

deal with organized labor—and we have reports that organized labor was writing this regulation, that they were involved in formulating this regulation—to come up with this type of a power grab I think is absolutely wrong. If they want to do it, they should do it through the legislative branch. Have somebody who supports this legislation introduce it. Let us debate it. Let us find out where the votes are. Let us go the legislative route. Let us go the constitutional route.

And so I have contacted the White House and tried to let them know that I am very sincere about trying to protect the constitutional prerogatives of Congress. This is the legislative body and I am very sincere about making sure that the White House does not become the legislative body by Executive action.

And so, Mr. President, I have told the White House we are willing to use what actions we have at our disposal to try to get their attention. We have the confirmation process. We also have the appropriations process. We have the judicial process. We have other tools available to try to convince the administration they cannot legislate by Executive order. That's very much my intention.

I just noticed an article in the Thursday, April 17th Roll Call where Mr. Reed Hunt, the Federal Communications Commission Chairman, is talking about drafting a notice of proposed rulemaking to examine the idea of free broadcast time for Federal candidates and predicted that free time for candidates could be implemented in time for the 1998 elections.

Mr. President, we have campaign reform before this body, and there is certainly legitimate debate and we have talked about having free time for political candidates. Some people call it food stamps for politicians. That is a legitimate legislative item we should discuss. But the FCC Chairman does not have the authority to say by fiat, by direction from the administration, that we are going to give candidates free time and mandate that or dictate it or bribe the broadcasting authorities to enforce it.

That is a serious mistake. If we are going to say politicians are entitled to free time, let us have that as part of a bill. Let us debate it. But Mr. Hunt cannot do it.

We as a legislative body, Democrats and Republicans, need to reassert our legislative authority, our legislative responsibility, and we need to object. If we find the administration, the executive branch, trying to legislate, we need to object. At a different time I will speak about the need to object when the Supreme Court or courts are legislating as well, because we find that branch of Government is involved in the legislative process. Right now they are considering two cases legalizing assisted suicide. The Supreme Court does not have the authority to legalize anything. That is the respon-

sibility of this body. That is called legislation. And that is a subject for a speech at another time. I am strongly opposed to the executive branch legislating as well as the judicial branch legislating. Both are wrong. This is the legislative branch. I as one Senator, whether I agree with the direction of the Executive order or the judicial decision, I am going to speak out loudly and strongly and use tools available to make sure the Congress remains the legislative branch of Government.

Mr. President, I yield the floor and I thank my colleague from Connecticut for his patience.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are, with Senators allowed to speak for up to 5 minutes.

Mr. DODD. I ask unanimous consent that I may be able to proceed for 10 minutes as in morning business, and I may need a couple minutes beyond that, but I will try to move through the material fairly quickly.

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

Mr. DODD. I thank the Chair.

#### ALEXIS HERMAN NOMINATION

Mr. DODD. Mr. President, first of all, let me address if I can—and there are a couple matters I want to speak on—the issue of Alexis Herman. I have listened here to my colleagues address their concern about the Executive order regarding project labor agreements. My hope is that we would not be holding Alexis Herman hostage over a particular matter that Members have some concern about. And I respect that. I note my good friend and colleague from Oklahoma is still on the floor. It was back in I think 1991 when President Bush issued an Executive order to prohibit project labor agreements. I do not recall a similar outcry that this was acting without legislative authority.

I do not disagree, I say to my colleague, by the way, with his concern where executive branches, regardless of party, try to exceed their authority here. But nonetheless, I hope that despite the legitimacy or illegitimacy, whatever one's point of view is, on project labor agreements, Alexis Herman's nomination can go forward. She was proposed in December. The election was in November. This is almost May. We are missing a Secretary of Labor. And whether it is organized labor, unions, management, it is important there be someone at that table to represent the interests of management and labor. And the Secretary of Labor needs to be there.

My colleague from Pennsylvania, Senator SPECTER, I think addressed this issue appropriately back, as the Presiding Officer will recall, when there was some question of whether or not the nomination was going to move

through the committee which the Presiding Officer and I sit on together, the Labor and Human Resources Committee. There, the Senator from Pennsylvania noted we ought to vote on these people up or down, but we ought to at least vote.

