

The President goes on and says:

The era of big Government may be over, but the era of big challenges for our country is not.

I think every American would agree with that.

"So we need an era of big citizenship," the President said in Philadelphia. "We need an era of big citizenship."

I certainly agree with that, and I think every Member of Congress would agree with that. But while the Government may not be able to do some of the things it used to do, the Government certainly should not be an impediment to big citizenship. The Government ought not to be throttling attempts to make it easier to be a forthcoming citizen.

Frankly, I don't think the Government should be engaged in a filibuster that prevents our moving legislation that would make it dramatically and clearly easier to be a part of the era of big citizenship.

General Powell, who has experience orchestrating successful operations, has made it his own personal crusade to recruit an army of millions of volunteers around the country. He has committed himself to being able to certify by the year 2000 that the 2 million children lacking mentoring, safe places to play and learn, health care, marketable skills, and a good education will have those needs met.

Once again, he alludes to the point that I have mentioned several times this afternoon. Safe places to play begs the question that many of them do not have safe places to play today. They are dangerous places, and being dangerous, they are more likely to be places in which accidents and mistakes and misunderstandings occur. In other words, this is not your normal playground. This may be a rough-edge community which you are asking the volunteer to enter, to subject themselves.

A more dangerous place means it is fraught with the potential of legal action. So we are asking these millions of volunteers not only to come forward, but to come forward into environments that are less predictable and, therefore, create a greater risk for the volunteer.

I mentioned earlier today, Madam President, that the need for this legislation is fairly new; that we did not have a problem of volunteers being sued until we got into the eighties. Suddenly they became targets, and once you get something like that started, it feeds on itself, and it has. So the lawsuits have grown, and the threat has grown.

Now we are saying, in this environment where litigation is more prevalent, on top of that, we want you to go into a more difficult environment. Well, there is an incongruity here. As a result of this exchange, one of my first acts will be to communicate to General Powell that we need his help to convince this Congress that they need to remove barriers so that he can get his 2 million volunteers to come forward.

Madam President, the hour is now 20 till 4. We have now been on this since 2 o'clock last Monday, this 12-page bill, double spaced, and we continue to be prohibited from actually going to the debate. We will revisit this, but for the moment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FAIRCLOTH). Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF ALEXIS M. HERMAN, OF ALABAMA, TO BE SECRETARY OF LABOR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now go into executive session to consider Executive Calendar No. 70, the nomination of Alexis Herman to be Secretary of Labor. I further ask that there be 30 minutes of debate on the nomination to be equally divided between the chairman and ranking minority manager; I further ask unanimous consent that immediately following the expiration or yielding back of the time, the Senate proceed to a vote on the confirmation of the nomination, and immediately following the vote the President be notified of the Senate's action, and the Senate then return to legislative session.

Mr. DASCHLE. Mr. President, reserving the right to object, and I only do so to commend the distinguished majority leader for his work in bringing us to this point. This has been the subject of extraordinary discussion and negotiation. It would not have been possible were it not for his cooperation and the work by several Senators, including the distinguished chairman of the Labor Committee and the ranking member, who are on the floor at this time. I thank the majority leader for his effort, and I appreciate very much the work to bring us to this point.

I have no objection.

Mr. LOTT. Mr. President, before the Chair rules on the unanimous consent request, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHCROFT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, I renew my request for a unanimous-consent agreement that we proceed to Calendar No. 70, the nomination of Alexis Herman to be Secretary of Labor.

The PRESIDING OFFICER. Is there objection to the request?

Hearing no objection, it is so ordered.

Mr. LOTT. Mr. President, I do want to thank the distinguished Democratic leader for his comments. He knows quite well that there had been concerns, initially, about this nominee. I have been satisfied that she is qualified for the job. But I didn't know all the details of allegations or problems that had been identified. The committee, under the leadership of the chairman, took their time, they looked into the potential problems and allegations, and they finally took a vote. I believe it was a unanimous voice vote. Members of the committee had adequate time to look into these potential problems. I think the nominee has assured Senators that her conduct is going to be very circumspect as Secretary of Labor. I am satisfied that she will do that and that she will work with the Congress and the Senate, on both sides of the aisle, and will do a good job as Secretary of Labor.

Now, the second problem, of course, has been the idea that there would be an Executive order with regard to Federal union contracting. There has been a considerable amount of concern, as the Senator knows, about this being done through Executive order. We feel that should be done by the Congress with recommendations and time for consideration. But we have worked out an understanding with the administration of how this matter will be handled. Based on their assurances, which we feel they will honor, we felt it was appropriate to proceed with this nominee.

