department's role—I know you don't either, Congresswoman Solis. And it certainly wasn't the intention of those who created this department who wrote, and I quote, that:

“The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.”

Looking at some of the decisions of the current Administration and National Labor Relations Board—such as the outrageous overtime pay rules and the Kentucky River decision that stripped tens of thousands of workers of their right to organize—I find it hard to believe that they were made with this charter in mind. And so, I look forward to revisiting and hopefully reversing many of those policies. At this moment, it is absolutely vital that this department recommit itself to protecting the rights of workers.

In addition to the new direction I hope you will take the Department, I would like to touch on a few specific issues of importance. The first is the Family and Medical Leave Act, which marks its 16th anniversary next month. FMLA was as hard-fought a victory as any I have seen or been a part of in my 34 years in the Congress. Since becoming law, FMLA has helped over 60 million workers take time off to care for a newborn or adopted baby, help a parent through an illness, or get better themselves, knowing that their job will be there for them when they return. FMLA has also benefited business. With lower turnover and a boost to morale, 90 percent of employers told the Department of Labor in 2000 that the law had a neutral or positive effect on profits.

However, far too many employees are still ineligible for FMLA's important benefits, and three out of four workers who are eligible do not take leave because they cannot afford the loss of income. That is why, in my view, paid leave is the next necessary step in protecting workers and businesses. No one should be forced in a time of crisis to make the impossible choice between work and family. I look forward to working with my colleagues and the Labor Department to make accessible and affordable leave a reality for more Americans—including those in our military—and I have several concerns about the recent rules regulating these provisions.

One of the most important functions of the Department of Labor is its job placement and training programs—never more so than today. I have seen at home in Connecticut how One-Stop Career Centers can help people get back on their feet. However, we need to make sure that these centers have the resources they need to serve everyone who needs help.

Congresswoman Solis, I am particularly encouraged about your advocacy for green job training. Like you, I strongly believe that the creation of good-paying, green collar jobs is critical to both our economic and energy security. My State is home to a number of ex-

citing green energy companies, including world leaders in hydrogen fuel cell manufacturers.

I am very hopeful that, with you at its helm, the Department of Labor will develop training programs within Job Corps and elsewhere to help create a new generation of professionals—not simply ready to build these technologies, but to install, repair and maintain them. It's essential that our mechanics, electricians, plumbers, and construction workers have the skills and tools they need to pioneer the first wave of green technologies.

Over these last 8 years, I have grown deeply concerned about the direction the Occupational Safety and Health Administration has taken. In my view, OSHA has fallen far short in its responsibility to protect workers, both by its failure to issue regulations to protect against new hazards and by its failure to adequately enforce regulations already on the books. OSHA's budget for enforcement actions has been cut severely. Indeed, where OSHA inspections in 2000 covered 2 million workers, in 2007 they covered just 1.4 million, a 30 percent decrease.

OSHA has ignored well-documented hazards posed by materials such as combustible dust, diacetyl, silica, beryllium, and others and failed to protect the tens of millions of workers at risk from ergonomic hazards. In 2007, over 330,000 people suffered job-related musculoskeletal injuries severe enough that they had to miss work. Yet, OSHA proposed new rules this fall that would actually add an extra step to the process of making new safety regulations and mandate flawed risk assessment procedures that have been discredited by the scientific community. I look forward to working with you to restore OSHA to its mission of protecting all American workers.

These are but some of the many challenges that face the Department of Labor—others include modernizing unemployment insurance and preventing wage theft, which results in as many as 2 or 3 million workers not being paid minimum wage and millions more being denied overtime pay.

Mr. Chairman and Congresswoman Solis, I thank you again for your time today. I am confident that you are up to the task and look forward to working together to make workers and workers' rights a priority in this new Administration.

Senator DODD. And for all of us here today.

I went back and looked. The Department of Labor is 96 years old. Started in 1913. It'll be 100 years old in the completion of Barack Obama's first term. And I went back and looked at the authorizing language and the creation and the purpose of the Department of Labor.

“The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.”

The 20th century was the century that created the middle class in this country. Prior to that time, there were great, great differences and disparities. Without any question, of course, those rights and those privileges that were extended to working people were hard-fought. They were not given out gratuitously or gener-

ously; they were given out because people, like your parents and others, fought very hard for the rights of individuals to have a decent wage, decent hours, working conditions, the prohibition of child labor. People lost their lives in those battles for that effort.

Today, as we reported—or, Senator Kennedy, who's our chairman, this morning—as Barbara Boxer did—the staggering problems that are facing our country—the rising levels of unemployment, you point out, in some of the counties of our State, now in excess of 12 percent of unemployment. I think those numbers are low. I think we're not doing an accurate job of collecting unemployment figures, and I think a lot many more Americans are today worrying about whether or not they have any future at all in all of this.

I think it's very important we keep in mind what the purpose is, here, and to see to it that we close that disparity in income and wages.

I listened to Ben Bernanke, the chairman of the Federal Reserve Bank, give a speech in Omaha, NE, about a year and a half ago, in which—I'll quote him for you, here—he talked about one of the reasons for the 80–85-year disparity in income in this country. And let me quote his remarks that morning to you. He said,

“Thus, the decline in the private-sector union membership over the post-World War II period, particularly the sharp drop of the 1980s, has been associated with an increased dispersion of pay among workers with immediate levels of skill.”

In effect, then, that—just drawing the conclusion based on data here, the declining number of union households has directly contributed, in my view, to the disparity in income in this country; and thus, the pressures on working families.

There are a lot of questions that are raised here. Let me raise two, if I can.

One is the issue of family and medical leave. I spent 7 years, along with Pat Schroeder on the House side—Senator Kennedy was invaluable in that effort. Dan Coates, of Indiana, was my cosponsor. Arlen Specter, Kit Bond—were all deeply involved with me as I wrote that legislation. Went through two vetoes, and finally, 16 years ago, on February 8, 1993, became the law of the land. Almost 75,000 or 75 million people have been able to take advance of family and medical leave. As Senator Kennedy pointed out, with 90 hours of work in average families, single parents raising children, we all know the tremendous pressures on families today, not only in terms of their economic issues, but also holding their families together—when you have a sick child or a parent or difficulty at home, being able to take that time and care for that child. We also know that three out of four people who qualify for family and medical leave don't do so because it's unpaid leave.

Now, Barack Obama, in his campaign, has talked about, and I've authored legislation—Ted Stevens, of Alaska, was my cosponsor on this, by the way, with the very creative idea of coming up with a paid leave program.

Now, would you tell us briefly how you feel about that and whether or not you'd be willing to be supportive of a paid leave program?

Mrs. SOLIS. Senator, thank you for that question. And thank you for your work on this very important issue that has affected so many working families across this country. But, even more importantly, for many women, if I could just take a moment and say that, because I think that our situation now is such that we find ourselves where single-head-of-household women are now having to make up the differences for, maybe, an absent spouse, and also the hardship of keeping a job, and maybe even going through the problem of having lost her wages, or a substantial cut, where now she's no longer working full-time, and may be working part-time, maybe 38 hours, and isn't even qualified for many other benefits. We have a situation that's broken, in my opinion, and I think that we have to work harder to see that we provide those kinds of support efforts and programs, and find out how best to provide for sufficient funding to see that they can occur.

I understand some members of this committee have concerns with respect to, How do we pay for those kinds of benefits? But, I think also, in the long run, you have to be mindful of those employees that work for these businesses, or are in the workplace that contribute so greatly and so much, they make so much sacrifice, as you have just laid out, that I think it's worthwhile to look and explore other avenues so that we could make the kinds of benefits that were stated earlier by the previous Senator regarding the differences with public employees receiving time off for family medical leave, that we should try to somehow provide an example that, as good stewards of our workplace, that we can also extend at least the idea of looking at providing substantial sick leave and medical.

Senator DODD. Let me just point out to you, there are three countries in the world—four—that don't provide some sort of paid leave program: Papua New Guinea, Swaziland, and Liberia, and the United States. That's a remarkable group of countries to be associated with on an issue such as this one.

Last, let me just say to you that on the jobs issues—and, again, I know many of us have used different language to describe this, but I think most of us would agree, here, that the best social program ever designed by anyone was a good-paying job. That's the best social program, in many ways. And as someone who's been deeply involved with these centers—the workplace centers, one-stop career centers, obviously the—today, given the numbers, are going to be critically important to expand that. I don't know if you have any brief comments on your views on those centers and their value.

Senator DODD. Thank you, Senator Dodd. Yes, I am familiar with the one-stop shops, and also with the work of the WIA program. I know that there's some members of this committee who have concerns about reauthorization and trying to make it more effective, streamline it and make it more targeted and strategic. I think I do agree that we do need to do that. But, of course, I'd want to work with you and other members of this committee who have a great interest in trying to reduce duplication, make it more effective, and allow for those individuals that can get readily trained to get out into the workforce. I think that's our No. 1 priority. And then, looking at long term, how we can get people into higher-paying jobs as they receive that training. So, yes, Senator, I am wholeheartedly in

support of these programs and want to see them expanded and improved.

Senator DODD. Thank you very much. I look forward to working with you. Congratulations, again.

The CHAIRMAN. Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman.

Representative Solis, congratulations to you and to your family, and I look forward to working with you.

There has been a good deal of talk today, as one might expect, about workers' rights, about rising incomes. And there's been a lot of discussion about automobile jobs in the U.S. Senate over the last several weeks. So, I have just one question I'd like to ask you, and it involves a yes or a no, as well. But I'd like to preface it with a story.

In the early 1980s, when I was Governor of Tennessee, President Carter encouraged us to go to Japan and persuade the Japanese to make in the United States what they sold in the United States. So, being a young Governor, and he was my President, I did that. And the result of that was the Nissan automobile plant south of Nashville, which opened in the early 1980s. It's still there today, and even the Nissan North American headquarters is in Nashville and an engine plant is in Tennessee rather than in Mexico or some other place. Ford executives from Detroit were hired to come down and manage the plant. Tennesseans were hired to work in it. It's been a big success story, and it has contributed to rising incomes in Tennessee. It was the largest Japanese capital investment in the United States in history at the time.

Two or three years later, General Motors made the largest U.S. capital investment in history when they located the Saturn plant, 40 miles from the Nissan plant. And I remember saying to Roger Smith, who was the head of General Motors, who was complaining about the Japanese competition, I said, "Well, why don't you put your new plant right next to the Nissan plant and tell your management and tell your union that if they can do it, you can do it, as well." And so, the Saturn plant has been there for all that time, and its managers were from Detroit, by and large, its workers were virtually all members of the United Autoworkers Union. It's making Chevrolets today, not Saturns, but it's still there.

The end result of that competition between those two big automobile assembly plants, one of which is union and one of which is not, and which are 40 miles apart, is that today one-third of all the manufacturing jobs in Tennessee are automobile jobs, and our incomes have risen as a result of it, even in this economic downturn. We're deeply grateful for all those jobs, those who belong to the United Autoworkers and those who don't.

Now, the reason we're able to have that kind of work environment in Tennessee is because of Section 14(b) of the National Labor Relations Act, called the Taft-Hartley Act, which gives every State the right to have a right-to-work law, a law that says to its employees, "You may decide to join the union, or you may decide not to join the union." As in the Saturn plant, anyone there who works there does not have to belong to the union, but the United Autoworkers is the bargaining agent there, or at the Nissan plant, where they have voted, more than once, not to have a union.

So, my question to you is—and I hope the answer is yes, because I can think of no question more important to workers' rights in Tennessee or to our continued increased family incomes—does the new administration, and do you, support Section 14(b) of the Taft-Hartley Act? And will you oppose any attempt to change the right of States to enact a right-to-work law, as 22 States already have?

Mrs. SOLIS. Senator Alexander, thank you for your question. I, too, understand the pressures that different States face with respect to manufacturing and providing for vehicles to growing populations, something that our State has been very much involved in, and we have different collaborative efforts that go on with various other foreign entities, like Honda, Toyota, as well. I would just say that some of those partnerships that we have seen have actually benefited, yes, a lot of our American workers, because they are paying higher salaries. In fact, I think it's more because folks in the American auto industry have helped to provide a standard for workers so that they do receive livable wages. I think that that has, in its own way, affected some of our competitors here in the United States. So, I think that is a good thing.

Now, your question about whether we allow for the continuance of a right-to-work State, that is something that is—I don't believe that I am qualified to address that, at this time. That is not something that I have personally discussed with the President-elect. And, like other questions that have been proposed, I would tend to say that that's something that I would want to bring to his attention, to talk to him about.

But, more importantly, I believe that the President-elect feels strongly that American workers should have a choice to join or not to join a union. And to me, that is the basic premise of our democracy, whether you want to be associated with a group or not. I think that's a principle that we all hold very dearly here.

Senator ALEXANDER. Well, thank you. I hope that the President-elect does have the view that a worker should have a right to join or not to join, but, I would like to have your response, after you've had a chance to talk with him, about whether the administration supports continuation of the right-to-work law. I would add that we consider the Nissan plant an American plant, because those are Tennesseans who work there. They were Ford managers from Detroit who came down and were the managers. There were about, maybe, 6 Japanese out of 5,000. Their headquarters is there, their engine plant is there. So, we're grateful for their presence equally with the Saturn/General Motors presence. We treat them the same.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Harkin.

Senator HARKIN. Thank you very much, Mr. Chairman.

Again, Congresswoman Solis, I want to commend you for your lifelong commitment to working men and women in this country. I commend you for the example that you have sent out for so many young women, including my two daughters, one of whom lives in your State, and to congratulate you on this appointment. I look forward to working with you and to, hopefully, making the Department of Labor a true department of labor—not just a department of management and capital, but a true department of labor.



Today, we got the figures out on unemployment. Teenagers is 28.8 percent; African-Americans, 11.9 percent; Hispanic, 9.2 percent; overall, 7.2 percent. Went from 6.8 to 7.2 percent in December. All of the articles I've been reading are commenting upon the increased rate of unemployment in this country, of 7.2 percent, and all this, and how bad that is.

But, what is truly scandalous, what is shocking, what is a true blot on the American character, is the rate of unemployment among people with disabilities. Sixty-three percent. Eighteen years after the passage of the Americans With Disabilities Act—and one of its primary goals—there were four goals—one of its primary goals was economic self-sufficiency. People with disabilities want to work, but, because of work disincentives, the lack of supportive services, transportation problems, many people with disabilities who want to work simply can't get the job. Many of them are well-educated, they want to work, but everything is just geared against them. Sixty-three percent of people with disabilities are unemployed. That is shocking. I kept thinking it was going to get better and better. It hasn't gotten better.

What I implore you to do is to use your bully pulpit, your position, when you're sitting around that Cabinet table with the President there, to start talking with your Secretary of Transportation and the Secretary of Health and Human Services, Social Security, CMS, and all these other people, to form a group that will truly tackle this problem once and for all, of how we get people with disabilities into the employment sector. I hope you would commit yourself to do that. If you have a comment on that, I would yield for you for any observation on that.

Mrs. SOLIS. Senator Harkin, thank you for that question and your comments. I, too, have a great deal of concern for our disabled community and the fact that it even hits harder, in my opinion, with those of color. We don't have services that are adequately represented throughout the country. Especially in hard economic times, we're finding that employers are having to lay people off, and sometimes they may be the first ones to go.

I would hope that we could incentivize our local small-business employers and medium-sized employers, and help them understand, give them the tools that perhaps the Department of Labor has not been able to provide in the past, so that we can make those adjustments for these individuals that want to work, that are qualified, but don't have a safe place to land. That would be something that I would really enjoy working with you on.

As I said earlier in my testimony, I'm very concerned with the returning veterans—young men, in particular, and young women, that are coming back that are also disabled, that also need to have some reassurance that they will also be re-employed. And I know there are some programs out there, but we need to sufficiently expand upon those programs.

Senator HARKIN. Well, let me speak to that. I have a nephew who is severely paraplegic. He gets up in the morning, and he has a nurse that gets him ready, takes care of him, gets him ready to go. And he goes off and goes to work. He comes home at night, he has another nurse there to take care of him, get him ready for bed and stuff like that. He lives independently, by himself. How is he

able to afford it? He doesn't come from a wealthy family at all. How is he able to afford this?

He was injured in the military. And God bless the Veterans Administration; they've come and they make sure that he gets all those supportive services so he can go to work.

Why should it be just if you get injured in the military? There are a lot of people who get injured in car wrecks and other kinds of things that have the same situations as my nephew, Kelly, but they don't have that kind of supportive services. And so, they aren't able to get to work.

You know, the VA has done a great job in addressing this, but it's Americans with disabilities who have not been in the military who really need the help and the support.

Fourteen years ago, I put \$1.5 million in the Department of Labor for ILAB, International Labor Affairs Bureau, to start focusing on child labor around the world. They have come up with seven volumes—this is just the first one, the use of child labor in U.S. manufactured imports, and of course there's seven others on agriculture, apparel, consumer laborers, things like that. They're great investigative documents that the Department of Labor have come up with about the use of child labor around the world.