The committee voted unanimously to send Alexis Herman's name to the full Senate for consideration. As I said a moment ago, now it is getting to be late April. I am told her nomination will not be considered until something is worked out on these project labor agreements. I think that is regrettable. Again, I will discuss in a moment the project labor agreement issue. Six months after an election, to be missing yet a meaningful and important member of the President's Cabinet, I think is an unfortunate use of our power here, to deny the Senate even a vote on this nomination. So I hope we would have that nomination come sooner rather than later, so we could have that individual sitting at the Cabinet table.

#### PROJECT LABOR AGREEMENTS

Mr. DODD. Mr. President, let me briefly address these project labor agreements. Again, this is maybe confusing to some people because it sounds rather esoteric: Project labor agreement. There is nothing new about project labor agreements. They go back to the 1930's. They have been a very effective means by which governing bodies, States, cities and the Federal Government, where there have been major public works projects, have been able to bring people together to try to work out arrangements, in terms of wages, benefits, hours and so forth, in return for which there would be no work stoppages, strikes and the like.

I note Governor Pataki of New York has very effectively used project labor agreements on projects in the State of New York. Christine Todd Whitman, the Governor of New Jersey, has used project labor agreements on major public works projects in the State of New Jersey. There are numerous projects around the country, Federal projects—the Boston Harbor is the one I am most familiar with in New England—where there is a project labor agreement there.

I might point out it was noted by our colleague from Texas that these project labor agreements result in tremendous cost overruns. It is estimated right now, and the project is not complete—the estimated cost of the Boston Harbor project was \$6.1 or \$6.3 billion. It is estimated now, in no small measure because of the project labor agreement, that project may be completed for about \$3.4 billion, substantially under the original estimates. So there is nothing inherent in this that says it is going to increase costs. In fact, it has worked very, very well.

The suggestion was also that non-union businesses would be prohibited from bidding. Nothing could be further

from the truth. That would be against the law. In fact, I think, as someone pointed out, in one of the Boston projects—102 of the 257 subcontractors were nonunion firms; 102 of the 257. So the notion that nonunion firms would be prohibited from being a part of these projects is unfounded.

As I noted earlier, in October of 1992, President Bush issued an Executive order which prohibited Federal agencies and Federal contractors from entering into these project labor agreements. So the outrage that is being expressed because an Executive order has been issued to reinstate them—as I said, I would be sympathetic if the outrage had been focused equally vociferously when President Bush banned these project labor agreements—as we now hear with this President's decision to issue or allow these project labor agreements to be used on Federal projects.

So, again on the Alexis Herman issue I hope she will go forward.

On these project labor agreements, I think it is important we utilize what has been a very effective tool for being able to complete very, very important public works projects. As I said earlier, these are not just used by the executive branch at the national level, they have been used by Governors all across the country.

#### L'AMBIANCE PLAZA

Mr. DODD. Mr. President, tomorrow, the 23d of April, will mark the 10th anniversary of a major tragedy in the State of Connecticut. It was April 23, 1987, that 28 workers in Bridgeport, CT, lost their lives at a place called L'Ambiance Plaza, a construction site. My colleague from Indiana may recall that it was the largest industrial accident we had ever had in the State of Connecticut. It occurred during the construction of an apartment building using a technique called lift-slab construction. You would actually construct the floors and then, by hydraulic lift, lift the floors up. Within a matter of seconds, these floors collapsed and took the lives of 28 of my constituents from Connecticut.

It was a dreadful day, one that people still talk about in our State. In fact, early next week there will be a memorial service, with the families and others who are still feeling the pain of the loss of their loved ones.

We ended up banning, in the State of Connecticut, lift-slab construction. There were Federal regulations put out on that construction as well. As a result of that accident, in fact, my colleague from Connecticut, Congressman CHRISTOPHER SHAYS, who represents that congressional district, he and I introduced legislation to create some new requirements to monitor health and safety on construction sites. That legislation would have created an office of construction safety. It would have created a 15-member advisory committee on construction safety.