I want to say, again, that the nominee was not the problem over the last few weeks. The problem was an understanding about how labor law should be changed. I think we have reached a point where we can enter into this agreement. I thank the assistant majority leader, DON NICKLES, for his effort. He is knowledgeable in this area. He has been aggressive in trying to identify the problem and trying to find a solution. I did have a chance to discuss this last night with the President. He has had an opportunity to discuss it with representatives from the White House, and I feel that an amicable arrangement has been reached.

I yield the floor.

Mr. DASCHLE. Mr. President, I thank the majority leader for his explanation and for his description of the current set of circumstances. We have known now for some time that the delay in confirming Ms. Herman had little to do with her qualifications or the degree to which there was support on the Senate floor. It had to do with the dispute over Federal contracting.

I am pleased that the dispute has ended and that we find some applicable resolution to that issue. I have not seen the details of that particular agreement, but I am very pleased that, at long last, Ms. Herman will have the

opportunity to serve in her new capacity as Secretary of Labor. We look forward to working with her, and it is my expectation that there will be an overwhelming vote this afternoon on her behalf.

We look forward to beginning as early as next week to see her in office and working closely with us on an array of very important matters to be taken up in the next 2 years.

I yield the floor.

The PRESIDING OFFICER (Mr. FAIRCLOTH). The nomination will be stated.

The legislative clerk read the nomination of Alexis M. Herman, of Alabama, to be Secretary of Labor.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise today before the Senate to recommend that we approve the nomination of Ms. Alexis M. Herman to serve as Secretary of Labor.

Ms. Herman's career has been filled with many firsts. In 1977, Ms. Herman was appointed by President Jimmy Carter to be the first African-American woman to lead the Women's Bureau. Twenty years later, Ms. Herman is poised to become the first African-American woman to serve as Secretary of Labor.

To be appointed and confirmed as the Secretary of Labor is one of the greatest honors that our Nation can bestow upon an individual. It is an honor, however, that comes with a heavy burden of responsibility. Individuals who hold this office become stewards of the public trust and bear a great responsibility to the working men and women of America. It is my hope and my sincere expectation that Alexis Herman will preserve this trust and serve our country ably and effectively as Secretary of Labor.

Ms. Herman will take the helm of the Department of Labor at a critical juncture in its history. The passage of welfare reform has made the strengthening of our job-training programs more important than ever. People must be able to obtain skills that will lead to secure jobs. Workers are entitled to fair pay in a safe environment. And while a great deal of attention is being focused on the future of the Social Security system, it is incumbent upon us to ensure the stability and expand the reach of the private pension system as well. I have devoted my career to these issues and I look forward to working with Ms. Herman to strengthen the Department of Labor's education and training programs and improve the quality of life of working men and women.

It is because of my belief in and support for the mission of the Department that I have done my best to thoroughly review the background of this nominee. The pace may have seemed slow to some people but I was convinced then, as I am now, that it is better to take the time to do this job properly.

Our efforts were complicated by ongoing revelations of White House fundraising activities and by the announcement that the Office of Public Liaison, which the nominee was heading, was, and continues to be, the subject of an investigation by the Office of Special Counsel. But our efforts are now complete and the committee recommends that the Senate confirm Ms. Herman as Secretary of Labor.

Ms. Herman brings a unique set of skills and experience to the position of Secretary of Labor. In the mid-1970's she administered a pioneering program in Atlanta that helped minority women obtain white collar jobs. From 1977 until 1981, she served as the Director of the Women's Bureau under President Jimmy Carter. In this capacity she led the Department of Labor's efforts to identify and address the needs of working women across the country.

Over the years, Ms. Herman has earned a reputation for her ability to build coalitions and work effectively with groups holding disparate and divergent political views. It is my hope that these skills will be used to seriously address our Nation's workplace and work force development needs as we prepare for the 21st century.

We have an ambitious legislative agenda for this year—already the committee has reported S. 4, the Family Friendly Workplace Act, and S. 295, the Teamwork for Employees and Managers Act of 1997. These bills represent critical responses to the vast changes in the American workplace—changes that are unrecognized in a body of labor law unchanged since the Great Depression. Employers and employees should be working with, not against, each other whether it's figuring out a problem on the shop floor or in an employee's schedule.