I can say that, for the last several years, our involvement with the International Program for the Elimination of Child Labor has been barely kept alive. I want to publicly commend the career people in ILAB, in the International Labor Affairs Bureau at the Department of Labor, the career people who have kept this going, who have tried to continue to fulfill the mandate that we gave them. The political people there, quite frankly, have not. I hope you will focus on this, find people to run that bureau who will enhance it and continue to push forward on the elimination of child labor around the globe.

Thank you.

Mrs. SOLIS. Senator Harkin, thank you for your comments. As a Member of Congress, I had a short period of time to work on something very much related to this, with the situation across the border, 5 minutes from our U.S. border, in the city of Ciudad Juarez, Mexico, where we found that a number of young women, teenagers 16 years of age, were having to work in the maquiladoras, the factories there. Some are international corporations, some were U.S. corporations. Nevertheless, they were being abused, they were not being paid adequately, maybe perhaps \$30 a week, four shifts, 12-hour stints, whatever. Horrible conditions, and something that I agree the public needs to know about. I would work very earnestly with you to see how we can try to accomplish these goals so that we provide the best and appropriate information, so that we can take a look at what is happening globally and what interaction we are having with these various entities that are either providing goods to our country and to obviously explore and hopefully minimize any exploitation of young children. And I agree with you, in principle, that is something we need to do.

Senator ISAKSON. Thank you, Mr. Chairman.

Representative Solis, in your prepared statement and your opening remarks, I want to commend you on your four priorities. And I particularly want to tell you how much I appreciate your empha-

sis on veterans; we talked about that in my office. That is a priority that's critically important, and I'm glad you've recognized that early on in your role, or potential role, as Secretary of Labor.

With regard to the questions that Senator Enzi asked you, it appears to me that—I want to revisit the California law that you worked so hard on in the 1990s, because Senator Enzi's question about granting flexibility to companies, private-sector companies, like government employees have with regard to flex time or time off, you dealt with that in the California legislature in the law regarding overtime pay, where you provided for the employees and the employers to negotiate flex time or more flexible work hours without having overtime, but you insisted, in that legislation specifically, that there be a vote by all employees, and that it be a secret ballot. It seems to me that was to ensure that management did not take advantage of the employees, or intimidate them, in negotiating flex time.

If that's, in fact, true, why would we want to change the laws of the United States now with regard to how unions are organized and impose a card-check law that eliminated a secret ballot?

Mrs. SOLIS. Senator Enzi, if I could just take a moment, these are very unique circumstances that we're undertaking today, and my position as a nominee for President-elect Obama to serve as Secretary of Labor doesn't, in my opinion, afford me the ability to provide you with an opinion at this time. That is something that I would like to discuss with you further, but something that I'm not prepared to make a statement about at this time.

Those were very different circumstances, in California. Collective bargaining representation there is much more advanced than other parts of the country, and I think that the context is very different.

Senator ISAKSON. Well, I certainly will defer to us talking later, but with regard to Senator Alexander's question on right to work and in regard to this question with regard to employees and their right to organize and have a secret ballot are critical issues that do affect labor, and I would hope we will have the time to know what your opinion is on that before the time we have a confirmation.

I want to reiterate my support for Senator Alexander's statement with regard to right to work. Georgia is a right-to-work State, and it is very critical to me that that right be protected and that we not support any change in legislation that would take that away. There are 22 right-to-work States. The law recognizes the right for them to have that choice, and I want to be sure that we continue it.

Last, with regard to the workplace and unemployment and jobs going overseas, there's a second issue with regard to jobs, and that is high-skill jobs, H1B-type jobs, for example, where we have run short in this country. The jobs that have gone offshore, more often than not, have been lower-skill jobs going from the United States, as we have increased the high-skill jobs in the United States because of the development of our society and our community. There are many people that worry that we have been inflexible in legal immigration, in terms of the H1B levels, so that we get the high-tech people in this country that we need when we need them. I'm a big believer that levels of immigration should rise and fall with

the unemployment rate by sector in the United States; meaning, if we have a shortage of workers, we ought to be able to raise the number of legal immigrants who come to work for a period of time and then go home, and, when unemployment is high, that those numbers be reduced. What is your position on that?

Mrs. SOLIS. Senator Isakson, you and I did talk about this issue, and it's one that, I think, requires a lot more assessment on my part. And having not had the opportunity to look at the current program in its current position, I'm not able to give you an opinion right now, other than to say that I want to look at how certification occurs. I want to look at how the labor pool is identified, whether it be in the surrounding area where that particular business may be looking and seeking for high-tech individuals, what extensive availability of information is there, so we know before we go abroad, that we are first prioritizing those workers who are, in fact, capable and ready to fill these positions.

I understand, however, that there are different industries that need different types of specialty education and training. In California, we have Silicon Valley. But, I also would say to you that the priority, I think, in my mind, would be to look at fairness; first of all, looking at how we provide fairness for those individuals that are trained, that are here in our own country first, put them first; and if we're not able to get there, then really look at the statistical information that's available, to see what is there, and then come up with, perhaps, looking at other frames, designs. But, at this point, that's where I would begin in exploring that.

Senator ISAKSON. My time's up. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Mikulski.

Senator MIKULSKI. Great to have you here, Representative Solis. President-elect Obama made an excellent choice. Your personal narrative is so compelling, and we know you're going to be a great Secretary of Labor. It's a big job, and you've got to dig in. I know that these reviews and so on that you said you want to do are because you want to bring intellectual rigor, seek a wide variety of consultation, and engage in civil dialogue, and then take action. I think that's the way we ought to go, without being shoot-from-the-gut, and we admire the way you're going about this.

Let me go to the issues of jobs and job training. You've spoken eloquently about that, and you've also spoken eloquently about your advocacy on green jobs.

I support green jobs, but they're in the future. We have to have an energy policy, then we've got to create the jobs, then—etc, etc. They're going to come, but they're future. There are jobs right now, and they're called "healthcare." Healthcare, healthcare, healthcare. I have flashing yellow lights about the Obama stimulus plan in that many of the jobs are not necessarily oriented to women in the workforce. Cheers for the construction jobs; support that vigorously.

Now, this then takes me to healthcare. Everybody's talking about green jobs like they're going to be some big, green bullet that's going to solve problems. But, we have jobs now. In my home State, there are 3,000 people, men as well as women, who want to be nurses, and we have a nursing shortage, and yet, we can't take them into our programs, particularly at the community college

level. The community-based job training grants that could actually crack that code in nursing, X-ray technology, other tech jobs, and so on, are not there. And I'm asking you that, while we support green jobs in the future, what do you have in mind for healthcare jobs today? And where would you be a strong advocate, particularly in the stimulus package, of perhaps a big jolt for the community-based job training and to crack the problem of needed faculty?

Mrs. SOLIS. Senator Mikulski, it was a pleasure to spend some time with you the other day to talk about this very important issue. I think you and I agree that we definitely need to do more with respect to expanding the pool of available applicants for these types of jobs, but also expand the structure. You very pointedly referenced the community college. I know, in my own home State, at the Rio Hondo College Board where I serve—or did serve—excuse me—we had very limited seats available for students that wanted to get into nursing, whether it was licensed RN or even lesser-skilled nursing positions. I think that one of the things that we have to do is better focus in on what those particular needs are. So, we see an aging population. We're going to need more—

Senator MIKULSKI. Representative Solis, we know what the needs are. We already know what the needs are. I'm asking you now, as the stimulus package is moving through the deliberation of both the very capable Obama team and then the deliberations here, if you could prevail upon the Obama team as we look at it here among this committee—I take responsibility here, and this excellent appropriator—if we could look at what are those jolts that we could do now that, while people are either out of work or seeking new work, to get this training, and we could get a two-fer. People would be going to work, and we could be dealing with the critical shortages that have been identified in innumerable studies.

Mrs. SOLIS. Senator, I think you have a good idea that I know that the President-elect, I'm sure, and members of his Cabinet, would be very much attuned to hear about. I have spoken also with some of his members to explain that I do believe that green-collar jobs and this whole stimulus package does, in fact, have to include a safety mechanism so that women who want to continue in their careers, or expand, or go into new careers, have that opportunity. So, yes, it has to be underscored. I agree with you. I will work with you and other members of this committee and the Senate to see that we do approach this with the angle that you're presenting here, that we not forget the 51 percent of the population who also needs to be fully employed in this economy.

Senator MIKULSKI. Well, thank you. I know we can count on you to be a very strong voice. My time is up. I'm going to just give you a couple of quick heads-up.

No. 1, we look to you to really revitalize and reinvigorate the Women's Bureau. We need to enforce existing laws on the books and so on. Quite frankly, it's become moribund. It's been timid. It's been a very timid and tepid bureau. That's one issue.

The other, a red alert on the Pension Guarantee Fund. They've gotten into risky investments. They're in real estate, they're in stocks, they are in bonds. You're the chairman of that—chairperson of that board. Big flashing yellow light about the pension guarantee, which I fear we're going to be turning to more and more.

Contracting out in the Department of Labor. GAO tells us it was overly vigorous and most of the jobs contracting out torpedoed jobs held primarily among African-Americans.

And last, but not at all least, we really do need to reform the H-2B program. No one's happy about it. We've worked with our outstanding colleague, Senator Sanders. We want to work with you and the Hispanic Caucus and the business community. It needs reform. So, Women's Bureau, pension guarantee, H-2B, contracting out, jobs today, jobs tomorrow. I'm ready to vote for you.

[Laughter.]

Mrs. SOLIS. Thank you, Senator.

The CHAIRMAN. Senator Hatch.

Senator HATCH. Thank you, Mr. Chairman. I appreciate your leadership.

I congratulate you, Congresswoman Solis. This is a wonderful opportunity for you and a great opportunity for our country, as well. My caution would be for you to not be in anybody's pocket; do what's right.

I intend to support you. I think the President deserves the utmost consideration on his appointments for his Cabinet. And I'm proud of him and proud that he has this opportunity, and especially proud of you and the way you've fought, through your life, to reach this point where you are, and having been a Member of Congress, as well.

Now, having said all those nice things—

[Laughter.]

Senator HATCH [continuing]. And I mean every word of them—let me just say this. Labor advocates claim that the Employee Free Choice Act-type bill is necessary, because unions and employees who want unions cannot get a fair election, because employers, in a large number of instances, engage in unlawful activity during the union's election campaign, which results in unions losing elections. However, the National Labor Relations Board data indicates that, in 2007, unions won over 60 percent of contested elections held.

Further, based on recently released NLRB data on elections held during the first half of 2008, unions have been winning 66.8 percent of elections. Now, if employer interference is so prevalent, how can unions win such a high percentage of elections? And it's pretty well been 60 percent or more for as long as I can remember.

Mrs. SOLIS. Senator, thank you for your opening statements. I appreciate your sincerity. I really take note of the long work that you've done here in the Senate and the many people that you have affected. I want to also point out your work on behalf of immigrant children with respect to the Dream Act. I want to congratulate you for continuing to be someone who supports the education of our Americans.

Senator HATCH. I'm going to vote for you, so you don't have to be that nice.

[Laughter.]

Mrs. SOLIS. With respect to the Employee Free Choice Act, as you know, I have been a cosponsor of that legislation in the House. And President-elect Obama has also been supportive. But, my priorities, given—if I am confirmed, will be, first and foremost, To make sure that we attend to the goals of the Department of Labor,

to see that we have fair wages, that there is safety and protection, and that hopefully people can aspire to have a good-paying job in this country. So, that's the first principle.

The second principle would be that I would like to talk to members of the Senate, because I think that the House of Representatives may even be taking up this bill sooner than perhaps might be cause here in this house. So, I know there's going to be a lot of discussion and debate, and I look forward to that discussion with you. I have not spoken with the President-elect about this, and I am prepared to work with everyone. But, I know that, first and foremost, if I am confirmed, that my priority will be to uphold the goals of the Department of Labor and get this economy going, make sure that we have jobs and people trained to fulfill those jobs.

Senator HATCH. I think if you keep that goal in mind and fulfill that goal, you're going to be a great Secretary of Labor. And I want to encourage you to do that.

One other thing—I only have time for one more question. Recently, the UAW expressed its opposition to Congress's and the White House's attempts to bring Detroit autoworkers' wages and benefits into line with foreign auto plants based in the United States by demanding concessions from the Big Three's UAW members. Now, do you think it was appropriate for the Senate and the White House to demand such concessions? What would be your opinion as to other legislation or executive action that could mandate what the UAW and Big Three have to agree on?

For instance, since Labor is opposed to such congressional and executive mandates related to terms and conditions of employment, then, further, I would ask this question, How can you reconcile Labor's support of the Employee Free Choice Act that requires—or, provides for mandatory interest arbitration—first contract arbitration, which would require the same thing of unions—namely, terms and conditions of employment being mandated by a third party for the union and employer for 2 years. This is serious stuff. I think that provision is worse than the terrible provision with regard to the first part that I was talking about, in the Employee Free Choice Act, the part regarding secret ballot elections. To have George McGovern come out in support of secret ballot elections and also even some other top liberal leaders in our country, I think that's bad enough. But, to go to first contract mandatory government arbitration that sets terms and conditions of employment, and wages, as well, for not only the companies, but the unions, for 2 years, is something that's not only dangerous, it's a terrible provision.

Mrs. SOLIS. Senator, as I said earlier, I was a cosponsor of the legislation, and President-elect Obama is also supportive. I have not had any immediate discussion with him about this. And, as I said, I would look very earnestly for any thoughtful dialogue with you and other members of this committee. I think it's a bit premature for me to say anything, at this point, for the purposes of this hearing.

Senator HATCH. All right.

Well, Mr. Chairman, let me just say that I, personally, am very proud of Representative Solis's selection, here.

I think you're a credit in so many ways, and you're a Member of our Congress, which is very, very important, as well. This is a very, very important position, and it can't be used to just magnify one side over the other, or any side over any others. It has to be handled fairly. I'm convinced that you're going to do your very best to try and do that. And like I say, I intend to vote for you, and I'm very proud of you and commend you for having this great opportunity, commend the President-elect for choosing you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Chairman. We know that Senator Hatch is on the Finance Committee as well, so he has additional kinds of responsibility on our Human Resource Committee and also on the Finance Committee.

Senator HATCH. Are you trying to get rid of me right now?

[Laughter.]

The CHAIRMAN. I've been trying for 30 years.

[Laughter.]

I thought I'd try the soft soap today.

[Laughter.]

Senator HATCH. I know a lot of people who have been on your side, too.

[Laughter.]

But, I know a lot of people who are happy that you've been such a loser with regard to that.

[Laughter.]

The CHAIRMAN. Very good. Good to see you.

[Laughter.]

Senator HATCH. It's great to see you.

[Laughter.]

It's always great to be with you. I respect you so much, and love you, personally. You know that.

The CHAIRMAN. Thank you.

Senator HATCH. In spite of all of the difficulties you bring my way.

[Laughter.]

The CHAIRMAN. Senator Reed.

Senator REED. Well, thank you very much, Mr. Chairman.

And welcome, Representative. I think the President has made a very wise choice. Your service and your personal experience reinforces the best ideals of this country, that, through hard work, through effort, through good parents and strong families, that we can rise to heights that no one ever expected, 20, 30 years ago. So, thank you very much. I know you'll bring that same spirit to your duties as Secretary of Labor.

I was struck when Senator Dodd spoke about Chairman Bernanke's comments about the economic effects of unionization. And frankly, one of the great challenges that go beyond the Department of Labor—it encompasses the entire Federal Government—is, How do we raise the wages and, therefore, the standard of living, of middle-income Americans? I think Bernanke's comments are very prescient about—that role has been performed, for decades now, by unions bargaining for better conditions and higher wages. I would suspect that the wage level in that Nissan plant in Tennessee would not be as high if there wasn't a strong union in the



Saturn, the now-Chevy, plant. So, I think we have to consider that also, when you consider your efforts with respect to the Employee Free Choice Act.

There's one area I just want to focus on. That is, we've discussed, today, the distressing news of unemployment rate of 7.6. And, as my colleagues revealed, that is a national number. In some States, like Rhode Island, it's 9.3, and getting higher. We anticipate that, unfortunately—that among different categories of workers, it's much higher. African-Americans, Latino. And I wonder, as we go forward with respect to Federal measures, like unemployment insurance, can we be very—even more sensitive to these disparate numbers on a state-by-state basis? And second, in the longer term, when you deal with the Workforce Investment Act, can we think about ways—can you think about ways to target Federal resources, not just across the board, but to those areas and to those populations which are struggling much, much more dramatically than the national average? Your comments would be appreciated.

Mrs. SOLIS. Thank you, Senator Reed. I appreciate the opportunity we had to discuss those issues of concern to you. I know that, in your State, perhaps the workforce there, in those situations, may be even more highly educated and trained than in other parts of the country. We really have a different challenge, I think, in Rhode Island. Nonetheless, I still think that you're right, we do need to make an effort to target those particular areas that are stressed with higher unemployment. I do think that there is a way the Department of Labor can begin to address some of those issues. There are different, I think, vehicles or programs that have been used in the past to do that. One that comes to mind, very quickly, is the Trade Adjustment Act that can be used to help provide assistance immediately to those high-targeted areas, as you're describing. That might be something that we can, obviously, explore, or any other ideas you have.

