

Madam President, I am pleased to co-sponsor Senate Concurrent Resolution 5, which was introduced by Senator ROTH, supporting the expansion of the North Atlantic Treaty Organization, because I believe the NATO alliance will be strengthened by including new members and that its capacity to contribute to stability and freedom will be enhanced by such expansion.

Senate Concurrent Resolution 5 specifically mentions four nations: Hungary, Poland, the Czech Republic, and Slovenia, which should be considered for membership in the alliance, but I do not think the consideration of the Foreign Relations Committee should be limited to those countries. Serious consideration should also be given, in my opinion, to Romania, and maybe to others as well.

The Romanian Government has a record of cooperation with the United States and Western nations. During the Persian Gulf crisis, for example, Romania supported U.N. resolutions imposing sanctions against Iraq and voted to authorize the United States and other nations to enforce the sanctions and liberate Kuwait. In 1993, Romania supported continuation of a 30-year U.N. embargo against Cuba, and its military forces participated in the U.N. action in Angola in 1995.

Romania also supported the U.N. trade embargo against the former Yugoslavia, and following the Dayton accords, it deployed a 200-troop battalion to assist in the NATO-led IFOR mission. Romania has participated in many Partnership for Peace exercises and was the first nation to sign the Partnership for Peace framework document in 1994.

The Romanian Government has sought entry into several Western economic and security alliances. In 1993, Romania became an associate member of the European Union, and in 1995, it submitted an application to become a full member of the EU. In 1994, Romania became a member of the Council of Europe.

The people of Romania strongly support joining the NATO alliance. A recent European Commission poll of 20 Eastern and Central European nations shows a higher percentage of Romanians favoring membership in NATO than any other prospective new member's citizenry.

Since the fall of Romania's Communist government in 1989, the people of Romania have made great progress to achieve the goal of democracy, by showing respect for the rule of law, moving to a free market economy, and imposing civilian control over the military. By the end of 1996, Romania had completed a round of elections at all levels of Government, including both Parliamentary and Presidential elections. Observers from the Council of Europe classified the November Presidential elections "reasonably fair and transparent," and it should be noted that they resulted in the first peaceful transfer of power since 1937. The cur-

rent political situation is particularly remarkable when compared with the regime which held power in 1989.

In addition to strengthening the elements common to democracies worldwide, the Romanians have directly confronted and worked to abate both internal and external ethnic conflicts. In March of this year, the Prime Minister outlined steps the Government will take to ease domestic ethnic tensions. In an effort to discourage ethnic conflict with the Hungarians living in Romania, the Government negotiated and signed a treaty with Hungary. The ruling party coalition includes the party most closely associated with ethnic Hungarians. I understand also that the Romanians are nearing the end of treaty negotiations with Ukraine over remaining border issues. Both of these cases demonstrate a willingness to settle disputes with its neighbors in a peaceful way. NATO Secretary General Solana has cited the programs that Romania, among other nations, has made toward resolving outstanding bilateral differences.

Including Romania in NATO would enhance European security. Romania's military forces are among the largest in Europe. Of the countries currently being considered for NATO membership, only Romania and Poland have army, navy, and air force capabilities.

On the day their Minister of Defense was sworn in, he declared that one of his administration's highest priorities would be to prepare Romania's military for interoperability with existing NATO structures. As a result, Romanians have undertaken strenuous efforts to update their military equipment and improve their ability to operate in concert with the forces of other nations.

Perhaps the most concerted efforts of the Romanian people have been devoted to improving their economy. The results of the last election demonstrated a preference for leaders who favor privatization, freer markets, and a continuation of reform. Within 3 weeks of the decisive Presidential election, senior representatives from the International Monetary Fund, the European Union, and the World Bank traveled to Bucharest to finalize the details of a comprehensive reform package aimed at reducing inflation, cutting the deficit, and speeding privatization. This plan for reform—released in February—will be challenging for the Romanian Government and its people over the next few years, and the Government has planned certain countermeasures during the transition, such as a strengthening of the welfare program in anticipation of temporary unemployment. However, it appears that Romania is committed to this economic plan.

In August 1996, the United States granted MFN status to Romania, and this year our Department of State reported that 80 percent of Romanian farming and 70 percent of retail sales are being generated by private enter-

prises. This spring the International Monetary Fund announced a \$400 million loan to Romania. To supplement this IMF assistance and support the Government's reforms, the European Commission has pledged \$140 million. Indicators such as these all offer assurance to foreign investors, whose contributions are important to the growth and stability of Romania's economy.