Over the next few months we will develop legislation to better integrate education and job training programs and we will begin to explore ways to improve the security and soundness of the private pension system. These legislative initiatives will have profound implications for the economic competitiveness of our Nation and for the quality of life of American workers. We will only succeed in these efforts if we have leadership from the Secretary and a firm commitment to avoid partisan politics in the interest of addressing critical national needs.

I believe that Ms. Herman will be a full partner in these endeavors and that she will join us in our effort to improve the quality of life of working men and women. I look forward to working with her in her new capacity as Secretary of Labor.

I reserve the remainder of my time.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, as I understand it, we have 15 minutes. Am I correct?

The PRESIDING OFFICER. That is correct.

Mr. KENNEDY. I yield myself 7 minutes at this time.

Mr. President, first of all, I want to extend our appreciation to the majority and minority leaders for working out this agreement where within the hour the Senate will go on record by an overwhelming vote in behalf of an outstanding nominee for Secretary of Labor. I am grateful to them for working out this agreement.

I thank especially the chairman of our committee, Senator JEFFORDS, for the way that he has handled this nomination. Nominations come and nominations go. But the fairness and thoroughness with which he handled this nominee I think reflects extremely well, not only on our committee but on the institution as a whole. It was exhaustive. It was extensive. It was probing. It was searching, as any review should be. And at the end of the day we were able to see the result of this very thorough review in the unanimous vote by the committee. That is the way that it should be done.

All of us in this body, and I think all Americans, will be grateful for the fact that we will have a Secretary of Labor who will be at the President's elbow and will speak for working men and women in this country. But at this time, all of us in the Senate should know the outstanding job that she has done.

Mr. President, I am delighted that we have freed ourselves from the position that was taken by some Members here on the floor who differed with the President's authority to issue an executive order encouraging the use of project labor agreements on Federal construction sites.

I think, if we look back over the history of project labor agreements, we would see that they have been effective, they have worked, and they have saved resources. These are voluntary agreements. The Supreme Court has upheld their use on public sector construction sites. Clearly the President is justified in urging the use of those kinds of agreements when they are appropriate.

This morning in the Labor Committee, we heard the outstanding testimony of John Dunlop, who is the former Secretary of Labor, under a Republican administration, who, as the architect of many project labor agreements, reviewed in some detail just how they work, how they function, and the reasons for them. He made a very powerful and convincing case for project labor agreements. But now we have worked out a satisfactory way in which the President will issue a memorandum on that issue which will encourage these project labor agreements to go forward where they are appropriate. And now we are moving ahead with the nominee.

So I would also like to commend Senator JEFFORDS for outlining the challenges that are going to be there for the Secretary. When I arrived in the Senate, men and women were working

down at the Fall River Shipyard, building ships in Quincy, MA. They worked there with a high school diploma. They had a good job, and a good income. Their father generally had worked at the Fall River Shipyard, and even their grandfathers worked there and built some of the best ships we had in World War II, and many outstanding commercial ships as well. It is an entirely different labor market today. Everyone who enters it will have seven different jobs over the period of their lifetime at least.

The importance of having a well-trained and skilled work force is an enormous challenge for our country. We are looking forward to working with the members of our committee to try to play our role in making sure that we are going to see that those kinds of opportunities are going to be available to workers in the future.

I would like to take, Mr. President, the remaining moments here today just to speak about this really extraordinary nominee.

I see my colleague and friend, the good Senator from Illinois, has joined us, who has been such a strong supporter of the nominee, and will speak. My friend, Senator WELLSTONE, will speak as well.

If we are looking at a success story, we are looking at the life of Alexis Herman. If we are looking for personal resolution, determination, and personal moral courage and physical courage, we are looking at the history of Alexis Herman who, with her mother—who taught her to read at a very early age, in Mobile, AL—traveled as her mother was involved in one of the early literacy programs. She attended a Catholic school in Mobile, AL, that was segregated, and brought the truth to power when she challenged that school to integrate. The school resisted those entreaties. And, finally, a year later they admitted blacks into that school as a result of the determination and perseverance of this extraordinary young woman. She traveled and worked to try to bring African-American women into the work force in many of the institutions and companies of this country with great, great success.

Her life has been one of service. She has been an outstanding assistant to the President of the United States with outreach programs, trying to work to make sure that the message that was going to be coming from the White House was going to be an all-inclusive message, and one that was going to move the country along together and not at the expense of any individuals or any groups.