With respect to WIA, I also agree that we do need to do a better job of strategically focusing in on those populations that we believe are a priority. Whether it is returning veterans or whether it's youth that are highly unemployed. The unemployed right now, or just trying to get individuals who may be in a specific service sector that have been recently unemployed. For example, the retail industry or the financial institutions. We must work quickly to see what kinds of opportunities we could put in place immediately.

I want to work with this committee and work with you on coming up with those ideas and programs that work. I know you and I talked about a particular job program, I believe, that exists in your area.

Senator REED. Well, we're very fortunate to have the best job corps center in the country in Rhode Island, and so, we would like you to continue to support the job corps very enthusiastically.

Mrs. SOLIS. I would love to visit, upon your invitation and if confirmed.

Senator REED. Well, I'll start making the arrangements today.

[Laughter.]

Thank you very much, Representative.

Mrs. SOLIS. Thank you, Senator.

The CHAIRMAN. Senator Sanders.

Senator SANDERS. Thank you very much, Mr. Chairman.

Let me begin by saying I have known Congresswoman Solis for a number of years, because I worked with her in the House and we've continued working with her in the Senate. I think it's, from my perspective, perhaps the very best appointment that President-elect Obama has made. And I'll tell you why. I think most Americans today understand the reality that the middle class is collapsing, that poverty is increasing. Since President Bush has been in office, more than 6 million people have fallen into poverty, 70 million Americans have lost their health insurance, millions of people have lost their pensions, people are losing their homes, people are losing their dignity. And also since President Bush has been in office, the gap between the very rich and everybody else has grown wider and we have the greatest gap between the very rich and everybody else of any major country on earth. And to a certain degree, the position of Secretary of Labor, as Senator Dodd indicated earlier, is about standing up for working families. And at a time when I believe most Americans perceive that, for the last 8 years, we've had a government that has stood with the wealthy and the powerful and ignored the needs of working families, people are saying it is time for a change, it's time to hear the needs and the pain of ordinary people in the halls of this Congress. And I think, for better or worse, a lot of that responsibility is going to be on your very, very able shoulders. I have no doubt that you will assume that voice and say that it's time that working families had a shot in this country, and not just large multinational corporations.

Now, let me begin by just asking you a few questions. The first one's going to be a very, very tough question. You helped create, in the House, the Green Jobs Workforce Training Program. And I worked with you in the Senate, along with Senator Clinton. Now, on that very tough question, Will you help us move that program along, the one that you helped create?

[Laughter.]

Mrs. SOLIS. Yes.

Senator SANDERS. All right. Tough question.

[Laughter.]

Now, we've heard a lot about unions. Let me just say a word about that. Congresswoman, today if an employee is engaged in a union-organizing campaign, that employee has a one-in-five chance of getting fired. Today, half of all employers threaten to close or relocate their business if workers choose to form a union. Today, when workers become interested in forming unions, 92 percent of private-sector employers force employees to attend closed-door meetings to hear anti-union propaganda, 80 percent require supervisors to attend training sessions on attacking unions, 78 percent require that supervisors deliver anti-union messages to workers they oversee, and 75 percent hire outside consultants to run anti-union campaigns, and on and on it goes. Will you use your position as Secretary of Labor to give workers a fair shot to join a union if they wish to do so?

Mrs. SOLIS. Senator Sanders, it's always a pleasure to work with you and to hear your very passionate concerns about the average working families that make up this great country. And you know that I also was a cosponsor of the Employee Free Choice Act, as

well as our President-elect, Barack Obama, who also supports that legislation.

Now, given the situation at this time, I have not had an opportunity to speak with him directly about other legislation. I see my role as, again, a steward of the Department of Labor, helping to provide protections in the workplace, fighting for those working men and women, and their children, that also deserve to receive respect and dignity in the workplace, and, even upon their retirement, that there's some solvency there provided for them. I will work with you and other members of this committee to see that we work to do that.

I understand the problems that we face with some egregious businesses, and perhaps there are some bad union actors out there, as well. I know that we have to correct those and we have to have a fair balance, and I will work very diligently with you and other members to achieve that.

Senator SANDERS. Yes, two other issues I wanted to briefly touch upon. Senator Mikulski talked about nursing. She and I, among others, passed legislation—authorized legislation that would provide per-capita funding to nursing schools that increase their enrollment. Right now, every year, 50,000 people apply for nursing school, in an area where we desperately need more nurses; they're rejected because there aren't faculty available to teach them. We've addressed that. What we're asking for is funding for that program so that we can create good jobs in a desperately needed area. Is that something you could be supportive of?

Mrs. SOLIS. Yes, Senator. And I would look strongly to, also, the support of the Cabinet designee for the Department of Education.

Senator SANDERS. Right.

Mrs. SOLIS. That's where a lot of the funding would come from.

Senator SANDERS. There's another area that I want to just touch briefly upon that I've been working on for many, many years. As our disastrous trade policies result in the loss of millions of good-paying jobs in this country, going to China and elsewhere, one way that we can address that is the concept of employee ownership. And I know, in Vermont and Ohio, some other States, we're talking about that, that if an employer retires after growing a business, as often as not, that employer would like the opportunity to leave the company to his or her employees. Will you work with me in trying to expand that concept so that workers themselves can own their own places of employment?

Mrs. SOLIS. Senator, I am always interested in what you have to say, and look forward to exploring those ideas that you shared with me the other day in your office regarding the innovative ideas that are coming out of your own State.

Senator SANDERS. Mr. Chairman, I think we have the opportunity here to vote for somebody who will be one of the great Secretaries of Labor, and I certainly look forward to voting for her.

Thank you.

The CHAIRMAN. Fine. Thank you very much. I know some of our colleagues might have additional questions. Just before they do, I want to get back to the question of workers and their rights. We had a good round earlier on this issue. But, I've been around here, actually, since the early 1960s. And in the early 1960s, there was

no Employee Free Choice Act. That didn't exist. We didn't have, obviously, those who were abusing the system, because the system didn't exist. You know, people just don't respect that fact today. They talk about, "Oh, well, we've got that now, which—change. We ought to go ahead and enforce that, and all the rest." It did not exist. Our system worked well, and it worked very fairly. So, before we get all worked up about this process, we ought to recognize the history and understand what worked and what doesn't work.

Then, the point—and I think Senator Sanders recognized this—about the percent of people that want a union, versus those that don't. Only 8 percent have them and 60 percent want a union. I would think that would demonstrate quite clearly about who wants this and who does not. And you're talking about employee free choice. You're getting a pretty clear indication about that issue.

And finally, on the issue, we find that—about the NLRB, which I'm very interested in—they have a situation, in the NLRB, where the implementation of the workers is in the NLRB and not the Department of Labor. These discussions about wages and the rest, this is not in the Department of Labor, but is in the NLRB. And so, we shouldn't get confused about what the NLRB represents, what the Department of Labor represents, who has responsibility and what the law is in this area. It's very easy to distort it and misrepresent. But, I think we've tried to clear this up. I'll ask our colleagues on both sides of the aisle to get into greater detail on this particular issue so we have all the facts on it.

I don't know whether there are any additional questions.

Senator HARKIN. I have just one, Mr. Chairman. Thank you very much. I don't mean to prolong this.

We're anxious to get on with the administration and get you in as Secretary of Labor, Congresswoman. But, there's one other area I just wanted to cover with you, and that's the whole area of pensions. It was brought up a couple of times here.

But, you know, in the past, basically we had a defined benefit program for people. And then, that has morphed into all kinds of other things. And the defined benefit plans have gone down. It's interesting to note that, as the defined benefit plans have been attacked and changed, management has instituted unique kinds of retirement programs for senior executives; they're called deferred compensation plans, which are nothing more or less than a defined benefit program. So, they get the defined benefits, but the workers don't.

Congressman Miller, on the House side, and I have introduced legislation that basically says, if a company provides any kind of a deferred compensation plan for its executives, it must provide for a defined benefit plan for its workers.

The other issue is fee disclosures. Fees. And a lot of times, people—you know, when you say, "Well, a fee is .5 percent or 1.5 percent for the administration of a 401(k) plan," it doesn't—you don't think that that's a big deal. But, here's what it means. If a 35-year-old invested \$20,000 in a 401(k) plan for 30 years, paying .5 percent in fees—the fee is .5 percent for administrative costs—that person would have \$132,287 for retirement. But, if the fees were 1.5 percent—and that doesn't sound like a big deal, 1.5 percent—the amount available for retirement is only \$99,000, a 25-percent

reduction in retirement for just a 1-percent increase in fees. A lot of these 401(k) plans out there have fees of 2 percent, 2.5 percent—it's all over the place.

We need to make sure that when 401(k) plans are provided, that the fees are disclosed, and what it means in the difference on those fees, going from a .5 percent to 1 percent to 1.5 percent to 2 percent, what that would mean in the employee's benefit program at the end.

Now, the Bush administration proposed rules on fee disclosures, but we've looked at those, I've had my staff go through those, and, quite frankly, it leaves loopholes big enough that the employer's plan can hide up to 90 percent of the assessed fees. I hope, Congresswoman, that you will take a look at these proposed rules and come up with rules that basically would disclose all of these fees so that people know what it means. If they have a plan that is 1.5 percent fees or one that's .5 percent, they would know what the difference would be in their benefits at retirement time.

So, I implore you to take a look at these regulations, their proposed rules. I think they need to be reworked, and I would hope that you would take a look at the legislation that both Congressman Miller and I have introduced. Any thoughts that you have on that, I would appreciate.

Mrs. SOLIS. Thank you, Senator Harkin. I, too, agree with much of what you have said, in light of what has happened in the stock market and the value of our pension plans for many Americans, and the devalue that has occurred. I, too, would like to see more attempt at disclosure and transparency, and want to work with you and other members of this committee. I've worked, in the past, with Congressman Miller on this, and supported legislation to that effect, and would hope that we could review those regulations, once they come out, if I am confirmed, and have the opportunity to tighten up those loopholes that might seriously disadvantage those current retirees or folks that are hanging on to those plans right now.

Senator HARKIN. Thank you very much, Congresswoman.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator Enzi.

Senator ENZI. Thank you, Mr. Chairman. I do have some other questions.

I know we have other questions that we'll put in writing, too, that we'll hope that we have answers to, and, yesterday, had agreed to do that. And then, after we'd given up our right to a second round, your side had a second round. So, I do want to ask some additional questions, and we will still want to submit questions in writing.

Senator ENZI. I'm glad you brought up the pension issue, because that was a tremendous bipartisan undertaking of this committee and the U.S. Senate. In fact, that was over a 1,000-page bill, and our final debate and vote on it was 1 hour, with two amendments and then a final vote, which, I think, in, probably, the history of the Senate, that was a record for getting it achieved. Then we did the Conference Committee and were able to have the same kind of bipartisan participation and support. I think we did wind up with a situation where we have preserved pensions for people, as well

as kept the companies in business, which would have also eliminated pensions. I think there are some things that need to be done, in light of the economic situation right now, and I hope that, as Secretary, you would help us with that. But, I did notice that, when we voted on that legislation, that you voted against the legislation. So, I guess I need to ask, if you're confirmed, if you would intend to undo that pension law, and what, if any, changes you would intend to make in the Pension and Retirement Savings Act.

Mrs. SOLIS. Senator, I'm looking forward to working, if confirmed, with all sides of the aisle, and to just reiterate that I, too, have concerns about disclosure. I think that the public does deserve to be notified if they are improperly being charged fees. I think that's what President-elect Obama has talked about to the public, about more transparency. And at this particular time, when we are in a financial crisis, I think it's more needed than ever. So, I would like to work with you, as well as other members of the committee, to see how we could arrive at those principles.

Senator ENZI. Very good. We did just pass the technical corrections bill to that, which helped clear up what we thought were some of the misinterpretations by the Pension Benefit Guarantee Corporation, several of which the Administration did not like. But, I think it will make a huge difference in maintaining pensions for people, and that's what we're interested in doing.

To shift gears again, you're the only current Member of Congress who is serving on the board of directors of the American Rights to Work. Do you plan to maintain that association, as the Secretary?

Mrs. SOLIS. Senator, I have various affiliations with different groups—the Sierra Club, National Women's Political Committee, Business and Professional Women's—many that I have held for many, many years. I will continue to hold those. I think that, if I am confirmed, that I will more than likely remove myself from the board.

Senator ENZI. OK, because the concern has not been with you, but with some of the very personal and inflammatory attacks against officials who have earned the respect of many of the members of this committee, and I'm sure you did not authorize those attacks, and I would hope that, if you maintain any kind of a relationship with the group, that you would request that they not do personal attacks. Issues? Excellent. That's what we need to be working on. Personal attacks? I don't think that has a place in what we're doing, and just helps to make crevasses where we ought to have bridges.

Mrs. SOLIS. Senator Enzi, if I might just state that I was very pleased to be nominated by our President-elect, Barack Obama, for this position, and unbeknownst to me that I would even be given this offer. I feel very blessed and very privileged for that honor.

The second call that I received, after a friend picked it up on the television that somehow my name was presented, was Secretary Elaine Chao. She called me personally in my congressional office and wanted to thank me, and wanted to just share a few words of respect to say that, as another woman, as someone who has a background that's very diverse, that she thought that this was a very exceptional position, and she was very kind and generous in her acknowledgment of this appointment. So, I have the highest respect

for all of our elected and appointed officials, and know that I will work very hard, as I have tried to demonstrate in my role as a Member of Congress, to work across the aisle with everyone.

Senator ENZI. I appreciate that. Of course, one of the things that Secretary Chao did was to get a clarification on white-collar exemptions. I think you opposed the Administration's regulation on that, and you stated that it barred 6 million workers from receiving the overtime they deserved. Of course, now we know that that was not the result of the regulation, that the rhetoric we heard so frequently in 2003 and 2004 has virtually ceased. But, I'm curious, as Secretary of Labor, would you work to rescind that regulation?

Mrs. SOLIS. Senator, I'd have to take another look at what the Department of Labor has been working on with respect to this issue, and consult with the President-elect and also other members of this body, and will get back to you at the appropriate time, if you wish.

Senator ENZI. OK. I would wish. I'll end on a considerably easier question, because we are going to be talking about a lot of job creations. I have worked, for the last 4 years, on the Workforce Investment Act, and we passed it unanimously through the Senate, 2 years ago. The House also passed it, but we were never able to get a Conference Committee. We've had it ready to go, this last 2 years, but have not gone to the effort to pass it through the Senate. I think that some revision in that, to modernize it, to reauthorize it, is extremely critical. So, would you propose to make sure that we do something on workforce investment? What kinds of things could be done on that?

Mrs. SOLIS. Senator, I know you and Senator Murray have a great deal of interest in this subject matter, and I did have an opportunity to talk to her and, of course, would like to speak with both of you and other members regarding that issue. I do think there's room for improvement, but also want to get the best data, in terms of what the agency is currently undertaking and what challenges we're going to face. And again, I would just draw your attention to, also, the fact that we need to have a sufficient-funded WIA program, and that's also going to take a bipartisan effort. So, I would ask you to also consider that, as we go and move along in the direction of making sure that jobs are out immediately for the American workers.

Senator ENZI. I think a lot of the concern with the funding has been over the fact that we were operating under an antiquated system that had only stovepipes, that didn't have the flexibility to move the money to where the people need to be trained. I think, as we eliminate those stovepipes, we might have some success at dramatically increasing the money. I think that the circumstances now will dramatically increase it anyway, but I think it needs to be used more effectively than what we have in the past. I think completing that piece of legislation will be a real, real key to it.

I do appreciate your appearing before us today and addressing these questions. I noted that—a number of occasions, of course, that you have not talked to the President-elect on the subjects. I think we were kind of interested in what your personal opinion was, but recognize that that has to be a part of the Administration, as well. I do know that the members that posed some of those

questions will expect a little more definitive answer before the vote on confirmation is done.

So, I thank you for your willingness to do this job. The hearings alone are terrible.

[Laughter.]

But, your willingness to give up that part of your life to do an extremely difficult job for a lot of people, and to manage an agency of such import, I congratulate you and thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Sanders.

Senator SANDERS. Very briefly.

I just want to mention to Senator Enzi that Congresswoman Solis was not the only member of the House to have voted against that pension bill. I voted against it, too. And in retrospect, it was the right vote, because, among other things, it allowed employers to discriminate against old workers by shifting to cash-balance pension plans that, in fact, could result in cuts in pensions by up to 50 percent. So, I think she cast the right vote, as a matter of fact.

But, I just, again, want to congratulate President Obama for his appointment, and I think in front of us we have somebody who has the makings to be a great Secretary of Labor.

Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much.

Congresswoman Solis, we want to express our real appreciation for your presence here today. Today you get the sense, and the real sense, and one that I share, and the feeling that we need a real fighter for the workers in America. We want someone that's going to be fair, obviously, for the workers and for all of those affected by your department. That's extraordinarily important. We want to find ways in which we can work together—both Republicans and Democrats.

