
Herman on Hold

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Trent Lott postponed Alexis Herman's Senate confirmation vote as Labor Secretary Tuesday. You've got to wonder about the political operation up at the Clinton White House. The Herman confirmation would be one of the stinkiest GOP votes of the year, insofar as she was at the eye of the Indogate fund-raising storm in the White House. But almost on the very day the Republicans are about to hold their noses to wave through Ms. Herman, the White House proceeds to ignore the democratic process for the about umpteenth time by using an executive order to decree a giant and truly outrageous favor to Big Labor.

Al Gore, the heir-apparent to Bill Clinton's politics, dangled the new order Monday before a meeting of construction and building unions. The executive order would allow federal agencies that fund construction projects to "determine" what kind of workers they want to hire, and to require, if they so choose, that a project use union workers.

Another hoot: Federal agency participation is supposed to be voluntary. The bottom line is that this is a \$200 billion set-aside for the AFL-CIO. Anyone who wondered why the unions went to the mattress for Bill Clinton in the last election can now see the logic: Excused by Mr. Clinton from obeying the Supreme Court's *Beck* decision, John Sweeney spent \$35 million on TV ads to support Democrats last year. Mr. Clinton is now rewarding him

close to 6,000 times over.

Bruce Josten of the U.S. Chamber of Commerce probably spoke for a lot of American businesses, large and small, when he commented this week that "the Vice President should work to require that all government contracts be awarded to the lowest bidder, not the biggest campaign contributor." As a result of the Davis-Bacon Act, the government already is paying too much for its roads, highways and buildings. The executive order will push construction bills even higher.

Reflecting a Big Government mind-set, the order also permits government agencies to negotiate *directly* with unions, bypassing the private-sector contractors who are actually responsible for delivering the work. Finally, this purportedly pro-worker gesture shuts out many potential construction workers themselves by excluding the 80% of them who don't belong to unions. This, incidentally, includes many minority workers, who are already disadvantaged by Davis-Bacon. No surprise here; all they gave the Administration was their votes.

Tom Daschle reacted to Mr. Lott's move by charging that Ms. Herman was being "held hostage." Hardly. The National Labor Relations Board will be the center for adjudicating the consequences of the executive order, and the Labor Secretary's office traditionally advises the NLRB. Once again, Ms. Herman is entangled in this White House's hyper-political machinations.