Madam President, I am impressed and encouraged by the progress Romania has made, and I urge serious consideration of Romania for inclusion in NATO. I hope the Foreign Relations Committee will conduct a full and careful review of Romania's political, economic, and military strengths when it considers legislation on NATO expansion.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COVERDELL. Madam President, are we in a period of morning business?

The PRESIDING OFFICER. The Senate is in a period for the transaction of routine morning business.

Mr. COVERDELL. Madam President, is each Senator allowed a period of 5 to 10 minutes to speak?

The PRESIDING OFFICER. The Senator from Georgia would be permitted to speak for up to 10 minutes.

FAMILY FRIENDLY WORKPLACE ACT

Mr. COVERDELL. Madam President, my good colleague from Missouri, Senator JOHN ASHCROFT, recently introduced legislation that would provide increased opportunities for working parents to spend more time with their families without losing 1 cent in compensation.

It is popularly called flextime. It is legislation that allows a worker an opportunity to trade time-and-a-half for just time. I think it is a very, very important piece of legislation and very timely, because there have been so many changes in the workplace.

This bill would allow employees to choose to work additional hours, more than 40, in one workweek and use those extra hours to fill in for a shorter workweek later. Or an employee could choose to take time off in lieu of overtime pay at a rate of 1½ hours for each hour of overtime. An employee could also choose to work 80 hours over a 2-week period in any combination.

Here is the important point, Madam President, that all of these choices are voluntary. These flexible options can only be exercised if the employee and employer agree to the concept. None of these choices would result in lower pay, and, in the case of comptime off,

those hours not used, up to 240 could be cashed in at overtime rate pay.

The point here is no one is being shortchanged. The point is that everybody has new flexibility, in terms of managing their workweek.

One might have thought that President Clinton would have embraced this initiative wholeheartedly, but, no, President Clinton has threatened to veto these options, to strike down the opportunity for these workers to have these voluntary flexible options. He claims that the legislation will force employees to take time off in lieu of overtime pay. In other words, the employee would be forced to not receive the overtime pay but to take the time off.

Some in the media have repeated this claim and then wrongly insisted that overtime would start only after an employee had worked 80 hours in 2 weeks, instead of 40 hours in 1 week, which is the current law.

There is one thing wrong about these claims that have been made by the President and by some in the media: They are not true. They are not just a little off base, but utterly false. The administration and these other opponents need to read the bill. I have taken particular notice that critics never actually quote from the bill.

Madam President, here is what the bill actually says, and I am proud to be a cosponsor of it. The bill allows:

Employers to offer compensatory time off, which employees may voluntarily elect to receive, and to establish biweekly work programs and flexible credit hour programs, in which employees may voluntarily participate.

Is that too hard for our critics to figure out? Just in case, here is what the bill has to say to employers who have other ideas. Employers,

... may not directly or indirectly intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce, any—

Any—

... employee for the purpose of interfering with the rights of such employee under this section to elect or not to elect to [participate in one of the programs offered in the bill].

Madam President, if they do coerce, threaten or intimidate their employees, they are subject to criminal and civil penalties.

This is a bill that benefits working parents. The bill has been endorsed by Working Women and by Working Mothers magazines and, yes, the New York Times. It does not mandate anything. Some employees may like the new options, others may not. That is the whole point. Employees should be able to decide what is best for them. This legislation ought to be a slam dunk.

So why, you might ask, is the legislation even necessary? Because current Federal law prohibits such voluntary arrangements for everybody, except for Federal employees who have enjoyed these choices since 1978.

I am going to repeat that. If you are a Federal employee, the very options

and flexibility that we are trying to make available for hourly wage workers are already enjoyed by Federal employees that surround this Capitol. But it isn't good enough for the hourly worker in the private sector.

Who would support the status quo? Who wants to leave it the way it is? I have already alluded to the fact that the President has threatened to veto any legislation that would provide these opportunities and this flexibility. Labor leaders, the labor bosses oppose it. When you think about it, the kinds of issues that exist between an employee and employer boil down to just two categories: hours of employment and compensation, whether in the form of health care plans, time off, salary, or overtime. If employers and employees can work out these issues by themselves, I believe that these union leaders feel they will be out of business.

President Clinton has, thus, obliged the unions by producing his own proposal, which naturally gives the Secretary of Labor the discretion to decide which workers would be extended the kinds of scheduling choices we support. This doesn't meet the laugh test. Perhaps someone should notify the administration the election is over. Ordinary hard-working Americans, not labor bosses and leaders, reelected President Clinton and returned a Republican majority to Congress. They expect us to work together providing choices that allow families more time together, and that is a very good place to start working together.