Senator Enzi mentioned before some of the challenges that remain out there. But, as he has also mentioned, we, on this committee, have found ways of working together. I think you can see, over the period of years, the work of this committee, in terms of workers' interest, has been extremely strong, and we have every intention to keep it that way.

So, we want to, again, thank you, and we want to just say—finally, I would say that we come away from the hearing with a strong sense of your caring about these issues. I opened the hearing, talking about some of these issues and the plight of so many working families. And, I think, in the course of the morning, you've gotten that sense, from all the members, that here in this committee, we have a strong concern about what is going to happen to families here in our country, and we recognize the central challenges that we are facing. We look forward to working closely with you. You have an extraordinary reputation, and you come to this job with an incredible amount of support, and we want to continue to make sure you're going to get all the support that you need, and we invite you to tell us about the areas, as we move along, that you think we can be most helpful in for working families in this country.

Without further comment, the committee will stand in recess.

[Additional material follows.]



## ADDITIONAL MATERIAL

## PREPARED STATEMENT OF SENATOR MURRAY

Thank you, Mr. Chairman, for calling this hearing to quickly move forward on the confirmation of Representative Solis as the next Secretary of Labor.

Ensuring a smooth and timely transition for this critical Cabinet position sends an important message to America's workers that they are absolutely essential to our economic recovery efforts.

And thank you, Representative Solis, for responding so decisively to President-elect Obama's call to serve as Secretary of Labor. Having worked with President-elect Obama, I know he is committed to America's working families. I'm pleased that he's chosen an equally committed advocate to lead the department responsible for the well-being of workers.

Once confirmed, you have a great mission ahead of you.

For far too long, America's workers have felt like an afterthought to their government.

Workers weren't a top priority for the last Administration—and it showed—in their inadequate investments in workers, their skills, and their health and safety on the job.

But I'm encouraged that the Department of Labor will soon have a leader who will restore public confidence, in its ability to serve workers well—a leader who stands ready to help the Department fulfill its core responsibilities to America's working men and women.

For years I've said that if we don't invest in the growth and development of America's workers, our families, our communities, and our Nation will suffer in the long run.

Now, with unemployment at 7.2 percent, record numbers of jobs being shed from the economy, and hundreds of thousands of new unemployment insurance claims being filed every month—workers need an advocate in the new Administration who will stand up for them.

They need someone who believes—as I do—that investing in them is investing in our future.

They need someone who believes that their government should work for them during the good times and help them support themselves during the hard times.

And, they need someone who will be their voice in every economic recovery discussion.

As we discuss the best way to stimulate our economy, I believe three points are clear. First, we need to help create new jobs, and help workers who are unemployed or underemployed find new, family-supporting jobs and stay in the middle class. Second, we need to help low-skill and low-earning workers acquire the skills they need to find family-wage jobs in healthy industries, and increase their entry into the middle class. And third, we need to make smart investments in critical infrastructure repair that will create jobs, increase worker training and help enhance our productivity and global competitiveness.

I'm also hopeful that as Secretary, you will join me in making the reauthorization of our Nation's workforce system under the Workforce Investment Act a top priority in your first year. We face

some challenges, but I'm convinced we can do it. Our working families deserve an innovative and modern workforce development system.

It's also my hope that we can work together to make work-life balance a reality for many working families being pulled in too many directions. I hope that we'll see a proactive approach to expanding job protected leave and other family friendly work policies.

To be fully productive, workers need to know that their employers and their government are doing all they can to ensure they are safe and healthy on the job. I look forward to working with you to once again make OSHA and MSHA proactive agencies that put the well-being of workers first.

We face significant challenges; however, we have a great opportunity before us.

Together, we can help workers access training for 21st century careers, including emerging green jobs.

We can help workers balance the needs of home and careers; help keep them safe on the job; and protect their rights to organize and secure a better economic future for themselves.

And, ultimately, we can help working families improve their quality of life.

As Chairman of the Subcommittee on Employment and Workplace Safety, I know that serving our working families is a great and weighty privilege.

And, I know we share a common belief—when working families win, we all benefit.

I look forward to being a partner in service with you in the years to come.

RESPONSE TO QUESTIONS OF SENATORS KENNEDY, HARKIN, MIKULSKI,  
MURRAY AND BROWN

QUESTIONS OF SENATOR KENNEDY

*Question 1.* As discussed at the hearing, you have been a strong supporter of the Employee Free Choice Act, a bill that would amend the National Labor Relations Act to provide additional protection for workers' right to form and join a union. The National Labor Relations Act is implemented and enforced by the National Labor Relations Board.

Do you understand the Employee Free Choice Act to change in any way the National Labor Relations Board's exclusive responsibility for enforcing the National Labor Relations Act? What role, if any, do you see for the Secretary of Labor in carrying out the provisions of the Employee Free Choice Act?

Answer 1. It is my understanding that the Employee Free Choice Act would not change the National Labor Relations Board's exclusive responsibility for enforcing the National Labor Relations Act. It is also my understanding that as an independent agency, the NLRB has historically exercised its decisionmaking authority under the National Labor Relations Act without interference or direction from the Executive branch. If confirmed, my intention is to continue that practice.

*Question 2.* The Employee Free Choice Act establishes a timetable for negotiating a first contract. It gives the parties ample time to negotiate the terms of their agreement, on their own and with the help from an experienced mediator. Only after the parties' own negotiations fail, and mediation is unsuccessful, can the dispute be referred to arbitration.

Do you agree that it is important for a union that has won an election to have some mechanism for achieving a first contract? Do you think that, under the system that would be established by the Employee Free Choice Act, both business and labor would have a strong incentive to reach an agreement through negotiations or mediation?

Answer 2. There is broad consensus as to both the importance of a newly formed union being able to achieve a first contract and the obstacles that prevent that from

occurring in so many instances under current law. As NLRB General Counsel Ronald J. Meisburg, a Bush appointee, wrote in an April 19, 2006 Memorandum to Regional Directors of the NLRB:

Initial contract bargaining constitutes a critical stage of the negotiation process because it forms the foundation for the parties' future labor-management relationship. As the Federal Mediation and Conciliation Service has observed, "[i]nitial contract negotiations are often more difficult than established successor contract negotiations, since they frequently follow contentious representation election campaigns." And when employees are bargaining for their first collective bargaining agreement, they are highly susceptible to unfair labor practices intended to undermine support for their bargaining representative.

Under the current system, employers opposed to their employees' decision to unionize actually have a strong incentive not to reach agreement, because if they can get through a year without reaching an agreement the union can be decertified. Under the interest arbitration provisions of EFCA, both the union and the employer would have incentive to engage in serious bargaining with the intent to reach agreement, because if they failed to reach agreement both would face uncertainty as to the outcome of the interest arbitration proceeding. Evidence from Canadian jurisdictions that provide for first contract arbitration indicates that arbitration is rarely invoked because the prospect of the unknown encourages the parties to reach their own agreement.

*Question 3.* As discussed at the hearing, 22 States have "right-to-work" laws, which prohibit unions from requiring the workers they represent pay basic union dues. These laws require unions to make available to nonmembers all the services that they provide to union members at no cost.

Isn't it true that in States without a "right-to-work" law, all workers have the right to decide whether they want a union or not? Isn't it also true that in States without "right-to-work" laws, workers are only obligated to pay for the union's services from which they directly benefit, such as costs associated with collective bargaining?

Answer 3. Yes, that is my understanding.

*Question 4.* The Department of Labor recently finalized new regulations for the H2-A and H-2B programs. Many worker advocates are concerned that the changes made by these regulations will undermine protections for workers covered by these programs, putting them at greater risk of exploitation and will have a negative impact on employment opportunities for American workers. You have been a vocal opponent of these regulations.

If confirmed, would you consider revisiting these regulations? What other reforms would you like to see in these programs to increase protections for both immigrant workers and American workers?

Answer 4. If confirmed as Secretary of Labor, I would examine all of the Department's programs to make sure they are effectively serving the interest of American workers. As a Member of Congress I have expressed strong concerns about the H2-A regulations recently promulgated by the department and I have similar concerns about the new H2-B regulations. Although I have made no decision as to whether these regulations should be revised or rescinded, if confirmed I expect to review them closely to assess whether they serve and balance the programs' goals—allowing employers access to employees with the skills they need, while at the same time assuring that the jobs that the employers seek to fill are not able to be filled by U.S. workers, and that the workers brought into this country through these programs are treated fairly, provided with safe and healthy working conditions, and paid wages and benefits that do not undercut the wages and benefits of U.S. workers.

#### QUESTIONS OF SENATOR HARKIN

*Question 1.* One of the great injustices in our society has been the fact that so many Americans dealing with a mental illness don't have the same insurance coverage that people who happen to suffer from other kinds of illnesses have. I know you understand this because you were a cosponsor of the Paul Wellstone Mental Health Parity Act in the House. And as you know, this long overdue legislation was passed late last year as a part of the economic rescue package. This legislation will go a long way to making sure that mental health and addiction treatment are covered in the same way as any other serious illness. It will make sure families struggling with mental illness don't have that difficulty compounded by having to pay the doctor's bills out of pocket. In this rough economy, it will give some of the fami-

lies who need it most some valuable piece of mind. Now, the Department of Labor is one of the agencies tasked with the implementation and enforcement of this new law.

- It is absolutely critical that patient advocates have a seat at the table during this process, and that their views are considered and integrated in the final product. Are you committed to a fair and open regulation writing process that accommodates the needs of those most affected by the final rules?

- Given that this law was well over a decade in the making, will you work to make this a high priority and that regulations will also be developed in a timely manner?

Answer 1. I agree that passage of the Mental Health Parity Act was long overdue and if confirmed, I intend to work with the Secretaries of HHS and Treasury to ensure that implementing regulations are developed and issued promptly and within the time limit established by Congress under the act. I also share your view that the rulemaking process should be transparent and open, and should be structured so as to allow for meaningful input from patient advocates as well as other stakeholders. You have my commitment that if confirmed, I will make the effective implementation of this new law a high priority.

*Question 2.* Over the years, there have been many advances made in the way citizens and businesses ship goods from city to city. Numerous air-carrier and cargo services make the delivery of goods speedy, reliable and affordable. Truck, air and rail delivery networks are in place across the country. These operations employ large workforces that perform various types of work in a range of conditions. Some of the leading delivery companies appear to have similar organizational structure and clientele. But there is a disparity in the terms and conditions of their workers' employment. Some of the companies provide full- and part-time workers with good wages and benefits, including medical plans, dental coverage and paid vacation time. Others take a lower road, in part by using independent contractors and anti-union campaigns.

Unfortunately, Federal law facilitates this difference. It ensures that all of the workers at one of the largest companies which delivers by air are covered by the Railway Labor Act (RLA), even when those workers do the same jobs as employees at other delivery companies who are covered by the National Labor Relations Act (NLRA). What is the difference? Under the NLRA, workers can act locally in seeking to organize and bargain collectively. Under the RLA, workers must organize nationally, an enormous challenge in today's labor environment.

Congress created the concept of an "express carrier" in 1996, putting all the employees of one large company under RLA jurisdiction, regardless of individual employees' relation to air transportation. That means those workers cannot organize a union chapter locally, weakening their opportunity to bargain for better wages, benefits and workplace conditions. I have been working to correct this difference by allowing all ground workers to organize under the NLRA. What are your thoughts on this issue?

Answer 2. Both the President-elect and I believe strongly that all workers should have a meaningful right to organize and bargain collectively. The situation you describe, in which workers employed by some package and cargo delivery services are covered by the Railway Labor Act while workers of competing companies offering similar services are covered by the National Labor Relations Act, certainly seems illogical from the employees' point of view. I am not sufficiently familiar with the issue at this time to have a specific view as to how that anomaly could or should be addressed, but if confirmed I would be pleased to look into this further and to work with you and other members of the committee, as well as affected interests, to try to find an equitable solution.

*Question 3.* Research shows that employment is a critical tool in ending homelessness, especially when it is linked with affordable housing. Yet traditional workforce development systems are not always accessible for people who are homeless or to those with multiple, significant barriers. What employment strategies should the DOL undertake to support the Nation's commitment to end homelessness?

Answer 3. The best way to prevent homelessness is to make sure everyone has a job that pays a decent wage—which means a wage high enough to cover rent or mortgage payments. In this era of frequent foreclosures, spreading job loss, and rising despair, the department has a critical role to play by assuring that vulnerable populations of workers—those workers who are teetering on the edge of homeless or already slipped in—get the services they need and deserve. I am aware from my own experience that "one-size-fits-all" approaches to the delivery of services often have the practical effect of excluding hard-to-serve-populations, including the home-

less, from receiving services, and that service strategies need to be sufficiently flexible to allow services to be tailored to the specific needs of populations like the homeless who face special barriers. We need to take what we have learned from experience about how best to provide services to various underserved populations and make sure that those best practices are incorporated into all of our other programs. If confirmed, I look forward to working with you to ensure that the homeless and other hard-to-serve are able to get the help they need and to obtain training and find meaningful employment. For people with disabilities, I am particularly eager to reinvigorate the Office of Disability Employment Policy's efforts to connect employers with workers with disabilities and help employers to provide the accommodations needed to break down the barriers to employment that have left too many people with disabilities in poverty.

*Question 4.* I know that you spoke out against the Supreme Court's decision in *Ledbetter v. Goodyear Tire and Rubber*, and that you are a strong supporter of the bill to overrule that decision. However, there was another decision that hurt working people—especially low income women—handed down that same term that has not received as much attention. In *Long Island Care at Home v. Coke*, decided in June 2007, the Court upheld a Department of Labor regulation that excludes all workers who provide in-home care for elderly or disabled people from the Fair Labor Standards Act's wage and overtime protections. The challenged exclusion applies to employees of home care companies and agencies of any size and allows profit-making companies to legally pay home-care workers deplorably low wages and deny them just compensation for overtime. However, the Supreme Court also made it clear that the Department of Labor has the authority to overturn this interpretation by issuing new regulations. Would you be willing to draft new regulations to incorporate these overlooked workers?

*Answer 4.* Home health care is a rapidly growing sector of the economy, and the men and women who are performing that critically important service deserve decent wages and the kind of protection against exploitation that our minimum wage and overtime laws provide. If I am confirmed, I will work to develop a regulatory agenda that serves the President-elect's goal of expanding and securing the middle class. In that connection, I will be closely reviewing various regulations administered by the Wage & Hour Administration to assess whether they serve that goal, including the so-called "companions" regulation under the Fair Labor Standards Act.

*Question 5.* At this time when so many people are hurting financially, it is vital that any economic recovery legislation we pass benefit all Americans and take positive steps to eliminate the workforce segregation that exists today in many of the infrastructure and green jobs that will be funded through the economic recovery package. Women and people of color continue to be underrepresented in many of these jobs, particularly in the construction industry. Typically, these jobs provide family-supporting wages and benefits far beyond those earned by other women with the same level of education. For all jobs covered by Executive Order 11246, moreover, it is critical that the Office of Federal Contract Compliance Programs take proactive steps to ensure enforcement of civil rights requirements. But rather than enforcing the law, OFCCP during the past 8 years has abdicated some of its enforcement responsibilities, by, for example, removing the Equal Pay Matters Initiative from its Website and rescinding the Equal Opportunity Survey. The GAO issued a report that Senators Kennedy, Clinton, Representative Maloney and I requested that shows that indeed, the DOL isn't even tracking their enforcement efforts reliably. Will you commit to insisting that OFCCP take more aggressive enforcement action under Executive Order 11246, including by ensuring that women and people of color have equal access to jobs created by the economic recovery package and making a priority of monitoring and attacking pay discrimination?

*Answer 5.* I have not yet had the opportunity to read the GAO report you referenced but, if I am confirmed, I will examine its analyses and conclusions closely. I am firmly committed to expanding opportunities for women, people of color, and people with disabilities in the American labor market and workplace and I know that the President-elect shares that commitment. One of my objectives if confirmed will be to reinvigorate the Office of Federal Contract Compliance Programs (OFCCP) and restore it to its role as one of the Federal Government's leading civil rights enforcement agencies. I share the concerns you have expressed about the acquisition of data to guide enforcement efforts and the provision of accurate and timely information to Federal contractors regarding their responsibilities under Executive Order No. 11246 and the other laws enforced by OFCCP. I look forward to working with you to address these concerns.

*Question 6.* The Office of Labor-Management Standards implements and enforces the Labor Management Reporting and Disclosure Act (LMRDA), which provides a bill of rights for union members and requires annual financial disclosures from unions, union officers and employees, employers, and labor consultants. The current amount of money spent per union is dramatically higher than the amount spent per employer covered for investigation, yet the number of successful corruption cases against unions and union officials did not increase substantially. By way of comparison, from 2000 to 2007, the number of wage and hour investigators fell from 946 to 732 and the number of DOL-initiated FLSA enforcement investigations fell by 38 percent. OLMS also adopted a number of burdensome regulations on unions, their officers and employees, and union trusts, forcing even fair low-level union officials to spend hours of their time and their hard-earned money to comply. Do you plan to roll back these onerous regulations?