She served with great distinction under Ray Marshall, who was Secretary of Labor under President Carter. And Ray Marshall is one of the country's most thoughtful leaders on all of the issues affecting the training of workers and upgrading their skills. And his support—his clear, eloquent comments about the work that Alexis

Herman did when she worked with Ray Marshall constitute one of the most outstanding tributes that I have ever heard about any worker in any Cabinet position.

So the President of the United States has nominated her to be the Secretary of Labor. We will, I think, have an extraordinary person, one who can bring innovation and creativity, one who can reach out to working families; one who has special insights into the challenges that are out there for workers in a changing world.

Alexis Herman exemplifies many of our most important national values. She leads by example, and has a distinguished history of bringing others along. She grew up poor in the segregated South, and she succeeded through talent, energy, and commitment. She has had a lifelong commitment to the principle of helping others to help themselves.

As I mentioned, her mother, who once was Alabama's Teacher of the Year, brought Alexis with her as she taught reading to children and adults. Alexis' first summer job was teaching reading at an inner-city housing project.

After graduating from Xavier University in New Orleans, she returned to Mobile as a social worker. She counseled delinquent youths, helped place children in foster homes, and worked to assist families in dealing with issues such as teenage pregnancy.

She saw that lack of skills and opportunities were keeping many of Mobile's black citizens from achieving their full potential.

Alexis then spent several years running a pilot program in Atlanta to place African-American women in white collar positions. Included in the hundreds of letters the committee received in support of Ms. Herman's nomination were a number of letters from African-American female executives who credited Alexis with starting them on their careers. One woman who is now a vice president at the American Cancer Society wrote that she recalled that Alexis "advised the wisdom of getting my foot in the door first and foremost. From there, she said the rest would be up to me."

Another letter noted that the pilot project Alexis ran placed more African-American women in management positions in Atlanta during its first year in operation than the U.S. Employment Service had placed in its entire history in the city.

As I mentioned, in 1977, when Ray Marshall became Secretary of Labor in President Carter's administration, he asked her to become head of the Department's Women's Bureau—the youngest Director ever. She worked on expanding opportunities for women in skilled trades, helped displaced homemakers obtain the tools necessary to succeed in the workplace, and co-chaired a Presidential task force to promote business ownership by women.

When President Clinton took office in 1993, he named Alexis Herman to a

senior White House position as Assistant to the President and Director of the Office of Public Liaison. In this capacity, she identified the concerns of individuals and families across the country on the issues, and communicated the President's priorities to them.

In the many weeks since her nomination to be Secretary of Labor was announced last December, attempts have been made to generate controversy about various aspects of her career. However, Ms. Herman has responded to all the inquiries fully and completely. She received the unanimous support of the Labor Committee, and I anticipate that she will receive broad bipartisan support by the full Senate.

All her life, as a young student, as a career woman, as a community leader and in public service, Alexis Herman has advanced America's ideals. Hard work, dedication to excellence and commitment to leadership are the hallmarks of her character. Her entire career is a profile in courage.

She knows from her own life and firsthand experience the very real obstacles that too many Americans still face in trying to achieve the American dream. Most important, she is dedicated to the cause of improving the lives of all working families. She'll do an outstanding job as Secretary of Labor, and I look forward to working closely with her in the years ahead.

Mr. President, how much time do I have?

THE PRESIDING OFFICER. The Senator has 7 minutes.

Mr. KENNEDY. I yield 4 minutes to the Senator from Illinois, and the remaining time to the Senator from Minnesota.

THE PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

Ms. MOSELEY-BRAUN. Thank you, very much, Mr. President. I thank the Senator from Massachusetts, Senator KENNEDY, very much, and the Senator from Vermont, Senator JEFFORDS, for their efforts in bringing this nomination to the floor.

Yesterday, I came to the floor and asked that Alexis Herman be freed and that the Department of Labor be liberated so that they could get on with the business of the American people, the American working people. And that is what has happened here.

So we are rejoicing this afternoon that, indeed, this nomination has reached consensus. There has been closure and agreement by leadership and by the Members of this Senate to have a vote on Alexis Herman's confirmation.

I am so very pleased and grateful to the leadership, and, again, Senator KENNEDY and Senator JEFFORDS for making it so.