Madam President, I was reading a piece in a recent magazine, and the article is entitled, "Work and Family Integration." I will just quote a couple paragraphs:

Economic changes have direct consequences on work and family life. It is increasingly common for all adult family members to spend a greater number of hours at work in order to make up for declining median family incomes...

I might point out that that decline has a lot to do with increasing tax burdens on these families.

It goes on to say:

to fulfill personal career goals, or to cater to growing workplace demands. Married women with children have entered the labor force in record numbers; they therefore have less time for care-giving in the home. Many parents, both mothers and fathers, feel conflicted and torn between spending time with their families and meeting workplace demands. Work and family life should not be in opposition, but should enrich each other.

That is exactly what this legislation attempts to do. It attempts to make the workplace adjustable so that families who have these new and added pressures can make changes voluntarily to suit the requirements and needs of their families.

When I first arrived here, there was a great hue and cry that the Congress operated under a different set of laws than American families and businesses. The new majority changed that. The Congress now lives under the same laws as the rest of the land. It is time

that the hourly wage workers in America received the same breaks as the Federal workers in their Capital City, and this is the legislation that ought not to be filibustered and ought to be passed and sent to the workplace as a new option and opportunity for American workers.

Madam President, I yield the floor.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. ASHCROFT. Madam President, I wonder if the Senator from Georgia will yield for a question.

Mr. COVERDELL. Absolutely.

Mr. ASHCROFT. I want to thank, first of all, the Senator from Georgia. I appreciate his work. Incidentally, I ask unanimous consent that his time be charged against the time under my control from 10:30 to 11 o'clock, and other reservation of time be restored.

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

Mr. ASHCROFT. The opponents of this bill, who don't want to let us even have a chance to vote on it, voted to stop us from even voting, to keep us from getting cloture and moving to a vote, have indicated that they have an alternative. They want to increase the amount of family and medical leave, and they call our bill the Paycheck Reduction Act.

Will the Senator clarify for me, now, under family and medical leave, what kind of time off is that and do you get paid when you take that time off?

Mr. COVERDELL. You absolutely don't, but I would make an even greater distinction. Your legislation, which I have been proud to coauthor, and I commend the work of the Senator from Missouri, as I did before the Senator arrived, leaves the decision about what families need and don't need to the families, the workers themselves.

The alternatives proposed—and there are several. One is to turn the decision over to Secretary Shalala. I think that is a pretty big job to try to figure out what the millions of working families need and don't need. I think she might not be up to that. Or to try to construct Federal law that manages time off, which may or may not deal with the circumstances of a family, and, no, it would not be pay.

Mr. ASHCROFT. So their proposal is, if you want to take time off with your family, you have to take a pay cut to do it?

Mr. COVERDELL. Correct, and the Senator's proposal doesn't cost them one penny.

Mr. ASHCROFT. So you could make up the time under the flextime or comptime provisions, take time with your family and not take the pay cut.

Mr. COVERDELL. That is absolutely correct.

Mr. ASHCROFT. The Senator from Georgia started to make the point, though, that is also important, which is this flextime and comptime opportunity isn't just for specific things with your family. If you wanted to

take this time off once you have earned it—

Mr. COVERDELL. You could go fishing.

Mr. ASHCROFT. You can do what?

Mr. COVERDELL. You could go fishing.

Mr. ASHCROFT. I can go fishing. I believe I might.

Mr. COVERDELL. You can go camping. You might have an emergency you are dealing with. You might have a graduation. Again, the point I am making is the principal distinction, and it appears so often between our two sides, is that the legislation of the Senator from Missouri leaves the choice to the worker and his or her family, the choice about time-and-a-half or trading the time-and-a-half.

Their view is that it has to be managed by the Government or by Secretary Shalala. I just don't think they can figure out what the requirements and needs are of each one of those workers all across the land from Missouri to Georgia to Nome, AK.

Mr. ASHCROFT. The Senator pointed out that the Federal Government workers have had this full range of options now for almost 20 years. Has the Senator from Georgia had a lot of Federal Government workers streaming into his office to say, "Please, take us out from under this system, it's a problem to us"?

Mr. COVERDELL. To the contrary. Imagine the hue and cry if the way we were to equalize this was to remove that option from Federal employees so that they would be treated like these other hourly workers. Talk about a hailstorm. They have enjoyed the benefit, and no one that I know of has issued the first complaint about those flexible options that are enjoyed by Federal employees.

I mentioned a moment ago that when we came here, the Congress functioned under a different set of laws than American businesses. Now we have the Congressional Accountability Act, and we have put Congress under the same confines. It is time to let the private hourly workers enjoy the same benefits as Federal employees.