Answer 6. I share your concern about assuring a balanced approach to regulation, enforcement, and compliance assistance in all of the Labor Department's agencies, including the Office of Labor-Management Standards. If confirmed, I will look at all Department programs to make sure they are using their resources wisely in effectively serving the public interest. I am firmly opposed to any regulatory or enforcement effort that uses the Labor Department's statutory authority only to harass or intimidate any regulated entity. That is an inappropriate use of Federal resources and I will guard against it, if I am confirmed. The Labor Department's regulatory and enforcement efforts must always remain tightly focused on achieving the statutory objectives set forth by Congress.

#### QUESTIONS OF SENATOR MIKULSKI

*Question 1.* Yesterday, the Department of Homeland Security announced that the H-2B cap for the second half of the fiscal year has been reached and that it will not accept petitions that are filed with USCIS if the start date is prior to October 1, 2009. While I understand that the cap limitation is statutory, I am concerned that delays in processing labor certifications have unfairly hurt my constituents. We need a fair solution for the good faith employers who filed their applications for labor certifications on time and followed Department of Labor guidelines, but whose certifications were not processed in a timely fashion because of bureaucratic delays outside of their control. I know you are aware that the Department of Labor has had serious problems processing foreign labor certifications and that delays have resulted in precluding employers from being eligible to apply for H-2B visa with the Department of Homeland Security. As a result of this backlog, and through no fault of their own, many employers who followed the rules may not get the workers they need this season. Without these seasonal workers, these small businesses may be forced to close their doors.

We shouldn't let bureaucratic delays threaten American jobs in this extremely difficult economy. What do you think the Department can do to make sure labor certifications for guest worker programs are processed faster? Would you support a processing fee for labor certification petitions to facilitate timely adjudications of applications? What steps will you take to reduce fraud in applications so that employers aren't penalized for following the rules?

Answer 1. The goal of the H-2B program should be to assure that employers get the workers they need to be productive, while at the same time assuring that the jobs they seek to fill are able to be filled with U.S. workers and that the workers participating in these programs work and live in safe, healthy conditions and receive wages that do not undercut the wages of American workers. Any administrative or management malfunction that interferes with achieving these goals must be addressed and, if confirmed, I will direct the Employment and Training Administration to report to me regarding how it intends to address these problems. With regard to the specific problems of delay in the processing of labor certifications and fraudulent applications, I am not sufficiently familiar with the administration of the program at this time to have a view as to the extent or cause of these problems and therefore what specifically needs to be done to address them, but you have my commitment that I will, if confirmed, give the matter my prompt attention. While I do not want to prematurely prejudge either the problems or the solutions, if confirmed I am certainly open to working with you and other members of the committee to assess whether additional resources, such as those collected through a fee, would help to address any backlogs and fraud-related problems that may exist.

#### QUESTIONS OF SENATOR MURRAY

*Question 1.* Stimulating economy and keeping it strong means helping workers of all ages access the training they need to succeed in 21st century jobs. I am very

concerned that work preparation and employment programs have been cut about 40 percent under the Bush administration when 4 million more people have been unemployed since 2000. We need to ensure that workers have the tools they need to find new, family-supporting jobs and prosper in America's dynamic economy.

As Secretary of Labor, what will you do to make both education and job training funding for the current and next generation workers top priorities in the Obama administration?

Answer 1. In this time of rising unemployment, disappearing jobs, and stagnant wages, I agree we must assure that every American is prepared to compete and succeed in the labor market and the workplace. If confirmed, working to assure that all workers have the skills they need to gain access to and succeed in good jobs that pay a middle class wage will be a top priority for me as Secretary of Labor.

Added resources are important. But I believe that we must also take a hard look at our existing workforce development system and hold it and other skills-development grantees of the Labor Department accountable for results. I look forward to learning more from you about the "listening sessions" you have held with stakeholders of this system. And, if confirmed, I hope to work with you to assess whether there are ways to improve the career pathways we provide to workers entering or re-entering the labor market, to expand the role of labor-market intermediaries, to associate unemployment insurance services with skills development services, to engage all Workforce Investment Act grantees and fundees in common efforts across traditional bureaucratic lines, and to make a host of other reforms to the system that will produce better outcomes for workers and our economy.

*Question 2.* In the past, efforts to reauthorize the Workforce Investment Act have been blocked due to larger party politics that are no longer relevant. Getting a "jobs" bill done quickly is a strong signal that we care about ensuring America's workers stay in or enter the middle class.

As Secretary of Labor, how will you plan to work with Congress and key stakeholders to quickly reauthorize the workforce programs under WIA that are critically needed in this economic downturn?

Answer 2. President-elect Obama has expressed his support for WIA reauthorization and, if confirmed, I look forward to working with you and other members of the committee to develop a plan and a timetable for moving forward on this important legislation. Although the final scope of the President's economic recovery plan is still under discussion, I am hopeful that it will include new funds for job training, job search assistance and other workforce development initiatives. Obviously, this will present both new opportunities and new challenges for both the Department and the committee that will need to be taken into account as we consider how to proceed. As I indicated at my confirmation hearing, workforce development issues are among my top priorities at the agencies. I am truly excited at the prospect of working with you and other members of the committee to make sure we have in place the programs we need not only to help workers weather the difficult economic times we face in the present and near future, but also to enable them to build skills that will help them to succeed in the workplace over the full length of their working lives.

*Question 3.* Businesses tell me about the widening gap between the demands of their high skill jobs and the number of workers who have those skills. At the same time, dropout and unemployment rates are on the rise. We have to find innovative ways to make education work for our students and our businesses. I plan to reintroduce my bill, "Promoting Innovations to 21st Century Careers Act," which would provide incentives for communities, employers, and schools to work together and identify ways to open up "career pathways" that help our students get the knowledge and skills they need to succeed in the 21st century economy. It encourages collaboration among State and regional partners to align relevant programs authorized under WIA, No Child Left Behind, and the Perkins Career and Technical Education Act.

As Secretary of Labor, would you be willing to work with me and the new Secretaries of Education and of Commerce to help communities identify and create ways to prepare young people for 21st century careers?

What are your thoughts on addressing the education and work learning needs of out-of-school youth?

Would you agree that creating work and learning opportunities for disadvantaged teens and young adults should be a top priority for the Department and what are your thoughts for addressing this issue?

Answer 3. I share your concern about the future of our out-of-school youth and the need to develop effective programs to attach them to the labor market and help

them succeed over the long-term. As a beneficiary of federally funded youth programs myself, I have firsthand knowledge of the important role these programs can play in transitioning young people into jobs and postsecondary education.

In my view, a particular focus of the Department's efforts in this area should be on drop-out prevention programs that work with at-risk youth in middle school to keep them enrolled and learning. For those who have already dropped out or may be aging out of foster care, the challenge is to re-engage them with alternative learning models including community colleges, gateway programs, Job Corps, the Civilian Conservation Corps, and YouthBuild. Occupational skills training combined with literacy and numeracy training and basic skills training are a starting place, but I agree with you that we must also focus on developing career pathways that will lead these young people either into postsecondary education or directly into jobs that will carry them into the middle class. If confirmed, I look forward to working with you to develop a comprehensive strategy in this area.

As a Member of Congress, I too have been particularly concerned about making sure we are preparing our workforce for the jobs of the future. I am particularly proud in that regard of my authorship of the Green Jobs Act of 2007, which is aimed at providing training for "green jobs" in new and emerging industries. If confirmed I would welcome the opportunity to work with the Secretaries of Education and Commerce as well as this committee to help identify and help prepare young people for 21st century careers.

*Question 4.* President-elect Obama recently projected that the unemployment rate may reach double digits before the economy turns around. As the rate rises, the burden on our unemployment and re-employment services system is increasing as well. Servers used to file electronic claims have crashed in some States while others lack the resources to provide the type of customized services that workers who've lost their jobs often need. Unemployment insurance and re-employment services helps struggling workers get back on their feet and ultimately benefits the larger workforce.

What are your views on the importance of unemployment insurance and re-employment services? In your view, how can these services help dislocated, discouraged, and recently laid off workers gain access to the job market during challenging economic times?

Answer 4. I share your concern over the condition of the Nation's unemployment insurance system. With unemployment already above 7 percent and 2.5 million workers unemployed for longer than 6 months, the Nation's unemployment system is being taxed to its limit and there is good reason or concern that the problem will get worse before it gets better. States need administrative funds to keep their UI offices' doors open and to provide re-employment services to growing lines of workers. Although no final decisions have been made, I expect the President-elect's economic recovery package will extend unemployment insurance for the long-term unemployed and help the States with the additional resources they need to keep operating this critical program.

*Question 5.* I was dismayed to read the *Washington Post* article (December 29, 2008) about OSHA's inaction that resulted in issuing 86 percent fewer rules or regulations that were categorized as "economically significant" under the Bush administration as compared to the Clinton administration. There is much to be done so that workers once again can go to work confident that their government and their employers have done all they can to provide a safe working environment that ensures they return home safely.

As Secretary of Labor, will you give the necessary weight to policies and resources that strengthen safety and health standards for America's workers, including miners, and adequately enforce them?

Answer 5. Yes. Protecting the health and safety of our workers will be one of my top priorities, if confirmed as Secretary of Labor. Each year thousands of workers are injured on the job and fatalities are still too frequent an occurrence. OSHA must engage in effective enforcement, compliance assistance and, where necessary, standards promulgation to make sure workers are protected. We need to significantly speed up the standard setting process. Increasing the resources available to OSHA will also be critically important if we are to make real progress in this area, and I look forward to working with members of this committee and with the Department's appropriators to find ways within our budgetary constraints to achieve that end.

*Question 6.* State OSHA programs now serve close to half of the States in our country (including Washington State). These programs extend the reach of OSHA's



ability to keep workers safe and healthy on the job. But for far too long they have been underfunded due to inadequate budget requests from the Department.

As Secretary of Labor, what will you do to give these State OSHA offices the necessary weight and funding they require to fully support OSHA's mandate to protect America's workers?

Answer 6. As a Member of Congress from California, I wholeheartedly agree that to make sure workers are adequately protected on the job, we also need to assure that the so-called "State-plan States" have sufficient resources and support with which to carry out their mission. I will work with the Administration and Members of Congress to make sure the State plans' interests and needs are fully recognized and weighed.

*Question 7.* Maintaining a high quality of life means more than having a good paying job. In today's society, it also means having the ability to care for yourself and your family when necessity knocks without the fear of losing your job. Both you and I have been long time advocates of helping working families balance the demands of work and home. But I believe we need to do more. I'm proud to be from a progressive State like Washington that's already passed a State law to provide some paid leave for workers. Unfortunately, as State's struggle to pay for even the basics, the funding mechanism for such State programs is falling short.

As Secretary of Labor, how would you plan to work with Congress to expand job-protected leave including paid leave for workers?

What are your thoughts on supporting States in their efforts to provide paid leave for workers?

Answer 7. The President-elect and I strongly support efforts to expand job-protected leave including paid leave for workers. Today, three-out-of-four low-wage workers have no paid sick leave. It is fundamentally unfair that a single mom playing by the rules can get fired or lose wages because her child gets sick. If confirmed, I would work with the Administration and Members of Congress to support efforts to guarantee workers 7 days of paid sick leave per year.

#### QUESTIONS OF SENATOR BROWN

*Question 1.* Last May, DHL announced a corporate restructuring which will result in the loss of more than 8,000 jobs in Wilmington, Ohio—a town of 15,000 people. When there is an event of this magnitude caused by a layoff or plant closure, the Federal Government does not have a coordinated and timely response. In what ways do you think this can be improved?

Answer 1. If confirmed as Secretary of Labor, I would work to make sure that my National Emergency Grant authority is used to deploy resources rapidly and effectively in just such situations. Working with the States, I would seek to ensure that Rapid Response teams are on the ground before or as soon as WARN notice is triggered, prepared to provide job search information and re-employment services to all affected workers. I know this is a program with which your State, unfortunately, has had considerable experience, and if confirmed, I would hope you would be able to share further with me both your own views and those of local and State officials in your State as to what needs to be done to make the Federal Government more effective in its response to mass layoffs.

*Question 2.* In calculating the amount of funding required to provide essential services to laid off workers in a National Emergency Grant, the Labor Department recognizes WARN notices in determining the number of workers in need. As you are aware, the WARN Act does not cover the majority of workers affected by layoffs and plant closures. In what ways do you think the Labor Department can make better use of the WARN Act as a tool in averting layoffs and providing training and other services to workers in transition?

Answer 2. I share your concern about the scope of WARN notifications. As you know, the President-elect was a co-sponsor of your FOREWARN Act. If confirmed, and particularly in this time of rising unemployment and spreading job loss, I hope to have the opportunity to work with you to explore a variety of ways in which we might strengthen WARN enforcement and reform the way in which the Labor Department uses WARN notices as part of its response to layoffs of large numbers of workers. In particular, if confirmed, I would explore using my National Emergency Grant authority more broadly to help all permanently unemployed workers, not just those affected by mass layoffs covered by WARN.

## LETTERS OF SUPPORT

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES  
(AFSCME),  
WASHINGTON, DC 20036-5687,  
*February 12, 2009.*

DEAR SENATOR: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees, I strongly urge you to confirm Representative Hilda Solis as Secretary of Labor.

In these trying economic times, we need a Secretary of Labor who understands the struggles middle-class families face and has the know-how to implement solutions. Representative Solis is an ideal choice. She is a champion for workers rights and has dedicated her career to improving the lives of working families.

Representative Solis will restore fairness in the Department of Labor. Once confirmed, we firmly believe she will immediately turn her attention to protecting workers, enforcing labor laws, and addressing the challenges of a sagging national economy.

AFSCME urges you to support Hilda Solis and confirm her as our country's next Secretary of Labor.

Sincerely,

CHARLES M. LOVELESS,  
*Director of Legislation.*

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AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL  
ORGANIZATIONS,  
WASHINGTON, DC 20006,  
*January 29, 2009.*

Hon. EDWARD M. KENNEDY,  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY: On behalf of the AFL-CIO, I am writing to urge your support for the swift confirmation of Representative Hilda Solis as President Obama's Secretary of Labor.

The core mission of the Department of Labor is to defend the basic rights of workers in our Nation's workplaces, and the essential qualification of any Secretary of Labor is a demonstrated commitment to that core mission.

Representative Solis has demonstrated her commitment to defending the basic rights of workers throughout her career in public service, including the right to choose whether to form a union without employer interference. During her 15 years in the California State legislature and the U.S. House of Representatives, she has proven to be a passionate leader and advocate for all working families.

At her confirmation hearing on January 9, Representative Solis pointed to four areas where the Labor Department would focus its efforts under her leadership: improving skills development and job creation programs, including development of "green collar" jobs; assuring that workers get the pay they have earned working in safe, healthy, and fair workplaces; addressing the retirement security crisis; and protecting every worker from job discrimination, regardless of race, sex, veteran status, or disability. These should be the priorities of a Secretary of Labor under this or any other administration.

There can be no question that Hilda Solis is abundantly qualified to be Secretary of Labor, and there is no excuse for any further delay in the vote to confirm her. The challenges facing working families in these difficult times are too great for the Senate to deprive the Labor Department of leadership any longer.

Representative Solis is a superb choice to be Secretary of Labor. She will bring energy, experience, and dedication to help lead working families back to prosperity. We urge your support for her swift confirmation because her leadership is urgently needed.

Sincerely,

JOHN J. SWEENEY,  
*President.*

AMERICAN FEDERATION OF TEACHERS (AFT),  
 WASHINGTON, DC 20001,  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY: On behalf of the more than 1.4 million members of the American Federation of Teachers (AFT), I urge you to support the nomination of U.S. Representative Hilda Solis (D-Calif.) for Secretary of Labor.

The law establishing the Department of Labor states that the Department's main purpose is "to foster, promote and develop the welfare of working people, to improve their working conditions, and to advance their opportunities for profitable employment." The Department of Labor represents the men and women who are the engines of our economy; as Secretary of Labor, Representative Solis will be their voice and their champion.

Representative Solis' career in public service has been dedicated to advancing issues that improve the lives of working men and women and their families. As a member of the California Legislature, she led the battle to increase the State's minimum wage from \$4.25 to \$5.75 an hour. In 2000, she became the first woman to receive the John F. Kennedy Profile in Courage Award for her pioneering work on environmental justice issues in California.

As a member of the U.S. House of Representatives, Representative Solis has been a steadfast supporter of policies and programs designed to promote opportunity and level the playing field, from public education to the right to form a union.

Representative Solis further distinguished herself when she co-authored the Green Jobs Act—a bill that was adopted as part of the Energy Independence and Security Act of 2007. The Green Jobs Act authorized \$125 million for workforce training programs targeted to veterans, displaced workers, at-risk youth and individuals living in poverty. Her focus on providing people with the opportunity to improve their skills in emerging sectors like green jobs has provided an important bridge for those seeking secure, meaningful employment.

We have great confidence that Representative Solis, as Secretary of Labor, will continue to be a strong and necessary ally of workers. She will be an important part of President-elect Obama's efforts to promote policies that prepare individuals to be productive members of the 21st-century workforce.

