

killed on the job, I believe, in Indiana. The three of them talked about how important Workers Memorial Day is. But, more importantly, they talked about how important it is that workers have better representation than provided by the Occupational Safety and Health Administration; that the families of victims or workers injured or killed on the job don't have the input into the Occupational Safety and Health Administration they should have. In fact, those workers complain—as did people who represented them today at this committee hearing—that too often during the last few years there has been a voluntary kind of compliance through OSHA, and voluntary compliance doesn't work to save lives and make the workplace safer. So I applaud what Secretary Solis is doing, and I applaud what Senator MURRAY is doing.

I close with this: One of my first Workers Memorial Days was in Lorraine, OH, arranged by local labor organizations. I was given this pin I wear. It is a depiction of a canary in a bird cage. The mine workers, as we know, 100 years ago used to take a canary down in the mines with them. If it died from lack of oxygen or toxic gas, the miner knew he had to get out of the mine immediately. In those days there were no unions strong enough to protect them, and they had no government that cared enough to protect them. Those days are behind us.

Back in 1970, the Occupational Health and Safety Agency was set up by the Government. It has made a huge difference, but nonetheless 100 people in this country show up for work and die on the job every single day on the average, and that is not counting workplace diseases.

So we have a lot of work to do so that by April 28 of next year we can commemorate Workers Memorial Day with significantly fewer workplace injuries and significantly fewer workplace deaths.

I yield the floor and thank the President.

EXECUTIVE SESSION

NOMINATION OF KATHLEEN SEBELIUS TO BE SECRETARY OF HEALTH AND HUMAN SERVICES—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will return to executive session to resume consideration of the Sebelius nomination.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Whereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

EXECUTIVE SESSION

NOMINATION OF KATHLEEN SEBELIUS TO BE SECRETARY OF HEALTH AND HUMAN SERVICES—Continued

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Sr. Asst. Parliamentarian (Elizabeth MacDonough) proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I rise in support of our nominee for Secretary of Health and Human Services, Gov. Kathleen Sebelius. I have known her for over 20 years. I believe she is an excellent nominee, one who brings a wealth of knowledge and skill to the position at a time when we need it the most.

As our country and the world begins to battle a very serious outbreak of the swine flu, we need Governor Sebelius's leadership now. Over 100 deaths have been reported in Mexico, and here in America we have confirmed cases in 5 States. It is urgent we have a leader in place at Health and Human Services who can respond to this threat.

Governor Sebelius is that person. She recognizes the need to work with experts and scientists on a global scale to make key public health decisions. Our citizens need and deserve to know that our Government is doing everything it possibly can to protect the public and to control this outbreak. We simply cannot afford to delay action in filling this important Cabinet post.

Also, as we embark on national health care reform, we need a leader who appreciates the importance of health care security to everyday people. Kathleen Sebelius is a common-sense leader who understands the complexities of our health care system. Through her experience as Governor of Kansas, State insurance commissioner, and President of the National Association of Insurance Commissioners, she has a broad and deep understanding of health care and will be an outstanding leader as we work to fix our broken system.

Governor Sebelius has worked tirelessly to improve the quality and affordability of health care for the people of Kansas, and she will do the same for all Americans.

As a former Governor, I understand the pressures of balancing a budget and working across party lines to get things done, and I commend Governor Sebelius for her track record of success. Upon taking office, she faced a projected \$1 billion deficit. So she implemented a top-to-bottom audit of State government that produced significant savings and efficiencies. Under

her leadership, Governor Sebelius expanded health care for children and worked to reduce the cost of prescription drugs. Working across the aisle, she was able to reorganize State health care programs to make health care more affordable by creating an independent State agency to control spending on health care and simplify the process of obtaining health care for her constituents.

Undoubtedly, Governor Sebelius brings a wealth of knowledge and leadership experience that will be critical in her new role as the Secretary of Health and Human Services.

I urge my colleagues to join me in supporting nominee Kathleen Sebelius for Secretary of Health and Human Services. She is the right choice at a time when we desperately need leadership at the Department of Health and Human Services.

Mr. President, I yield the floor.

Ms. SNOWE. Mr. President, I rise today to speak in support of the confirmation of Governor Kathleen Sebelius as Secretary of the Department of Health and Human Services.

This nomination comes at a transformational moment and at a monumental time—as the American people look to the Federal Government to achieve systemic change to ensure that all have affordable access to health care. The Senate Finance Committee, of which I am a member—along with the HELP Committee—is working mightily to craft reforms to address the current unacceptable reality of 70 million Americans lacking adequate coverage, and the increasingly unsustainable costs that undermine the health security of all Americans.

At the same time, our Nation faces the most severe economic distress we have witnessed since the Great Depression, with more than 2.6 million jobs lost last year. And it is the Department of Health and Human Services that stands at the forefront of helping to mitigate the consequences through our health and poverty programs. Therefore, there can be no doubt of the necessity for sound executive leadership at HHS.

Indeed, given both its prominence and its status as one of the largest departments in the Federal Government—which also oversees programs upon which nearly 1 in 3 Americans rely for their health care—our next Secretary of Health and Human Services should be a talented public official possessing a depth and breadth of experience as both a skilled administrator and manager, and a professional committed to systemic health reform. In that light, as former Kansas State Insurance Commissioner and now as Governor—and with her experience in tackling health care issues in her State—I believe Governor Sebelius possesses the knowledge and skills to meet the pressing demands facing our next leader of HHS.

In her work as Kansas State Insurance Commissioner she rightly recognized a takeover of her State's largest