Mr. ASHCROFT. It is not just Federal employees.

Mr. COVERDELL. Salaried, and those in the boardrooms.

Mr. ASHCROFT. All the corporate presidents, all the salaried workers, and the Government workers have comp or flextime, but the hourly workers, who are a minority of the workers in this country; less than half of the workers, do not have this. The other folks all have it.

I thank the Senator for coming to the floor to talk about this.

Mr. COVERDELL. I thank the Senator from Missouri. He is a very eloquent spokesperson on this issue. I do think anything we can do that makes it easier for families to be in the workplace—we know they are under enormous duress today, with both parents working—anything we can do to make

it more manageable for them we ought to do. Your bill, our bill, lowering their taxes, all of these things need to happen in working America.

Mr. ASHCROFT. I thank the Senator from Georgia for his contribution to this debate and his insight. In fact, the insight which is most valuable is that families have the capacity intellectually, and ought to have the capacity legally, to make decisions about their own family and not to have Government trying, from 1,000 miles away, to tell you whether or not you should be able to do something or not with your kids or whether or not you should be able to take time off to meet your own personal needs.

Mr. COVERDELL. Absolutely. Thank you.

Mr. ASHCROFT. I thank the Senator from Georgia.

I inquire how much time remains?

The PRESIDING OFFICER. The Senator has until 11:30.

Mr. ASHCROFT. I thank the Chair.

Madam President, I want to talk about benefits that people enjoy as workers in America, benefits which are enjoyed by Federal workers, benefits which are enjoyed by State workers, benefits which are enjoyed by executives, by supervisors, by managers, benefits which are enjoyed by all salaried workers, but benefits which do not inure to the advantage of individuals who work by the hour.

There are about 59 million people in this country who work by the hour; 28.9 million women who work by the hour. These are the individuals who do not have the flexibility to adjust their schedules. They do not have the capacity to say, "I'm going to take Friday morning off and work a little extra Monday afternoon." They do not have the ability to say, "I need to quickly take a few minutes away here. I need to go to the school and pick up my child who needs to be taken to the doctor's office." They do not have that capacity.

The majority of Americans do have that benefit. Far more, millions more, people have that benefit than those who do not. But the hourly paid workers do not.

If you work for the Federal Government, you can schedule your workweek to get an extra day off every other week while keeping a full paycheck. If you took Friday off every other week in the same way and you are not in the Federal Government, you are going to find yourself short on cash. If you are an hourly worker in the private sector, you just cannot do it; you do not have that benefit.

If you work for the Federal Government, you can choose compensatory time; in other words, take time off with pay later on instead of being paid time and a half when you have been asked to work overtime. You do not have that choice, you cannot make that choice if you are an hourly worker in the private sector. It is against the law for your employer to say to you,

"Well, if you'd really rather have time and a half off later with pay instead of taking paid time and a half for your overtime now, I'll do that for you." Then the employer is in violation, the employer suffers the penalty, the heavy hand of law enforcement, and the Government comes down on him if he does that.

It simply is something that cannot be done for people in the hourly category in the private sector. The boardroom, yes. If the boardroom boys want to go play golf, they want to have Friday off, they have flexibility. The salaried workers have the flexibility. Government workers have that kind of flexibility. But private, hourly paid employees, whether they be men or women, they do not have it. It is not fair.

If you work for the Federal Government, you can bank hours 1 week, you can work a couple hours extra this week in order to take a couple hours off next week. That sounds reasonable. It is something that people could do to adjust to the needs of their families.

If there is an awards assembly at the school, if there are PTA conferences, if you need to get your driver's license renewed, you have to retake the test, or just have to have your eyes checked and you have to do it during the hours when government offices are open, the department of motor vehicles, you need to do that, if you are a Government worker, you can put a couple hours in comptime this week and take the time off next week. Or, of course, if you are a manager or boardroom executive or a salaried worker, that is something that can be done.

But your employer cannot trade 2 hours this week for 2 hours next week if you are an hourly worker. That is a benefit that people in the governmental system enjoy. It is a benefit to be able to bank some hours this week and take them off next week. It is a benefit to be able to use time off and take compensatory time off with pay instead of being paid the time-and-a-half overtime, take compensatory time and a half off without losing pay.

It is a benefit to be able to schedule your workweek so that you can take Friday off every other week the way Federal employees can. These are benefits which belong to the majority of the members of the work force in our culture which do not belong to hourly workers.

What S. 4 is all about is providing an opportunity for hourly workers to have some of the same benefits that have been available to individuals in other quadrants of the culture. Private-sector workers have fewer benefits than Government workers.