We look forward to working with Representative Solis as she carries out the Labor Department's responsibility to protect and support workers, and to assure basic health and safety workplace protections. The AFT urges you to favorably report her nomination.

Sincerely,

RANDI WEINGARTEN,  
*President.*

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ASSOCIATION OF FARMWORKER OPPORTUNITY PROGRAMS (AFOP),  
 WASHINGTON, DC 20036.  
*January 15, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*Room 428, Senate Dirksen Office Building,*  
*Washington, DC 20510.*

DEAR SENATOR KENNEDY: I am writing today in support of President-elect Barack Obama's nomination of Representative Hilda Solis as Secretary of the Department of Labor.

Representative Solis has a long and rich history of support for the issues that are vital to the progress of working Americans, especially low-wage workers. Our organization, the Association of Farmworker Opportunity Programs, represents all the nonprofit and public agencies that provide job training and other vital services to America's migrant and seasonal farmworkers. Our efforts have been highly successful, despite the active opposition to the funding for the program by the Bush administration and current Labor Secretary Elaine Chao. That opposition has not prevented our members from producing outstanding results as measured by Department performance standards these past 7 years.

However, it has stopped growth of this highly successful and important program. While during the Bush administration's tenure we helped over 44,000 very low-wage farmworkers get good, steady jobs with benefits, we could have lifted double that number out of poverty had the Secretary of Labor understood the needs of farmworkers and other low-wage workers. I know that Representative Solis does have a deep understanding of farmworkers and knows the struggles experienced by working families. Her own family's story is a compelling one, plus her years of experience representing people in California give her a strong grounding in this area. Although she represents a part of Los Angeles, she has learned a lot about farm labor from our California members and her work with other farmworker advocacy groups.

We believe she is the right person to lead the Department into the next era, a period when that agency will once again champion the needs of working Americans. I'm confident that she will support a system of federally funded workforce development that will capture the best of the current system while providing leadership in new areas, particularly green jobs and alternative energy workforce development. We know that she will not leave low-wage workers behind, but will be a champion for their success.

In sum, the Association of Farmworker Opportunity Programs wholeheartedly endorses the candidacy of Representative Hilda Solis to be the next Secretary of Labor. I hope your committee will vote favorably on her candidacy, and that the full Senate will follow your committee's lead.

Sincerely,

DAVID A. STRAUSS,  
*Executive Director.*

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AMERICAN GI FORUM OF THE UNITED STATES,  
WASHINGTON, DC 20005,  
*January 7, 2009.*

Hon. EDWARD KENNEDY, *Chairman,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR SENATOR KENNEDY: As National Commander of the American GI Forum (AGIF), a Congressional Chartered Veterans Organization that has served the needs of Hispanic veterans since 1948, I strongly support the nomination and confirmation of Congresswoman Hilda Solis, to be the next Secretary of Labor in the administration of President-elect Barack Obama.

We see this appointment as truly a historic opportunity for this Nation to acknowledge the talent and ability of the Hispanic Community to serve our country. Congresswoman Solis has consistently been at the forefront of the issues that impact Latinos and all Americans.

Her support and advocacy in fighting to reduce poverty, increase economic opportunities, reduce health care disparities as well as promoting humane immigration reform, has guided our country to a more secure and sustainable future.

Congresswoman Hilda Solis has the experience needed to ensure that both America's working families and businesses will prosper. She has been consistent in demonstrated sound judgment in her efforts to work on national economic priorities, the needs of business, and the needs of workers.

The selection of Congresswoman Hilda Solis supports the change that President-elect Barack Obama has promised. The President-elect honors the Latino community and this country with this outstanding appointment.

AGIF supports the nomination of Congresswoman Solis as the next Secretary of Labor and looks forward to your committee and the U.S. Senate confirmation of this remarkable candidate.

Sincerely,

ANTONIO GIL MORALES,  
*National Commander.*

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION,  
SACRAMENTO, CA 95814,  
January 21, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*U.S. Senate,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Senate Dirksen Office Building,*  
*Washington, DC 20510.*

Re: Confirmation of Congresswoman Hilda L. Solis for the Office of the United States Secretary of Labor

DEAR CHAIRMAN KENNEDY: The California School Employees Association, AFL-CIO is writing this letter to express our strong support for the confirmation of Congresswoman Hilda L. Solis as the U.S. Secretary of Labor.

Throughout her career, Representative Hilda Solis has demonstrated a strong commitment to working families across the Nation. While she served in the California State Legislature, Solis fought to increase the minimum wage from a meager \$4.25 an hour to \$5.75 an hour. She also made sure that victims of domestic violence, who lost their jobs as a result of the abuse they suffered, could apply for unemployment benefits. When textile workers were being enslaved and forced to work in a sweatshop in her district, Solis worked tirelessly to correct this injustice and held oversight hearings and raised public awareness of this issue so that these types of crimes could be prevented in the future.

These are just a few examples of the important work Hilda Solis has done to improve the quality of life for all working families and it demonstrates that no issue is too small or too big for her to fight to protect our Nation's workers, if it is the right and just thing to do. With this type of leadership, it is no surprise to us that she was also awarded the Profiles in Courage award by the President John F. Kennedy Library Foundation.

We therefore, urge your "AYE" vote on confirmation of Hilda L. Solis as Secretary of Labor.

Sincerely,

DAVE LOW,  
*Assistant Director.*

CHANGE TO WIN,  
WASHINGTON, DC,  
January 8, 2009.

Hon. EDWARD KENNEDY, *Chairman,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*644 Senate Dirksen Office Building,*  
*Washington, DC 20510.*

Hon. MICHAEL ENZI, *Ranking Member,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*835 Senate Hart Office Building,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: The seven affiliated labor unions and more than 6 million members of Change to Win write to express our strongest support for the nomination of Representative Hilda Solis to the position of U.S. Secretary of Labor, and urge your swift vote for her confirmation.

Throughout her career of public service, Representative Solis has stood up for workers and their families. She has defended workers' rights to come together for a voice on the job, fought for increases in the minimum wage and a decent standard of living for all, worked to expand access to affordable health care and a secure retirement, and been a leading voice for equal opportunity. She has also been a leading advocate in the Congress for job creation and improving opportunities for job training, particularly in underserved communities, by investing in "green" jobs to develop and deploy renewable energy. Finally, Representative Solis has been an outspoken advocate for addressing the challenges workers face in a global economy, including fighting for comprehensive immigration reform and humane treatment for immigrant workers, and replacing our failed *free* trade model with a new fair trade model that makes the preservation of American jobs and strong labor protections for all workers its centerpiece.

Representative Solis has a deep commitment to rebuilding the middle class and renewing the American Dream for America's working families, because she has lived

that dream. She credits the fact that her parents were union members with giving them the ability to send her to college. Representative Solis has committed herself to upholding the Nation's labor laws—ensuring that workers who want a voice on the job have a fair chance of getting one, that they have a safe place to work, and that they receive the pay they have earned.

Change to Win urges you to vote for Secretary-Designate Solis' confirmation as our country's Secretary of Labor.

Sincerely,

Anna Burger, *Chair, Change to Win, International Secretary-Treasurer, Service Employees International Union (SEIU)*; Edgar Romney, *Secretary-Treasurer, Change to Win, Executive Vice President, UNITE HERE*; Joseph Hansen, *International President, United Food and Commercial Workers International Union (UFCW)*; James Hoffa, *General President, International Brotherhood of Teamsters (IBT)*; Geralyn Luttj, *International Vice President, United Food and Commercial Workers International Union (UFCW)*; Douglas J. McCarron, *General President, United Brotherhood of Carpenters and Joiners of America (UBC)*; Terence M. O'Sullivan, *General President, Laborer's International Union of North America (LIUNA)*; Bruce Raynor, *General President, UNITE HERE*; Arturo S. Rodriguez, *President, United Farm Workers (UFW)*; Andrew L. Stern, *International President, Service Employees International Union (SEIU)*.

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CITY OF SOUTH EL MONTE,  
SOUTH EL MONTE, CA 91733,  
February 12, 2009.

Hon. EDWARD KENNEDY, *Chairman, Senate Committee on Health, Education, Labor, and Pensions, 644 Senate Dirksen Office Building, Washington, DC 20510.*

Hon. MICHAEL ENZI, *Ranking Member, Senate Committee on Health, Education, Labor, and Pensions, 835 Senate Hart Office Building, Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: The City Council of the city of South El Monte write to express our strongest support for the nomination of Representative Hilda Solis to the position of U.S. Secretary of Labor, and urge your swift vote for her confirmation.

Throughout her career of public service, Representative Solis has stood up for workers and their families. She has defended workers' rights to come together for a voice on the job, fought for increases in the minimum wage and a decent standard of living for all, worked to expand access to affordable health care and a secure retirement, and been a leading voice for equal opportunity. She has also been a leading advocate in the Congress for job creation and improving opportunities for job training, particularly in underserved communities, by investing in "green" jobs to develop and deploy renewable energy. Finally, Representative Solis has been an outspoken advocate for addressing the challenges workers face in a global economy, including fighting for comprehensive immigration reform and humane treatment for immigrant workers, and replacing our failed free trade model with a new fair trade model that makes the preservation of American jobs and strong labor protections for all workers its centerpiece.

Representative Solis has a deep commitment to rebuilding and renewing the middle class. The city of South El Monte urges you to vote for Secretary-Designate Solis' confirmation as our country's Secretary of Labor.

Blanca M. Figueroa, *Mayor*; Louie Aguiñaga, *Mayor Pro Tem*; Hector Delgado, *Councilmember*; Angelica R. Garcia, *Councilwoman*; Joseph J. Gonzales, *Councilmember*.

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
 WASHINGTON, DC 20515,  
 January 8, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Senate Dirksen Office Building,*  
*Washington, DC 20510.*

Hon. Michael B. Enzi, *Ranking Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: First and foremost, thank you Chairman Kennedy for your continued leadership as the Chair of the Senate Committee on Health, Education, Labor, and Pensions. I also thank you, Ranking Member Enzi, for your leadership on the committee.

I am honored to submit this letter of support on behalf of my colleague, Representative Hilda Solis, on her appointment by President-elect Barack Obama to be the next Secretary of Labor. Representative Solis' selection is an appointment that I know is well deserved. I am confident that Representative Solis possesses the acumen, judgment, and experience to be an excellent Secretary of Labor.

Representative Solis is an exceptional candidate for the position of Secretary of Labor because she is fair, balanced, and has done great work in Congress on labor, immigration, health, and environmental issues. She will be an asset and an advocate for all Americans. Ms. Solis will be an exceptional Secretary of Labor because she has championed the rights of labor and the poor in this country.

Furthermore, we have worked collaboratively on important issues affecting our Nation and affecting our Nation's middle class. Congresswoman Solis is a strong advocate for protecting the American worker and increasing funds for job training programs such as H.R. 2847, the Green Jobs Act of 2007, which I was happy to support. We also both supported the development of a fair and thoughtful immigration policy that respects the American worker. Representative Solis was also a leader in the Women's Caucus who advocated for improving the working conditions and workplace safety standards of women, which I supported.

#### EARLY LIFE AND EDUCATION

Representative Solis' background is emblematic of the American dream and makes her appointment all the more compelling. She was born in California to immigrant parents from Nicaragua and Mexico. She obtained degrees from California State Polytechnic University, Pomona, and the University of Southern California and worked for the Federal Government in Washington, DC. She was the first person from her family to attend college.

#### EARLY POLITICAL CAREER

Ms. Solis began her political career in the early 1990s. In 1992, she was elected to the California State Assembly and to the California State Senate in 1994. She became known for her work on environmental justice and was the recipient of the John F. Kennedy Profile in Courage Award in 2000. She was the first woman to win that award and appeared in *George* and *People* magazines and appeared on the *Today Show*. In that same year, she won her first election to the U.S. House of Representatives.

#### HER TENURE AS A MEMBER OF THE U.S. HOUSE OF REPRESENTATIVES

Representative Solis enjoyed a distinguished career of public service and excellence. Her record in the U.S. House of Representative speaks for itself as she has been a prolific law maker. Representative Solis has advocated on a wide range of issues including the rights of workers, environmental justice, education, public health, and immigration reform.

#### IMPORTANT LEGISLATIVE INITIATIVES FROM THE 110TH CONGRESS

In the 110th Congress, Representative Solis introduced and passed a number of progressive and forward-thinking pieces of legislation, among those were the following:

- H.R. 2847, Green Jobs Act of 2007, which amends the Workforce Investment Act of 1998 to direct the Secretary of Labor (Secretary) to: (1) establish an energy efficiency and renewable energy worker training program that targets certain persons (including individuals in need of updated training related to the energy efficiency and renewable energy industries, veterans, unemployed workers, and at-risk youth) and sectors of the energy efficiency and renewable energy industries; and (2) establish a national research program to collect and analyze labor market data to track workforce trends resulting from energy-related initiatives under this act.

- H.R. 359, the Cesar Estrada Chavez Study Act, directing the Secretary of the Interior to complete a special resource study to determine: (1) appropriate methods for preserving and interpreting certain sites in Arizona, California, and other States that are significant to the life of Cesar Estrada Chavez and the farm labor movement in the western United States; and (2) whether any of the sites meets the criteria for listing on the National Register of Historic Places or designation as a national historic landmark;

- H. Res. 642, Expressing sympathy to and support for the people and governments of the countries of Central America, the Caribbean, and Mexico which have suffered from Hurricanes Felix, Dean, and Henriette and whose complete economic fatality toll are still unknown; and,

- H. Res. 100, Expressing the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encouraging the Government of Guatemala to bring an end to these crimes.

All of these important pieces of legislation was introduced and passed in the 110th Congress.

#### HER QUALIFICATIONS IN THE U.S. HOUSE OF REPRESENTATIVES

She served on the Committee on Energy and Commerce. She is the Vice Chair of the Subcommittees on the Environment and Hazardous Materials. She also serves on the Subcommittees on Health, as well as the Subcommittee on Telecommunications and the Internet. Additionally, she serves on the Select Committee on Energy Independence and Global Warming and on the House Committee on Natural Resources. Representative Solis was a member of the Congressional Progressive Caucus where she served on the Immigration, Anti-Poverty, Education, and Environment Taskforces.

#### HER U.S. HOUSE OF REPRESENTATIVE LEADERSHIP QUALIFICATIONS

Representative Solis also held a number of high-level leadership positions in the U.S. House of Representatives. She was the Vice Chair to the Democratic Steering and Policy Committee and a member of the Congressional Hispanic Caucus, where she was 2d Vice Chair-elect for the 111th Congress and was Chair of the Health and the Environment Task Force.

Representative Solis' record speaks for itself. I recommend her to this Senate Committee for confirmation without reservation. She has worked for the poor, labor rights, environmental justice and immigration reform. She has championed the causes of her constituents and the American public during her five terms in the U.S. House of Representatives and throughout her life. I am pleased to submit this letter of support for Representative Solis in her selection by President-elect Obama to serve as the next Secretary of Labor.

Very truly yours,

SHEILA JACKSON LEE,  
*Member of Congress.*



CONGRESS OF THE UNITED STATES,  
 WASHINGTON, DC 20515,  
 January 8, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Senate Dirksen Office Building,*  
*Washington, DC, 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Committee on Health, Education Labor, and Pensions,*  
*428 Senate Dirksen Office Building,*  
*Washington, DC, 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: We write to express our support for the nomination of our colleague, Congresswoman Hilda L. Solis, to be the next Secretary of Labor in the incoming administration of President-elect Obama.

Throughout her life as a public servant, Congresswoman Solis has consistently demonstrated her commitment to improve the quality of life of working men and women throughout our Nation, and we strongly believe that she would make an excellent Secretary of Labor.

In Congress she has led the effort to green and modernize our workforce to compete in the global economy and she successfully authored and passed *The Green Jobs Act of 2007*, which will help create 3 million new jobs over the next decade. She has also championed efforts to eliminate racial and ethnic health disparities and create and sustain a healthy workforce.

As a California State Senator, she distinguished herself on issues of environmental justice, fought to improve working conditions for workers, and played an instrumental role in raising the State's minimum wage.

Her dedicated service to working families throughout the United States makes Congresswoman Hilda Solis an excellent choice to be our next Secretary of Labor. We appreciate the committee's swift consideration of her nomination, and we urge you to favorably recommend her appointment to the full Senate.

Sincerely,

Barbara Lee, *Chairwoman, CBC*; Emanuel Cleaver, *1st Vice Chairman, CBC*;  
 Donna Christensen, *2d Vice Chairwoman, CBC*; G.K. Butterfield, *Secretary, CBC*;  
 Yvette D. Clarke, *Whip, CBC*; John Lewis, *CBC Labor Taskforce*.

CONGRESS OF THE UNITED STATES,  
 WASHINGTON, DC 20515,  
 January 12, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*Washington, DC 20510.*

DEAR SENATORS KENNEDY AND ENZI: On behalf of the Congressional Hispanic Caucus (CHC), we write to enthusiastically support Congresswoman Hilda L. Solis for Secretary of Labor. Her nomination is a culmination of her life's work in advocating for the working class and fighting for workplace protections.