Mr. President, I strongly support the confirmation of Alexis Herman as Secretary of Labor. She has been a friend of mine and I know that she will be an outstanding Secretary of Labor. Her

commitment to improving the condition of America's working people is second to none.

Over the past 4 years, we have witnessed major improvements in our economy. Now we must continue the work to make our economy and our work force better than we have ever known. We need someone to help lead us in that direction. I cannot think of a person who is more skilled and more knowledgeable and who is better suited for that task than Alexis Herman.

Alexis Herman has long dedicated her efforts to putting all Americans to work. Early in her career, Alexis Herman implemented a program that provided targeted training to potential employees. This program helped to ensure that potential employees possessed the skills required to meet employer's needs. Through the work of Alexis Herman, companies across America had access to employees who had specialized skills, and workers had access to jobs because they were trained for jobs that actually existed.

Alexis Herman continued her efforts to expand workplace opportunities as head of the Women's Bureau of the Department of Labor under President Carter. At the Women's Bureau, she not only expanded job opportunities by training women for the work force, including training in nontraditional jobs, but also expanded job opportunities by training women to become business owners with a work force of their own.

During her tenure at the Women's Bureau Alexis Herman focused her efforts on moving women from welfare to work. Especially important and relevant in light of last year's welfare bill is Alexis Herman's experience and skills in the area of creating job training and placement opportunities for welfare recipients and low-skill workers. If we are going to put over a million people to work in the coming years, we are going to need Alexis Herman's practical experience.

Alexis Herman's commitment to diversity will make a difference in the steps our Nation takes to enhance our work force. Any time we retreat from providing equal opportunities to all of our citizens, we risk weakening our greatest asset: our workers. With her vast experience in increasing diversity in the workplace, Alexis Herman will ensure that no talent goes untapped.

Alexis Herman knows the value of diversity. As public liaison for President Clinton, Ms. Herman worked with Americans across the country—Americans with diverse backgrounds and concerns.

During Ms. Herman's testimony before the Labor Committee, she stated that she had five goals for the Labor Department in the next 4 years: lifelong learning and skills development; welfare to work; retirement security; safe and equal opportunity workplaces; and balancing work and family. These goals reflect her life's work to date. These goals also describe a course for the future that we can all support. These goals reflect America's agenda.

Training our work force for the 21st century, providing for a secure retirement for the Nation's expanding elderly population, and recognizing the importance of family for America's work force are clearly national priorities. Alexis Herman understands that to reach these goals we must work together.

One of her greatest strengths is that she has formed partnerships with both business and labor in her many years working on employment issues. She understands the kind of investment that business must make in human capital in order to improve productivity, increase profits, and to create jobs. She understands how difficult it is for small businesses to start up and how important those businesses are to our economy as a whole. She understands that people want to work but that they need the opportunity to be trained so that they can become productive members of the work force. And, finally, Alexis Herman understands that we are all in this together.

Former Secretary Reich was an advocate for working people, an asset to the business community and a tireless servant for America's families. He has my deepest thanks and my highest admiration for the work he did as Secretary of Labor. But I know that Alexis Herman is capable and up to the task in front of her, that even though she has big shoes to fill, I know she is more than capable of meeting the challenge and finishing the task. There can be no better candidate for Secretary of Labor than Alexis Herman. Her confirmation, as Senator KENNEDY pointed out, will, indeed, make history. As Secretary of Labor she will make a difference, however, in the lives of millions of Americans and workers throughout the world.

I urge my colleagues to confirm Alexis Herman as the next Secretary of Labor.

I thank the Chair and I yield the floor.

Mr. JEFFORDS. Mr. President, I yield 2 minutes to the able majority whip.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Oklahoma.

Mr. NICKLES. I thank the Chair. I thank my colleague from Vermont for his leadership and also for having the hearing today that discussed project labor agreements.

I told my friend from Massachusetts that I did not have a problem with Alexis Herman being Secretary of Labor as much as I had a real problem with what I perceive to be legislation by Executive order.

There was proposed to be an Executive order dealing with project labor agreements that, as it was read by me and many other people, basically would have excluded nonunion companies from bidding on over \$200 million of work per year. I think that requires legislation, and if Congress wants to legislate that, certainly Congress has

the right to legislate that. I told the White House my hope and desire would be that if they want to legislate, to find someone to introduce that legislation, we would take it up in the legislative process.

