

nomination today. We understand tomorrow we are considering the chemical weapons treaty. That is extremely important.

Mr. President, this issue was allegedly agreed to be considered on the floor of the U.S. Senate last week. But Members on the other side of the aisle reneged on that agreement, so that we were unable to come to completion on this nomination. Now, Mr. President, we are calling on the leadership on the other side to give us an opportunity to have Senate consideration of this nominee and to stop this attempt to play hostage with the President's nominee. She is someone who was reported out favorably by all the members of the committee.

It is time to end these kinds of games. The American people want us to find ways of working together, not to be blocking the consideration of a nominee who has the support of Republicans and Democrats alike.

Mr. President, I hope at the time that we are back into full session, that we will be able to set a time in the next very few days, on the completion, perhaps, of the chemical weapons convention, or perhaps even during the consideration of that there can be time found for a short discussion of the merits of this nominee. She is an outstanding nominee. She will perform her work well. It is wrong to hold up the President's nominee. The President, after all, won the election. When you win the election, you have the time-honored privilege of selecting your own advisers. There is one standard that is used for the President's advisers who come and go at the time the President is elected. There is a different set of criteria when we talk about those who have more extended terms, such as the Federal Reserve Board and some of the other agencies; those continue at the time of a particular administration and can lapse on to another administration. We have even a higher standard when we are talking about lifetime appointments, like Federal district judges and circuit court judges, and the highest standard for the Supreme Court. That is something we all understand.

But we are at the point now where the President, who won the election, has indicated that he wants Alexis Herman as his adviser on labor for the country's working families. It is wrong to continue to hold her hostage, and I hope we move ahead with consideration of her nomination.

Mr. President, the Republican leadership is holding the nomination of Alexis Herman hostage to an unrelated policy dispute. Ms. Herman was reported out of the Labor Committee unanimously 2 weeks ago. Republicans and Democrats alike voted in her favor.

The Republican leadership had scheduled a floor vote on her confirmation last week, but in an abrupt about-face they reneged on that commitment. The reason was the leadership's disagreement with a proposed Executive order

under consideration within the administration.

That order would direct Federal agencies to consider—not mandate—the use of so-called project labor agreements on Federal construction projects.

Such agreements have been used on large-scale construction projects, in the public and private sectors, for decades. Examples of Federal projects built under PLA's include the Grand Coulee Dam in the 1930's; atomic energy plants in the 1940's; Cape Kennedy in the 1960's; and today, on the Boston Harbor cleanup. Such agreements are also being used in the present decommissioning and decontamination of nuclear facilities at Oak Ridge, TN; Savannah River, SC; Fernald, OH; Hanford, WA; Idaho National Engineering Labs, ID; and Lawrence Livermore, CA, among others.

In the private sector, too, PLA's have been used on many projects across the Nation, including the construction of Disney World in Florida, the Toyota plant in Georgetown, KY, the Trans-Alaska Pipeline System in Alaska, and the Saturn auto plant in Tennessee.

State governments use PLA's as well. Governor Pataki of New York issued an Executive order strikingly similar to the Clinton proposal in January 1997. The Nevada and New Jersey Governors recently issued similar orders. State projects constructed under PLA's include the Boston Harbor cleanup; modifications to the Tappan Zee Bridge in New York; the Southern Nevada Water System improvements project outside Las Vegas; and many others.

What PLA's do is require contractors to comply with the terms of labor agreements for the duration of the project. The advantages of such PLA's are many. Projects are more often completed on time, because a skilled labor supply is always available. There are fewer cost overruns, because workplace disputes are resolved through grievance-arbitration procedures, instead of by strikes or lockouts, which cost valuable work time for employers and employees alike. Projects built under PLA's have lower accident rates, because contractors can hire highly skilled and trained employees. Productivity increases as well, because of the higher skill level of workers.

Opponents of PLA's claim that such agreement unfairly deny contracts and jobs to nonunion firms and individuals. This is simply not true.

Nonunion contractors can and do bid on jobs where PLA's are in effect. For example, in the Boston Harbor project, fully 40 percent of the subcontractors—over 100 firms—are nonunion. Similarly, on the Idaho National Engineering Labs PLA with the Department of Energy, 30 percent of the subcontractors were nonunion.