Hilda L. Solis has been a leader on many issues, particularly labor, healthcare, and the environment. A recent achievement of hers came a little over a year ago when her legislation, *The Green Jobs Act of 2007*, was signed into law as part of the 2007 Omnibus package. Through the investment in renewable energy outlined in her legislation, 3 million new jobs will be created over the next decade and \$125 million will be invested in workforce training targeted to veterans, displaced workers, at-risk youth, and individuals under 200 percent of the Federal poverty line.

As a California State Senator, she was on the frontlines in the fight to secure a living wage, raising the State's minimum wage from \$4.25 to \$5.75. She was a trail-blazer in the area of environmental justice, redefining the way low income and minority communities were assessed as potential locations for waste disposal and other polluting facilities. She authored legislation that sought to protect and improve working conditions and rights for farmworkers, garment workers, the construction industry, janitors, State and local employees, and many others.

Within our Caucus, she has served as Chair of the Health and the Environment Task Force in the 110th Congress. Upon your confirmation of her appointment, you will take away one of our leaders for this Congress, as she had been elected to serve as the 2nd Vice Chair of the CHC. Her leadership on healthcare disparities within the TriCaucus, the coalition of the CHC, Congressional Black Caucus, and the Congressional Asian Pacific American Caucus, will certainly be missed.

We urge you to confirm Hilda L. Solis for Secretary of Labor. She will undoubtedly bring a new energy to the department, and will represent hard working Americans across the Nation.

Sincerely,

NYDIA VELAZQUEZ,  
*Chair, Congressional Hispanic Caucus.*

CHARLES A. GONZALEZ,  
*Chair, CHC Ad Hoc Nominations Committee.*

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CONGRESS OF THE UNITED STATES,  
WASHINGTON, DC 20515,  
*February 5, 2009.*

DEAR SENATOR: On behalf of the Congressional Hispanic Caucus (CHC), we write to enthusiastically support Congresswoman Hilda L. Solis for Secretary of Labor. Her nomination is a culmination of her life's work in advocating for the working class and fighting for workplace protections. We urge the Senate to immediately confirm her nomination so that she can begin to work on our Nation's vital labor issues.

Hilda L. Solis has been a leader on many issues, particularly labor, healthcare, and the environment. A recent achievement of hers came a little over a year ago when her legislation, The Green Jobs Act of 2007, was signed into law as part of the 2007 Omnibus package. Through the investment in renewable energy, outlined in her legislation, 3 million new jobs will be created over the next decade and \$125 million will be invested in workforce training targeted to veterans, displaced workers, at-risk youth, and individuals under 200 percent of the Federal poverty line.

As a California State Senator, she was on the frontlines in the fight to secure a living wage, raising the State's minimum wage from \$4.25 to \$5.75. She was a trailblazer in the area of environmental justice, redefining the way low income and minority communities were assessed as potential locations for waste disposal and other polluting facilities. She authored legislation that sought to protect and improve working conditions and rights for farm workers, garment workers, the construction industry, janitors, State and local employees, and many others.

Within our Caucus, she has served as Chair of the Health and the Environment Task Force in the 110th Congress. Upon your confirmation of her appointment, you will take away one of our leaders for this Congress, as she had been elected to serve as the 2d Vice Chair of the CHC. Her leadership on healthcare disparities within the TriCaucus, the coalition of the CHC, Congressional Black Caucus, and the Congressional Asian Pacific American Caucus, will certainly be missed.

We urge you to immediately confirm Hilda L. Solis for Secretary of Labor. Her confirmation hearing failed to show any reason why her nomination should be delayed any further. It is time for her to be able to get to work and bring a new energy to the Department that represents hard working Americans all across the Nation.

Sincerely,

NYDIA VELAZQUEZ,  
*Chair, Congressional Hispanic Caucus.*

U.S. HISPANIC CHAMBER OF COMMERCE (USHCC),  
 WASHINGTON, DC 20037,  
 January 30, 2009.

Hon. EDWARD KENNEDY, *Chairman,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*644 Senate Dirksen Office Building,*  
*Washington, DC 20510.*

Hon. MICHAEL ENZI, *Ranking Member,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*835 Senate Hart Office Building,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: On behalf of the U.S. Hispanic Chamber of Commerce (USHCC), the largest and most influential national advocate for Hispanic business in the United States, representing almost 3 million U.S. Hispanic-owned businesses, I am writing to express our resounding support of the nomination of Rep. Hilda Solis as U.S. Secretary of Labor, and urge the committee to support her swift confirmation.

In her four terms in the House of Representatives, Congresswoman Solis has proven herself overwhelmingly qualified to lead the Department of Labor and furthering the Department's mission of promoting and protecting the welfare of the job seekers, wage earners, and retirees and advancing their opportunities for profitable and sustainable employment. As Vice-chair of the Environment and Hazardous Materials Subcommittee, where she was the Ranking Democratic Member for 4 years, member of the House Committee on Energy and Commerce and former member of the House Education and Labor Committee, Hilda Solis has established herself as a leader and a problem-solver on issues of critical importance. In her term as Chairwoman of the Congressional Hispanic Caucus Task Force on Health and the Environment, she has been instrumental in creating the movement towards a "green collar" workforce and has continuously demonstrated her ability to create long-lasting economic and educational opportunities for Hispanics in the workforce and Hispanic-owned businesses.

In this difficult economic climate, the policies set forth by the U.S. Department of Labor will play a critical role in ensuring that our Nation's workforce is able to compete in today's global economy. The expertise and commitment of Hilda Solis is needed to direct the Department of Labor in the coming years in its increasingly important role. It is for these reasons that I urge you to support the immediate confirmation of Hilda Solis as Secretary of Labor.

Respectfully yours,

AUGUSTINE MARTINEZ,  
*President & CEO.*

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HISPANIC FEDERATION,  
 January 13, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Minority Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR SENATORS KENNEDY AND ENZI: The Hispanic Federation and its member network of over 90 organizations wishes to support the confirmation of Congresswoman Hilda Solis as Secretary of Labor in the administration of President-elect Barack Obama. Established in 1990, the Hispanic Federation is a service-oriented membership organization that works with Latino health and human services agencies to promote the social, political and economic well-being of the Latino community. The Federation's member agencies work in the areas of education, health, elderly services, child care, HIV/AIDS, housing, immigrant services, arts and culture, and economic development. Each year, these agencies serve millions of the country's most underprivileged and vulnerable Latinos.

Throughout the Federation's work, Secretary-designate Solis has been an exemplary advocate for the Hispanic community and an enthusiastic supporter of programs that pave a path of opportunity for families that seek to lift themselves up

from poverty and hardship. Her work on behalf of the underprivileged spans a number of critical areas; whether it is fighting to reduce poverty, increase economic opportunities, reduce health care disparities, promote fair and humane immigration reform, improving the environment and building awareness of the need for sustainable energy sources, Congresswoman Solis has proven her leadership skills and tenacity to take on difficult challenges.

Particularly noteworthy is Congresswoman Solis's legislative efforts to create equitable and accessible healthcare for the working poor, families with children, single mothers and women in general. Inadequate access to quality healthcare is a major obstacle for working class families that limit their ability to make significant strides in their own economic development. With her experience and foresight, Congresswoman Solis will make important contributions to the charge of the Department of Labor to develop and promote the welfare of recruits, workers, and retirees by improving working conditions, advancing opportunities for profitable employment, protecting healthcare benefits.

Moreover, she will reassure employers from small business owners to the multinational corporations that make up our economy that the American worker remains the most productive and valuable assets in their business portfolio. She is an exceptional woman of proven talent and we are confident that she will project her *caro* attitude throughout the Department of Labor and Federal administration.

The Hispanic Federation confidently supports Secretary-designate Solis and encourages her speedy confirmation to the cabinet of President-elect Barack Obama.

Sincerely,

LILLIAN RODRIGUEZ-LOPEZ,  
*President.*

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HISPANAS ORGANIZED FOR POLITICAL EQUALITY (HOPE),  
LOS ANGELES, CA 90014,  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR SENATOR KENNEDY: On behalf of Hispanas Organized for Political Equality (HOPE), a nonprofit, nonpartisan organization committed to ensuring political and economic parity for Latinas, it is our pleasure to submit this letter of support for Congresswoman Hilda Solis to serve as U.S. Secretary of Labor under the President-elect Barack Obama.

Congresswoman Hilda Solis' appointment would make her the first Latina to hold a permanent cabinet-level position and would make her the highest-ranking Latina in the Obama administration. Her nomination to serve as Labor Secretary is a true testament to her long-standing commitment to ensuring that the interests of working families are protected. Solis understands that every American in our Nation's diverse workforce plays a critical role in ensuring the economic prosperity of our Nation. Solis is committed to reinvesting in workforce training for high-growth industries, strengthening labor unions, and developing effective pipelines to provide at-risk youth and underserved communities with sustainable skills so that we may be a competitive workforce in the global economy.

Congresswoman Solis is an advocate for women's issues and has worked alongside HOPE, since she was elected the first Latina to serve in the California State Senate. She has served as one of the founders of HOPE's Latina Action Day conference in Sacramento, where hundreds of Latinas across the State gather to advocate on issues important to their families and communities. Solis has also served as a champion and advocate for Latinas and all women by working with HOPE on teen pregnancy prevention legislation in Washington, DC.

As an organization advocating for the over 6 million Latinas living and working in California, we support the nomination of Hilda Solis as Labor Secretary of the United States. HOPE is a nonprofit, nonpartisan organization committed to ensuring political and economic parity for Latinas through leadership, advocacy, and education to benefit all communities and the status of women.

Sincerely,

ELMY BERMEJO,  
*Board Chair.*  
HELEN TORRES,  
*Executive Director and CEO.*

INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO,  
ALEXANDRIA, VA 22314-2643,  
*January 6, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
Hon. MICHAEL R. ENZI, *Ranking Member,*  
*Senate Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

DEAR SENATORS KENNEDY AND ENZI: On behalf of the International Union of Police Associations, AFL-CIO, I am proud to endorse the appointment of Representative Hilda L. Solis to the position of the Secretary of Labor. As you know, the I.U.P.A. is the only union specifically chartered to represent active duty, rank and file law enforcement professionals across the Nation as well as in Puerto Rico and the Virgin Islands.

Mrs. Solis has a long and well-documented history of public service, both in California and representing that great State in the House of Representatives. Mrs. Solis came from a working family and has never forgotten their struggles to provide for their children. She worked her way through college and when serving in the California Legislature, brought her early experiences with her. She was consistently a champion of working families and the men and women who provide the public safety.

I had the honor of working for the Los Angeles County Sheriff's Department for 32 years. During that time, I worked at the East Los Angeles Station. Hilda Solis was well thought of by the community, the community leaders and the law enforcement family.

She is an excellent choice to lead the Department of Labor during these challenging times. I urge you and the other honorable members of the Senate Committee on Health, Education, Labor, and Pensions to confirm her to be the next Secretary of Labor.

Very Respectfully,

DENNIS SLOCUMB,  
*International Vice President.*

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UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS  
OF AMERICA (UAW),  
*February 23, 2009.*

DEAR SENATOR: This week the Senate is expected to consider the nomination of Representative Hilda Solis to be Secretary of Labor. The UAW urges you to vote for cloture and to vote to confirm this outstanding nominee.

The Department of Labor is the premier Federal agency charged with enforcing workplace laws, defending worker rights, and promoting job creation and worker training. In our current economic crisis, the effective administration of these tasks is more critical than ever.

The fundamental qualification for a Secretary of Labor is a proven commitment to the basic rights of workers, and Representative Solis fully meets this qualification. She has demonstrated her commitment as an advocate for working families throughout her 15-year career as a California State legislator and as a member of the House of Representatives.

At her January 9 confirmation hearing, Representative Solis cited the four areas on which she will focus as Secretary of Labor: improving skills development and job creation programs, including development of "green collar" jobs; assuring that workers are paid what they have earned and work in safe and healthy workplaces; addressing the retirement security crisis; and protecting workers from job discrimination, regardless of race, sex, veteran status, or disability.

Hilda Solis is a highly qualified candidate to head the Department of Labor. She brings energy, experience and passion to the task of helping Americans get back to work and restoring stability and prosperity to our Nation's economy. We urge you to support her confirmation so that she may begin providing leadership to the Department of Labor.

Sincerely,

ALAN REUTHER,  
*Legislative Director.*

LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT (LCLAA),  
 WASHINGTON, DC 20006,  
 February 4, 2009.

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Health, Education, Labor, and Pensions Committee,*  
*U.S. Senate,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Health, Education, Labor, and Pensions Committee,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR CHAIRMAN KENNEDY AND RANKING MEMBER ENZI: For over 35 years, the Labor Council for Latin American Advancement (LCLAA) has advocated for the interests of Latino working families throughout the United States and the Commonwealth of Puerto Rico. On behalf of the 1.8 million Latino trade unionists that we represent from both the AFL-CIO & Change to Win Federation, we urge you to confirm Hilda Solis as Secretary of Labor.

We are facing a deepening crisis that economists predict may be worse than the Great Depression. The combination of record-high unemployment levels and the latest GDP numbers indicate that the last quarter of 2008 was the worst in 26 years. The writing is on the wall—America's working families are facing a daunting and continuing struggle, as are our Nation's large and small industries. The need for a fully functioning Department of Labor as part of the economic stimulus is more critical than ever.

The task ahead is enormous. It is crucial that the Department of Labor (DOL) be read to play its role under the direction of an individual with a demonstrated commitment to protect America's workforce—an individual who will help prepare them for new and better jobs, and insure the safety of our workplaces.

Hilda Solis understands that reshaping our workforce and revitalizing industry is essential to the future sustainability of our economy.

Any debate regarding Hilda Solis' confirmation should take into account the urgency to tackle the numerous challenges facing our Nation's economy and its workers. Hilda Solis' record has made evident her capacity to take on such a task and we urge you to let her get to work and serve this Nation as its Secretary of Labor.

In Solidarity,

MILTON ROSADA,  
*National President.*

DR. GABRIELA D. LEMUS,  
*Executive Director.*

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LEAGUE OF UNITED LATIN AMERICAN CITIZENS,  
 WASHINGTON, DC 20036,  
 January 8, 2009.

Hon. EDWARD M. KENNEDY,  
*317 Senate Russell Building,*  
*Washington, DC 20510.*

DEAR HONORABLE SENATOR KENNEDY: On behalf of the League of United Latin American Citizens (LULAC), the Nation's largest and oldest Hispanic organization, I wish to express our strong and enthusiastic support of Hilda L. Solis to the post of Secretary of Labor.

LULAC's mission as an organization is to advance the economic condition, educational attainment, political influence, health, housing and civil rights for Hispanics in the United States. We believe Mr. Daschle will be a strong leader of the Department of Labor, where many programs and policies that greatly impact the Hispanic community originate. Ms. Solis has displayed a commitment to the ideals embodied in our organization's mission throughout her impressive career.

Hilda Solis has a long and distinguished career as a public servant, serving in the California State Assembly as well as the U.S. House of Representatives, throughout her life she has been a committed advocate for Hispanic Americans, workers across America and the development of an internationally competitive American labor market. We all know the enormity of the task at hand, given the challenges facing the economy and labor market, and it is a comfort to know that

in Hilda Solis, we will have a true leader, someone who has a history of crafting and implementing sound policies to address these issues.

Solis' record shows her dedication to the American people and reflects a level of excellence that will further enhance your team. As National President of LULAC, and on behalf of the Hispanic community we urge your confirmation of Hilda Solis as Secretary for the Department of Labor.

Sincerely,

ROSA ROSALES,  
*National President.*

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LOS ANGELES AREA CHAMBER OF COMMERCE,  
LOS ANGELES, CA 90017,  
*January 21, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

Re: Support—Representative Hilda Solis Nomination for Secretary of Labor

DEAR SENATORS: On behalf of the L.A. Area Chamber of Commerce, I write to support consideration of Representative Hilda Solis' nomination for Secretary of Labor. We encourage a full and fair evaluation of her qualifications by the entire U.S. Senate without filibuster.

As you know, the Department of Labor plays a critical Federal role in addressing our Nation's workforce development needs. This economic crisis demands an active and engaged Secretary of Labor to begin work as soon as possible. Representative Solis is a fine candidate who is positioned to lead the department immediately once approved by the Senate.

The L.A. Area Chamber applauds Representative Solis' commitment to strengthening workforce training in order to help America's workers develop the skills necessary to compete in the global economy. While there have been disagreements with Rep. Solis on certain policy issues, we believe she would be an asset to the Department of Labor and look forward to working with her in that capacity.

Thus, we support a full Senate vote on her confirmation as soon as possible. If you have any questions, please do not hesitate to contact me at (213) 580-7500.

Sincerely,

GARY TOEBBEN,  
*President & CEO.*

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MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND  
(MALDEF),  
LOS ANGELES, CA 90014  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Minority Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR MR. CHAIRMAN AND SENATOR ENZI: On behalf of the Mexican American Legal Defense & Educational Fund (MALDEF), I write in strong support for the immediate confirmation of Congresswoman Hilda Solis to be the next Secretary of the Department of Labor.