So I have had for the past few weeks objected to considering this nomination, trying to get the White House to back off from that order. I might inform our colleagues—somebody said, well, what caused this change of events? The White House has now agreed not to issue the Executive order, and I appreciate that. They have said that they were going to issue a memorandum from the President to the executive agencies, and that is certainly within their right. The memorandum does not have the force and effect of law.

My purpose was to make sure that the administration did not try to legislate by Executive order. We now have a letter from Erskine Bowles that I will just read.

This is to confirm the administration's intention to issue a Presidential memorandum encouraging executive departments and agencies to consider utilizing project labor agreements in Federal Government construction projects. The President believes that such agreements are desirable in circumstances where they promote efficient and high quality contract performance and labor/management stability.

It is also our understanding, as I say, very frankly, they are not going to do it by Executive order. So that is the reason why I am withdrawing my objection and have no objection to the Senate voting on the nomination of Alexis Herman to be the next Labor Secretary.

So I appreciate the cooperation of the White House and think this is the proper way to proceed. If they wish to legislate on project labor agreements, certainly they have the right to introduce that legislation and we will consider it in due process.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. I inquire as to the remainder of time.

The PRESIDING OFFICER. There are 6½ minutes on the Republican side and 3½ on the Democrat side.

Mr. JEFFORDS. I yield the Senator from Pennsylvania 6 minutes.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Pennsylvania.

Mr. SPECTER. I thank my distinguished colleague from Vermont for yielding me time. I have sought recognition to support the nomination of Ms. Alexis M. Herman for Secretary of Labor, and I am glad to see we are finally moving to the confirmation process here because we need a Secretary of Labor in place to move ahead on the budget process and the appropriations process.

I serve as chairman of the appropriations subcommittee which has jurisdiction over the Department of Labor. It has an \$11 billion budget, and obviously

we have not been able to hear from the Secretary of Labor so far because we have not had a Secretary of Labor.

When Ms. Herman's status was held up early on, I met with her and had a long talk with her back in early February. I found that she had a good academic background and had a good work record. Some questions had been raised on a number of items, but it was my sense at that time that she was entitled to a hearing by the Labor Committee.

I am delighted that Senator JEFFORDS and the committee have held that hearing and have reported her nomination out favorably so that we are now in a position to move ahead and to confirm her today. It is my sense that she will receive an overwhelming vote of support, perhaps even a unanimous vote. That remains to be seen.

Apparently she will not receive a unanimous vote, from a signal from the Presiding Officer, and that is within the discretion of every Senator, to vote as he or she sees fit. I do express a concern about the nexus or the linkage of Ms. Herman to the Executive order and to other collateral matters. I have been around here long enough to understand that that is not an unusual proceeding, but it is my hope that we can decide these matters on the merits one by one. But whatever one's position might be in that connection, we at least are reaching the point where we will have a vote at 5 o'clock today on Alexis Herman to see whether or not, up or down, she is qualified, in the view of the Senate, to be the next Secretary of Labor.

I might say that there is considerable concern about the treatment of Ms. Herman in my home State of Pennsylvania. We had a remarkable event over last Sunday, Monday, and Tuesday, April 27, 28, and 29, in Philadelphia on the volunteer summit. We had four Presidents—quite an impressive showing. Somebody in the holding room said, "Mr. President" and everyone turned his head. Some who were not present turned their head, including Vice President GORE and maybe some others.

But there was another summit, a citizen summit some blocks away in a square in Philadelphia—Philadelphia is famous for its squares—and a number of people who appeared at the Presidents' volunteer summit also appeared at the citizen summit. Mayor Rendell, who presided over the summit for Philadelphia and did an excellent job, appeared in both places as did Rev. Jesse Jackson, Congressman FATTAH, and I as well. When I was at the citizen summit there was a lot of concern as to what was going to happen to Ms. Alexis Herman in the line of fair play, whether she was going to be treated fairly and appropriately.

So I am glad to see our process has worked. I think Ms. Herman is qualified to be Secretary of Labor based on her academic record, her work experience, her general demeanor and general

qualifications, and the appropriate committee has taken up the issues which were raised as question marks and has answered them to the satisfaction of the committee. I look forward to voting for her and look forward to her confirmation, even if it is not unanimous, but I make this prediction, that it will probably be in the 90's.

I thank the Chair and yield the floor. Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, whatever interpretation Senators want to make about project labor agreements—I am not here to debate that now—I think that really what we ought to focus on is the vote we are about to take. And whatever interpretation Senators want to make about how we reached agreement, I am not here to debate that.