I should back up and point out that of all trades, the construction trades suffer the most injuries and death. Even with a lot of improvements, it is highly dangerous work. So, even with the improvements that have been made in occupational safety and health, construction work, just by its nature, as one would well imagine, is very dangerous. What we were looking for was to create some specific emphasis and focus on the construction trades. So that bill required those two points and further required increased civil and criminal penalties when there were knowing violations of occupational safety and health standards, and it would require employers to develop specific procedures to ensure health and safety on building sites. The bill was never approved. We offered it and had hearings on it, but it was never approved.

If you, Mr. President, and my colleagues had seen L'Ambiance Plaza, the devastation there, I think most would have come to the same conclusion that I did, that we need to do a better job in monitoring these construction sites. I pointed out, it was the single largest construction tragedy in the State of Connecticut. The problem is that lift-slab construction had caused hundreds of injuries around the country, yet in most instances, on the specific site, the injury, although it was bad, had not resulted in a death, so reporting was not required.

So there was no warning ahead of time about the dangers of this type of construction. As a result of our efforts, you would have been required to report those incidents when they happened so the collective information would be gathered and better decisions could be made about this kind of construction.

So, next week we will again gather to commemorate the lives of the 28 men whose lives were lost on that date 10 years ago. Like all of my colleagues, I hope never to have to attend another such ceremony. My hope is still that we will do a better job in improving the enforcement and the penalties involved, because that seems to be the only way we get the kind of compliance that is necessary.

#### BRAIN DEVELOPMENT IN EARLY CHILDHOOD

Mr. DODD. Mr. President, I rise to talk about a subject about which I know the Presiding Officer has a great deal of interest, and that is the attention that has most recently been focused on the breakthroughs in our understanding of the human brain and in the early development of children. In fact, Newsweek just released a special edition: "From Birth to Three. What you need to know, how speech begins, a baby's brain, genes, emotions, what is normal, what is not." I commend Newsweek for dedicating a special issue to this subject matter. I think it is extremely worthwhile.

Time magazine earlier did an issue on education, which I think was ex-

tremely helpful to millions and millions of Americans. I encourage everyone in this country to read this edition, particularly young families. It is very valuable information for people to have. We are gathering new information, almost on a daily basis, about the remarkable events that occur in the earliest days of a child's development, about how important it is that we do everything we can to maximize parental understanding and to provide whatever support we can so these earliest days turn out to be productive days in the development of a child's life.

As we all know, last week the President and the First Lady hosted an important White House conference on this very topic, bringing together leading voices from around the country to discuss the early development of children and how we could better support that development. Scientists have now presented us with hard evidence of what many parents have long held true—have known, I think instinctively—that children whose lives are stimulated from birth by words, by affection, and by playful interactions with their parents and other devoted caregivers are far more likely to develop to their full intellectual and emotional potential than those who are not.

All that we already knew about giving children a good start in life still holds true. Genetics, nutrition, whether a mother drinks or smokes—all these factors still play a role in a child's development. Now we also know that the environment that we provide to children, starting at the moment of birth and into their earliest years, has an astonishing impact on their potential to learn and to grow.

I do not pretend to understand all of the scientific studies. In fact, just the language of it, the jargon of it, can be dazzling for those of us who are lay people in this area. But I am trying to gain a basic grasp of the facts. Scientists have now discovered, for instance, that the brain of a baby is wired to learn. Starting at the very first days, each time a parent holds, rocks, or talks to her child, connections are formed between the neurons of the child's brain. These connections, the building blocks of a child's cognitive and emotional development, grow exponentially in the earliest years.

Just consider this. By the time a child is 3 years old, that child's brain has formed 1,000 trillion synapses, or connections between brain cells. Just to give some idea of the magnitude of this, this evening if you have a starry night and you look up at the stars, you should know that 1,000 trillion synapses is more than all the stars in the Milky Way. So, as you gaze at the heavens tonight and you look at the Milky Way with all its stars, know that just in 36 months of a child's life there are more synapses and more connections formed than all those stars. That will give you some idea of what is occurring in these earliest days of a child's life.