Congresswoman Solis has the credentials, judgment, expertise and dedication to America's working men and women to be one of the most outstanding Labor Secretaries in the Department's 95-year history. She offers the Nation dedication and leadership to advance the Department's mission to foster and promote the welfare

of the job seekers, wage earners, and retirees of the United States by improving their working conditions, advancing their opportunities for profitable employment, protecting their retirement and health care benefits, helping employers find workers, and strengthening free collective bargaining.

We at MALDEF have a long history of working with Congresswoman Solis, both in her home district of El Monte, a suburb of Los Angeles, CA and in Washington, DC where her service in Congress has put her at the forefront of causes protecting the environment, ensuring our energy future, equipping workers with the tools necessary to compete in the 21st Century and myriad other everyday concerns of Americans. Hilda Solis was also a leader in Sacramento when she served in our State Legislature and carried legislation to increase the State minimum wage and improve worker safety in the agricultural industry.

In her district, Congresswoman Solis is a thoughtful problem solver. We worked closely with her and her staff when a local city council sought to outlaw persons seeking jobs in public, a legislative effort that we had previously successfully challenged in court. She was instrumental in bringing all interested parties to the conversation table, rather than in front of a judge, so that issues could be aired and addressed. She has also been a long time supporter of the emerging entrepreneurs in MALDEF's LIDER Business program which aids Hispanic new business owners to gain the tools and expertise necessary for their success. Congresswoman Solis has a track record of bringing people together without confrontation in order to resolve problems.

The U.S. Department of Labor is critically important to the future economic well-being of the Nation and, in particular, Hispanic workers. Hispanic workers today, particularly immigrants, work in some of the most dangerous and difficult jobs in our society. And Hispanic workers have the highest levels of industrial deaths. We need vigorous enforcement of wage and hour and occupational safety laws. As Secretary, Hilda Solis will bring the desperately needed energy and leadership to the Department in order to better protect all of America's workers. When employers see that their less scrupulous competitors' efforts to take short cuts to comply with the law are not rewarded by government inaction, greater compliance overall is achieved.

We are confident that Congresswoman Solis, as Secretary of Labor, will serve the Nation and our businesses and workers well and urge her speedy confirmation by the U.S. Senate.

Sincerely,

JOHN TRASVIÑA,  
*President & General Counsel.*

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NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS  
(NALEO),  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Health, Education, Labor, and Pensions Committee,*  
*U.S. Senate,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Health, Education, Labor, and Pensions Committee,*  
*U.S. Senate,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC 0510.*

Re: President-elect Obama's nomination of Rep. Hilda Solis as Secretary of Labor

DEAR HONORABLE SENATOR KENNEDY AND SENATOR ENZI: I am writing to express the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund's strong support for President-elect Barack Obama's nomination of The Honorable Congresswoman Hilda Solis as Secretary for the Department of Labor. The NALEO Educational Fund is a nonpartisan membership organization whose constituency includes the Nation's more than 6,000 elected and appointed Latino officials.

If confirmed by the Senate, Secretary-designate Solis would make American history by becoming the first Latina, and the first Hispanic of Central American heritage, to serve as a senior appointed officer of one of the 15 executive-level departments. Over the course of her career, Representative Solis has demonstrated a commitment to public service. Serving in the U.S. House of Representatives since 2001,



Representative Solis began her career in public service working at The White House Office of Hispanic Affairs and later as a management analyst in the Civil Rights Division of the Office of Management and Budget during the Carter administration.

In Congress, Representative Solis is the first Latina to serve on the powerful House Energy and Commerce Committee, where she is Vice Chair of the Environment and Hazardous Materials (EHM) Subcommittee and a member of the Health and Telecommunications Subcommittees. She has authored and sponsored legislation extending unemployment benefits, increasing the Federal Minimum Wage, defending workers' rights to organize, securing Federal funds for "Green Collar" Jobs, honored Labor Leaders, is a supporter of Fair Trade, and is a proponent of preventing workplace injuries, as well as being a strong supporter of reforming the Agricultural Temporary Worker Program.

On the world stage, Representative Solis was appointed to the Commission on Security and Cooperation in Europe in 2007, as well as the Mexico-United States Interparliamentary Group. In June 2007, she was elected Vice Chair of the Helsinki Commission's General Committee on Democracy, Human Rights and Humanitarian Questions. She is the only U.S.-elected official to serve on this committee.

Representative Solis graduated from California State Polytechnic University, Pomona, and earned a Master of Public Administration from the University of Southern California. Throughout her political career, Representative Solis has demonstrated an active leadership with NALEO to not only ensure the issues impacting Latinos are addressed, but also to support the organization's efforts to advance the political progress of Latinos throughout the country.

Representative Solis would assume the position of Secretary of Labor at a time when the economy is struggling and working families are being hit hardest. The NALEO Educational Fund is confident that she has the experience, values and capacity to assume this position and welcomes President-elect Obama's nomination of her. We look forward to working with her in her capacity as Secretary of Labor. Thank you for your attention to this matter, and we look forward to continuing our work together.

Sincerely,

ARTURO VARGAS,  
*Executive Director.*

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NATIONAL EDUCATION ASSOCIATION (NEA),  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY,  
*U.S. Senate,*  
*317 Russell Senate Office Building,*  
*Washington, DC 20510-2101.*

DEAR SENATOR KENNEDY: On behalf of the National Education Association's (NEA) 3.2 million members, we are pleased to support the nomination of Representative Hilda Solis as U.S. Secretary of Labor.

Representative Solis understands that there is a direct connection between public education and economic success. From leading the battle to increase the minimum wage in California to sponsoring victorious legislation in Congress to provide training for green collar jobs, she has a solid record on labor and education issues in America.

As a California State senator, Solis won a substantial victory to increase California's minimum wage. In May 2007, after she cosponsored the Fair Minimum Wage Act, the Federal minimum wage increase to \$7.25 per hour was signed into law. Her efforts are a positive force for labor and show a strong commitment to our working families.

As a former member of the House Education and Labor Committee, Representative Solis showed her understanding of the issues important to educators. She consistently earned an "A" on NEAs annual congressional report card.

This is a challenging time for our national leaders and working families all across America. In addition to the challenges we face in education, the nearly 5 million working men and women in our public schools are impacted by the decisions of the Labor Department.

We urge your support for the nomination of Representative Hilda Solis as Secretary of Labor.

Sincerely,

DENNIS VAN ROEKEL,  
*President.*

NATIONAL HISPANIC LEADERSHIP AGENDA (NHLA),  
 WASHINGTON, DC 20036,  
*January 6, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Senate Health, Education, Labor, and Pensions Committee.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Senate Health, Education, Labor, and Pensions Committee.*

ESTEEMED SENATORS: On behalf of the National Hispanic Leadership Agenda (NHLA), we are writing to recommend the confirmation of Congresswoman Hilda Solis to the full Senate as Secretary of Labor in the Administration of President-elect Barack Obama. Founded in 1991, the NHLA is a non-partisan entity comprised of 26 leading national and regional Hispanic organizations. It was created with the purpose of presenting a platform to establish policy priorities on the major issues facing the Latino community and the Nation as a whole.

Hilda Solis has been a bold leader, consistently at the forefront of the issues that matter most to Latinos in this country. She has advocated for working families on several crucial fronts, fighting to reduce poverty, increase economic opportunities, reduce health care disparities, promote fair and humane immigration reform, and guiding our country to a more conscientious and sustainable future in the matters of energy and the environment. She has also consistently demonstrated sound judgment in her efforts to find balance between national economic priorities, the needs of business, and the needs of workers.

Hilda Solis is an extraordinary woman who would assume the position of Secretary of Labor at a time when the economy is struggling and working families are being hit hardest. We are confident that she has the experience and values needed to ensure that America's working families and businesses prosper in the efforts to find solutions for the current economic crisis.

The selection of Hilda Solis to head the Department of Labor (DOL) reflects the change that President-elect Barack Obama promised. By choosing Solis—a qualified and experienced individual—the President-elect not only honors the Latino community and women of all colors, but this country as a whole. Her strong social values and pragmatic approach will certainly be the guiding principles that direct her in her role as Secretary of Labor.

The NHLA fully supports Congresswoman Solis and trusts that as part of the cabinet of President-elect Barack Obama, she will return stability to the U.S. workforce by emphasizing the fair enforcement of Federal labor laws.

Sincerely,

JOHN TRASVIÑA,  
*Chair.*

DR. GABRIELA D. LEMUS,  
*Vice-Chair.*

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NEW ENGLAND FARM WORKERS' COUNCIL,  
 SPRINGFIELD, MA 01103,  
*January 12, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*317 Russell Senate Office Building,*  
*Washington, DC 20510.*

DEAR SENATOR KENNEDY: As your ever supportive constituents since our inception in 1971, we are delighted to endorse the nomination of Congresswoman Hilda L. Solis as Secretary of Labor of the United States.

Congresswoman Solis has demonstrated an unsurpassed commitment to the defense and improvement of the working conditions of migrant and seasonal farmworkers in California and throughout the Nation. After 8 years of assault on the economic and legal protections that were built by you and your family for the people who help place food on our tables, after years of zeroing-out of funding for employment and training services for farmworkers wishing to improve their lives, we finally have a Secretary of Labor who will stand up for our most vulnerable employees.

We look forward to working with Secretary Solis to further the wonderful work you have always advocated on behalf of migrant and seasonal farmworkers in New England and around the country.

Please be assured of our thoughts and prayers for your continued success in the Senate and at home.

Cordially,

HERIBERTO FLORES,  
*Executive Director.*

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NATIONAL HISPANIC MEDICAL ASSOCIATION (NHMA),  
WASHINGTON, DC 20005,  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR MR. CHAIRMAN AND SENATOR ENZI: On behalf of the National Hispanic Medical Association (NHMA), I write to you in strong support for the immediate confirmation of Congresswoman Hilda Solis to be the next Secretary of the Department of Labor.

I have known Congresswoman Solis for over 20 years. She is very passionate and dedicated to improving the lives of the people of the Greater San Gabriel Valley and Los Angeles County. I can personally attest to her abilities in working with our communities, as I too was raised in her congressional district. Since the Congresswoman came to Washington, DC she has chaired the Congressional Health Task Force, working closely with the NHMA, it's Council of Medical Societies and all of our national networks.

Congresswoman Solis offers the Nation dedication and leadership to advance the Department's mission to foster and promote the welfare of the job seekers, wage earners, and retirees of the United States by improving their working conditions and transforming the retirement and health care benefits for a more productive society.

We at NHMA have a long history working with Congresswoman Solis in developing new strategies to increase access to health care and prevention of chronic diseases that impact communities across America.

In summary, we strongly support the confirmation of Congresswoman Solis as Secretary of Labor by the U.S. Senate.

Sincerely,

ELENA V. RIOS, M.D., MSPH,  
*President & CEO.*

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NATIONAL HISPANIC MEDIA COALITION (NHMC),  
PASADENA, CA 91105,  
*January 8, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

Hon. MICHAEL B. ENZI, *Ranking Member,*  
*Committee on Health, Education, Labor, and Pensions,*  
*U.S. Senate,*  
*Washington, DC 20510.*

DEAR MR. CHAIRMAN AND SENATOR ENZI: As the President & CEO of the National Hispanic Media Coalition (NHMC), a 22-year-old civil rights, media advocacy organization, I write in strong support for the immediate confirmation of Congresswoman Hilda Solis to be the next Secretary of Labor under the new administration of President-elect Barack Obama.

Founded in 1986, the NHMC works to advance American Latino employment and programming equity throughout the media and entertainment industries and to advocate for telecommunications policies that benefit the American Latino community. As such, we have had the pleasure of working with Congresswoman Solis on many issues that impact the American Latino community, including the upcoming Digital Television (DTV) transition in February, which we anticipate will have a greater negative impact on Latino families versus non-Latino families across the country.

Congresswoman Solis has the credentials, judgment, expertise and dedication to the working men and women of America to be one of the most outstanding Labor Secretaries in the history of the Department. Additionally, Ms. Solis has consistently been at the forefront of the issues that matter most to Latinos in this country, working tirelessly to reduce poverty, increase economic opportunities, reduce health care disparities, promote fair and humane immigration reform for our Nation's largest minority community.

We, at NHMC, have a long history of working with Congresswoman Solis, both in her home district of El Monte, CA, and in Washington, DC where her service in Congress has put her at the forefront of causes that protect the interests of American Latinos as they relate to employment and programming equity in our media and entertainment industries. As an organization directly involved in securing diversity in the media for all Americans of color, the NHMC is confident that Congresswoman Solis, as Secretary of Labor, will serve the Nation, our businesses and workers well and therefore urge her speedy confirmation by the U.S. Senate.

Sincerely,

ALEX NOGALES,  
*President & CEO.*

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INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS (IFPTE),  
WASHINGTON, DC 20001,  
*January 13, 2009.*

DEAR SENATOR: As President of the International Federation of Professional and Technical Engineers (IFPTE), AFL-CIO, I am writing regarding Wednesday's Health, Education, Labor, and Pensions (HELP) Committee's consideration of Congresswoman Hilda Solis for Secretary of Labor. IFPTE asks that you support this stellar candidate.

As you know the economy has shed 2.6 million jobs in 2008, raising America's unemployment rate to an alarming 7.2 percent. Unfortunately, the forecast for the foreseeable future is not getting any better. In fact, just as they increased their dividends to their shareholders. The Boeing Company, where IFPTE represents over 20,000 workers, just announced on Friday that they were going to lay off 4,500 workers. This is not only an example of how business is more than willing to reward stockholders at the expense of their employees, but is also reflective of what hundreds of thousands of workers are facing all across America. Sadly, the last 8 years has seen a Department of Labor (DOL) that has actually encouraged these types of unsavory business practices.

American workers are desperate for a Labor Secretary that will work to protect THEIR rights on the job and will play a critical role in improving economic opportunities for working families. To his credit, President-elect Obama has chosen a candidate who will be a true advocate for our Nation's middle-class workers. IFPTE believes that Representative Solis has the professional expertise and life experience necessary to fill this critically important position at this very uncertain time in our Nation's history.

Congresswoman Solis has dedicated her public life to improving the lives of working men and women. She is one of seven children, whose father worked as a railroad worker, a laborer, a farm worker, and in a battery recycling plant, where he served his coworkers as a shop steward for the International Brotherhood of Teamsters (IBT). Her mother, who emigrated from Nicaragua, was a stay-at-home mother until she was forced to seek employment at a Mattel toy factory to help support her family. It is this working class upbringing and background that have influenced her career in public life. As she said before your committee on January 9th, "my passion for improving opportunities for middle-class Americans is the product of my life story."

Her public record certainly proves as a testament to her passion for working people. She hit the ground running in 1992 when she was elected to the California legislature, authoring 17 pieces of legislation aimed directly at working families and the economy. This included legislation aimed at strengthening workers rights, pro-

tecting victims of domestic violence, and growing the economy. When she entered the House of Representatives in 2001 Congresswoman Solis was a leader in championing the bread and butter issues impacting working people. IFPTE is particularly pleased with her interest in implementing policies aimed at creating the next generation of green jobs. IFPTE believes these jobs will reinvigorate American innovation and create hundreds of thousands of highly technical opportunities here in the United States for engineers, scientists, technicians and many other occupations. Of course IFPTE also applauds Congresswoman Solis for her steadfast support of American workers' right to better their working conditions through collective bargaining.

IFPTE believes that Representative Solis is well-suited to be the Nation's top advocate for working people. We wholeheartedly endorse her to be the next Secretary of Labor and ask that, as a member of the Senate HELP Committee, you vote to support her candidacy.

Thank you for your consideration.

Sincerely,

GREGORY J. JUNEMANN,  
*President.*

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UNITED STATES-MEXICO CHAMBER OF COMMERCE,  
ALEXANDRIA, VA 22312-2320,  
*January 29, 2009.*

Hon. EDWARD M. KENNEDY, *Chairman,*  
*Health, Education, Labor, and Pensions Committee,*  
*U.S. Senate,*  
*317 Russell Senate Office Building,*  
*Washington, DC 20510-2101.*

DEAR SENATOR TED KENNEDY: We urge confirmation of Congresswoman Hilda Solis (D-CA) to be the United States Secretary of Labor.

During her tenure as the Representative of the 32d Congressional District of California since 2000, she has worked with our Chamber on many key issues that impact U.S. workers and labor mobility throughout the Southwestern States.

Congresswoman Solis has participated in our Annual Congressional U.S.-Mexico Border Issues Forum on Capitol Hill along with many of her colleagues in the Congress, government officials and business leaders throughout the United States.

U.S.-Mexico Chamber of Commerce is celebrating its 35th year since its inception in 1973 and is the leading bi-national business association serving over 1,500 U.S. major, medium and small businesses.

We feel that Congresswoman Solis will be good for both the American worker and our businesses in the United States, as we move into these turbulent economic times.

We look forward to your rapid confirmation of Congresswoman Hilda Solis as U.S. Secretary of Labor.

Sincerely,

ALBERT C. ZAPANTA,  
*President & CEO.*

[Whereupon, at 11:35 a.m., the hearing was adjourned.]

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