I thank Senator JEFFORDS and Senator KENNEDY for their fine leadership. I do know this. Senator SPECTER I think was quite correct in his remarks. I think there has been concern around the country about the treatment of Alexis Herman, making sure there was fair treatment. Clearly we are going to have a vote, and I think it is going to be an overwhelmingly positive vote. Above and beyond Ms. Herman, I think the issue is this position. It has been 6 long months. The Secretary of Labor position is so important to the lives of so many families all across the Nation—Minnesota, North Carolina, Massachusetts, Vermont, and beyond. Bob Reich was a great Secretary of Labor—a great Secretary of Labor—and I think the reason he became beloved to so many people in the country was that he was such a forceable and outspoken advocate and he was talking about living standards for people, about educational opportunities, about job training, about jobs at decent wages, and about parents being able to support their children. The Secretary of Labor is the most important position we have in the Cabinet when it comes to these critical issues, these bread and butter economic issues, whether or not we fulfill our national vow of equality of opportunity, which is all about decent jobs and decent educational opportunities.

I hope that there will be an overwhelming—and I think there will be—vote in support of Alexis Herman. I think, as Senator KENNEDY said, her own journey is inspiring. I think in many ways for an eloquent African-American woman to be Secretary of Labor, with all of the skill she brings to this position and with all the leadership that she can provide on behalf of working families, it is an inspiring story. I think this is an enormous victory not just for one person and not just for people in the African-American community, but really for the country. So I hope we will have a very strong vote for her.

I thank the chair of our committee, Senator JEFFORDS, and I thank Senator

KENNEDY and thank in advance all the Senators who I think will vote for her.

I thank the Chair.

Mr. DASCHLE. Mr. President, I am glad we are finally going to consider President Clinton's nominee for Secretary of Labor, Alexis Herman. She deserves a swift confirmation by the United States Senate.

Ms. Herman's contributions during her career in public service and in the private sector are truly impressive and make her uniquely qualified to serve as Secretary of Labor.

Ms. Herman's commitment to bettering the working and living conditions of her fellow Americans began early in her life, with the support and encouragement of her family. Born in segregated Mobile, Alabama, Ms. Herman grew up in a family dedicated to the struggle for civil rights. Her father, a mortician, sued the Democratic Party to make it more inclusive and became one of Alabama's first black party officials.

After graduating from Louisiana's Xavier University, Herman went back home to Mobile to help desegregate her Catholic high school. She also worked in Pascagoula, MS, the hometown of Senator LOTT, helping unskilled workers get jobs in the shipyards.

Ms. Herman came to Washington in 1977 to work in the Labor Department with Secretary Ray Marshall, where she headed the women's bureau. After working for Secretary Marshall, Ms. Herman entered the private sector, forming her own consulting firm to advise businesses on marketing and minority hiring.

In 1988, Herman joined the Rev. Jesse Jackson's second presidential campaign, where she met Ron Brown.

With Ron Brown, Ms. Herman worked on President Clinton's 1992 campaign, and was chief executive officer of the Democrats' 1992 convention in New York. After President Clinton was elected in 1992, she became head of the White House public liaison office.

Alexis Herman combines graciousness with toughness in a way that allows her to bring diverse groups together and build consensus, promote understanding, and resolve conflicts. It is no surprise that, as they have gotten to know her, more and more individuals, and more and more organizations and institutions, have come to support her nomination. She has strong support from a broad political spectrum, including the business, labor, and civil rights communities, all of whom she has served during her impressive career.

It is a testament to her success in building bridges between communities, helping working people, and remaining true to her principles that the people back home have not forgotten her. The Alabama Legislature passed a resolution urging her confirmation, and many Alabamians came to Washington for her hearing.

Alexis Herman has demonstrated her abilities to serve as Labor Secretary

over the course of her impressive career. I look forward to working with her upon her confirmation, which, I trust, will be accomplished today.

The PRESIDING OFFICER. Who yields time?

Mr. JEFFORDS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute 50 seconds.

Mr. JEFFORDS. Is there any time remaining on the minority side?

The PRESIDING OFFICER. The Senator has 52 seconds.