Similarly, nonunion workers can and do work on sites where PLAs are in place. Unions are required by law to refer nonmembers to jobs on the same basis as union members. The NLRB

vigorously enforces this provision of the labor laws, and unions know how to and do comply. Furthermore, in the 21 so-called "right-to-work" States, no worker can ever be required to give financial support to a union. In the other 29 States, if the particular contract provides it, workers can be required to pay a fee to the union while workers are employed on the job site. However, no employee can ever be forced to join the union, or to pay for union activities that are not related to collective bargaining.

PLA's thus are beneficial to project owners and workers alike. Further, it's clear that the President has the authority to issue an Executive order dealing with Federal procurement practices. President Bush did just that, when, in October 1992, he issued an Executive order forbidding Federal agencies to require PLA's on Federal construction projects. Republican attacks on President Clinton's power to issue an order directing the consideration of such agreements thus are disingenuous at best.

It's particularly unconscionable to hold up Alexis Herman's nomination on this basis. The country's working families deserve a representative, and the Republicans know it. It's time for the political extortion to stop, and for the Republicans to give up their hostage. Free Alexis Herman, and free her now.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. REID. Parliamentary inquiry, Mr. President.

Mr. GREGG. Without yielding the floor, I will yield.

Mr. REID. I understand that. I ask the Parliamentarian this. I thought from 12 until 1 o'clock was under the control of the Democratic leader.

The PRESIDING OFFICER. That is correct.

Mr. GREGG. Mr. President, I believe we are in morning business, is that correct?

The PRESIDING OFFICER. The period is for morning business until the hour of 2 o'clock, with the hour from 12 to 1 reserved for the Democratic leader and the hour from 1 to 2 reserved for the Senator from Georgia.

Mr. GREGG. Mr. President, I ask unanimous consent that I be allowed to proceed for 5 minutes as in morning business and to the extent that it affects the time of the Democratic leader, that that time be added to his time at the end of the hour, as originally scheduled.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

THE BUDGET NEGOTIATIONS

Mr. GREGG. Mr. President, I want to raise a couple of points here as we move through the budget negotiations. There are ongoing negotiations with the White House relative to trying to

reach a budget agreement. But those negotiations deal with a budget that will run through the year 2002. My concern is that, as we look at a budget in that short timeframe, action which we take to address a budget that would reach balance by 2002 would have impact beyond that period, obviously, because we will put in place decisions that are not going to end at the time that budget concludes in 2002, but it will affect spending beyond that time.

In two major accounts, the President's budget, as proposed, is basically a budget that has a low initial cost but has a dramatic, explosive cost in the outyears when you get past the year 2002. Both in the Medicare account and the Medicaid account, the President's budget, as sent up here, has significant increases in spending, but those increases in spending that are for the 5-year timeframe running through 2002 are really minuscule compared to the spending that will occur in the period after 2002. I believe this needs to be highlighted because, if it is not, I am afraid we will adopt initiatives in the President's budget that come out of it as part of this process of building our own budget and reaching a bipartisan budget.

I am concerned that we will adopt initiatives that will cost us dramatic amounts of money outside the budget window and, once again, aggravate the real problem that confronts the country. We would be passing on to our children a country with huge debts of obligation that our children will never be able to pay.

Let me highlight this in specifics. Under the President's proposal for Medicare, there is \$33 billion in new spending during the budget window, through the year 2002. When you go beyond the year 2002 to the period of the next 4 years—this is a 4-year period, and it would run past that, obviously—there will be an explosion in the cost of those new programs. Those new programs, which cost \$33 billion in the next 4 years, in the 4 years after that will cost \$93 billion in new spending. That represents a 182-percent increase over the 5-year period. That is in the Medicare accounts.

Some of these new programs involve the following—and I agree they are probably programs which we all feel would be nice. But the question is: Can we afford them? Can we afford to pass them on to our children? Can we afford to pass \$93 billion in new spending on to our children, which is outside the budget window? Some of the new programs include: A new initiative in the area of cancer screening, for \$2.5 billion; a direct payment to hospitals, outside of AAPCC, \$26 billion; changing the way the Medicare accounts for the part B, 20-percent charge, which accounts for \$42 billion; and a whole list of other new initiatives, all of which add up to \$93 billion in spending that is outside the budget window, and is new spending for new programs and which will have to be paid by the taxpayers of

this country, and, if not, borrowed from our children. In either event, it will aggravate the balance in the Medicare trust fund and continue to drive the Medicare trust fund toward insolvency.