Mr. KENNEDY. Mr. President, I would like to use the last minute to thank a number of our staff. They have worked exceedingly hard during the course of this nomination. We are enormously grateful to them: Mark Childress, Jeff Huang, Brian Lee, Susan Green, Stephanie Williams, and Nick Littlefield. I know that Senator JEFFORDS will recognize his own staff, but we want to thank as well Mark Powden very much, and Scott Giles. They worked very closely with Todd Stern at the White House, and all of them deserve great thanks. They were of enormous help and assistance not only to Alexis Herman but to all the members of the committee, and we are grateful as always for their skill and their commitment to this institution.

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

Mr. JEFFORDS. Mr. President, I first of all want to thank the majority leader and majority whip for the expeditious way they have handled the resolution with respect to the Executive order. I know they dedicated the time necessary to make sure this got done as efficiently and as effectively as possible so we could move this nomination along.

I also want to thank the members of my committee, especially the Senator from Massachusetts [Mr. KENNEDY] for the way they controlled themselves and were able to, after a rather extensive amount of time required to fully review the nominee's record, bring this nomination before the body today. And of course, as Senator KENNEDY mentioned, I cannot tell anyone how hard the staff worked on this particular nomination, probably harder than any other nomination at least in my memory, especially Ted Verheggen and Scott Giles of the majority as well as the minority staff, especially Mark Childress, whom Senator KENNEDY mentioned. This took undue hours of committee staff time as well as members to review all of the material that was available.

I am pleased now that we have brought this to a conclusion. I would point out that the Labor Committee was unanimous in its vote with respect to nominee, and I urge all Members to support a woman who I know will bring real credit to the office of the Secretary of Labor.

Mr. President, I yield back the remainder of time and ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alexis M. Herman to be Secretary of Labor. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] and the Senator from New York [Mr. MOYNIHAN] are necessarily absent.

I further announce that, if present and voting, the Senator from New York [Mr. MOYNIHAN] would vote "aye".

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 85, nays 13, as follows:

[Rollcall Vote No. 54 Ex.]

YEAS—85

Abraham	Enzi	Lott
Akaka	Feingold	Mack
Ashcroft	Feinstein	McCain
Baucus	Ford	McConnell
Bennett	Frist	Mikulski
Biden	Glenn	Moseley-Braun
Bingaman	Gorton	Murkowski
Bond	Graham	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Harkin	Robb
Bumpers	Hatch	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Chafee	Hutchison	Sarbanes
Cleland	Jeffords	Sessions
Coats	Johnson	Shelby
Cochran	Kempthorne	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
D'Amato	Kohl	Thurmond
Daschle	Kyl	Torricelli
DeWine	Landrieu	Warner
Dodd	Lautenberg	Wellstone
Domenici	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

NAYS—13

Allard	Hagel	Smith (NH)
Campbell	Helms	Thomas
Craig	Inhofe	Thompson
Faircloth	Lugar	
Gramm	Roberts	

NOT VOTING—2

Inouye	Moynihan
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The nomination was confirmed.

Mr. JEFFORDS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am delighted that this unconscionable delay has ended and Alexis Herman has, at long last, been confirmed as Secretary of Labor. It was a mistake for the Republican leadership to hold her nomination hostage on a separate labor issue.

The compromise on that issue is entirely satisfactory. President Clinton

gave up nothing substantial. Project labor agreements will be considered and given important new emphasis by all Federal agencies on appropriate Federal construction projects.

I look forward to working closely with Secretary Herman on the wide range of issues important to working families and communities across America.

The big winners today are these working families. Alexis Herman will do an excellent job speaking for them.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Ohio.

ANOTHER AVOIDABLE TRAGEDY

Mr. DEWINE. Mr. President, last Saturday's Washington Post told the story of a devastating, but avoidable, tragedy. It is the story of a little 5-year-old boy in Montgomery County, MD, who was locked in his bedroom for 22 hours a day, tied to his bed with a cat leash. This little boy's mouth was taped shut, his hands and his feet were bound together. Little Richard Holmes suffered the kind of abuse that no child in this country, or anywhere, ought to suffer.

That there are 3 million reports of child abuse in America every year is a tragedy, but there is an even deeper tragedy in cases like that of Richard Holmes. It is the tragedy of a system that tries too hard to keep some families together when they are families in name only.

According to the story in the Washington Post, Richard's grandmother and his aunt complained to Montgomery County child protection services that Richard was being abused. They made this complaint last year, describing to county officials how Richard was returning home from visits to his father famished and with bite marks—bite marks—on his arms. Their complaints were ignored. In fact, they were accused of being troublemakers. Richard's father and his girlfriend are now