The second area the President has taken the same course of action on is in the area of Medicaid. In the Medicaid accounts, he has proposed \$16 billion of new spending during the budget period between 1998 and the year 2002. But that \$16 billion in new programmatic spending that occurs in the first 5 years explodes in the next 4 years to \$34 billion, for a 113-percent increase. That is a 113-percent increase over the initial spending period—another explosive expansion of an entitlement program through the process of adding new benefits. In this area, we are talking about new benefits for disabled, illegal immigrants, and new benefits for children of illegal immigrants. And so you have this dramatic increase in spending. When you combine these two proposals—the President's proposal in Medicare and the proposal in Medicaid—the new spending accounts aggravate and compound the problem even more dramatically.

You see here that in the next 5 years, which is the budget period the President sent us on this, there is \$49 billion in new spending in Medicare and Medicaid accounts. As you move into the outyears, that \$49 billion translates into \$127 billion in new spending, or a 159-percent increase because of new programmatic activity. Now, what we are talking about here—and this needs to be stressed—is new programmatic activity. We are not talking about maintaining the Medicare trust fund or Medicaid trust funds; we are talking about adding to that program.

Mr. President, we are talking about increased spending as a result of brandnew programs. So as we move down this road of trying to reach agreement on this budget, I think we have to be very sensitive that we not add a lot of new programs that may look affordable over the next 4 or 5 years, but which, in the outyears, becomes totally unaffordable and further aggravates what is already a very serious situation, because we know the Medicare trust fund is going bankrupt that. All of these costs, if passed on to our children, may end up making their capacity to have a prosperous and productive country much less. This must be focused on as we go down the road to reaching a budget agreement.

I yield back such time as I may have left. I appreciate the Senator from Nevada allowing me to speak at this point, during the time of the Democratic leader.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada.

PRESIDENTIAL NOMINATIONS

Mr. REID. Mr. President, since I have been here in the Senate, we have been

under a majority controlled by the Republicans and the Democrats. When I first came here, the Democrats had the majority, and now the Republicans have the majority.

During the times that the Democrats had the majority, there were some very controversial nominees that came forward, but they always came forward and there was a vote. My concern is that we are now entering into a new era, where the majority is using nominees of the President—and there is no question about their capabilities and their credentials to hold the job, and there is nothing relating to their moral qualifications. They are simply holding up the President's appointees because they don't want them to be selected, or they have some other issue and they are trying to hold the nominee hostage.

As an example, Alexis Herman has been nominated to be the Secretary of Labor. We were initially told we are not going to get her out of committee until there is comptime legislation marked up in the Labor Committee. That hurdle has gone over. The legislation is marked up. Now there is another hurdle this woman must find herself facing. Now we are told that there is an issue that deals with an opposed Executive order that would permit Federal agencies to consider requiring contractors on certain large Federal construction projects to comply with labor contracts for the duration of the project. Governor Miller of Nevada issues a similar order and a project labor agreement is now in use on a very large construction project outside of Las Vegas to bring water into Las Vegas.

Mr. President, I respectfully submit that holding Alexis Herman's nomination hostage to this is wrong. To hold her nomination hostage over an Executive order is wrong. She is qualified morally and educationally and is experienced. Therefore, she should be working for the taxpayers of this country in the job she was selected to do by the President. What is happening is not right.

We can get into the merits of the issue of the majority holding Alexis Herman hostage, but should that really be the case? If we looked at it closely, we would find that in the State of Nevada, as an example, of the seven contracts awarded, three went to nonunion contractors. I assume that is what the majority is concerned about. They have this problem with unions. Well, in Nevada, even though the Governor entered this order, three of the contracts went to nonunion contractors, and four went to traditional union contractors. Of the 36 contractors who bid on the seven contracts, 16 were nonunion, 20 were union.

The point I am making, Mr. President, is that this issue, this proposed Executive order, is just that—an issue. We should debate it. It is wrong and there is legislation to hold hearings or try to get the Executive order overturned, but we should not hold up this woman's nomination.