I think a lot of folks, when they have worked in the private sector—certainly I knew that—they work just as hard. Private-sector families need moms and dads just as much as public-sector families do. Private-sector kids play soccer. Private-sector kids get in trouble and need the folks to show up at the

school to get them out of trouble and help straighten them out. My mom came to school occasionally when I did not want her to, but it helped me, and I am glad she was able to. Private-sector workers need the benefit of being able to do those kinds of things.

Now, I do not understand how Senators can be for flextime and comptime for public-sector workers and not be for flextime and comptime for private-sector workers. S. 4 is just trying to give to people in the private sector the same benefit that these Senators have provided for their public-sector employees—the same choices.

I have not had a single Government worker come to me and say, "Wow, these choices are terrible. I wish we didn't have choices like flexible scheduling. I sure wish I didn't have the capacity to bank an hour this week and take it off next week. I really wish I didn't have the opportunity to schedule so that I had every other Friday off. And, man, I hate this concept of being able myself to choose whether I wanted the money from overtime work or I wanted to take time and a half off with pay at some other time."

I have been here now for—well, I am in my third year, and have not had the first Federal worker knock on my door and say, "It's terrible to have this kind of flexibility," and I don't think I ever will. As a matter of fact, when people were interviewed in the system by the General Accounting Office, at a 10-to-1 ratio they said this was the best thing since sliced bread. This is what people need. This is a way for people to accommodate the demands of their families.

Incidentally, people all need to take time off. Everybody knows there are going to be demands that will require you to take some time off. The question is, are you going to be able to be paid for it? You know, most of the time when you have to take time off to be with your family, that is when you need the money.

Folks on the other side of the aisle say we should have more family and medical leave. That is leave without pay. I ask a simple question to my colleagues, and it should be easy—this is what we call a "no brainer"—when you take your kid to the doctor, do you need more money or less money than if you are not taking your kid to the doctor?

In my experience, if I have to take my child to the doctor or to the dentist, I have a need for additional resources, not fewer resources. If all I get offered by Government is a plan that says you can take a pay cut if you want to take your kid to the doctor—wait a second, it relieves the tension I feel within me, I do need to be able to take my child to the doctor, but if I have to take a pay cut to do it, how am I going to pay the doctor?

We have a system that is in place where the benefits are available to the Federal worker, the benefits are available to the boardroom, the benefits are

available to those who are salaried workers. We include this kind of flexibility, not taking pay cuts, but a capacity to meet the needs of your family without having your paycheck docked. I think it ought to be available to private workers.

You know, not one that I know of of the employees of the Federal Government have come to me or any other Senator saying "It's a terrible system. We ought to abandon it." There are 56 Senators who are still in the U.S. Senate who supported flexible scheduling benefits for Federal workers, and they are refusing to give these benefits to the millions of sales clerks, secretaries, factory workers, the kind of hourly individuals, mechanics across our country. We have a lot of folks here in this Senate who gave it to the Government workers.

Now, not all the 56 are refusing. I should not say that. If I did, I misspoke and I need to be corrected, because there are a number of Senators on this side of the aisle who voted for that and who have said, yes, it was good for Government, and it would be good for the people in the private sector to have these choices. It is totally voluntary at the option of the worker and cannot be done unless it is also voluntary by the employer; otherwise, the same system stays in place that is in place right now.

But when employers and employees can agree, we ought to have these benefits for the people in the private sector just like this benefit is available to people in the public sector. There are 56 Senators still in this body who voted to give it to people in the public sector.

How can you be for bigger benefits for Federal workers, but fewer benefits for the people who work by the hour and who pay our salaries when they pay their taxes? It seems to me to be an irony which is strange indeed that we would say to those who pay our salaries, who hire us to represent them in this town to do what they need to have done—and we make second-class citizens of those whom we represent and those who pay us to be here. It is inconceivable.

Some people say, well, we need to protect the workers. We have built protections into this. Those who are saying that we need to protect the workers in the private sector, let us find out what kind of protections they put in when they voted for the workers to have this flexibility in the public sector. It is kind of interesting.

In the public sector, workers can be required to participate as a condition of employment. Participation is strictly voluntary, it cannot be required in comptime under our bill.

They say we have to protect the private-sector workers. They did not demand that protection when they issued this whole set of opportunities for public-sector people.

They say we have to protect workers from management. Did they say that when they put the public-sector pro-

gram in place? Management can decide when a worker must use comptime. What we have put in our bill, workers cannot be coerced into using their comptime. Penalties are doubled for direct or indirect coercion.

It is hard for me to understand how people could say we need tougher penalties than this when they invented this program for the public sector and they authorized management to make the decision.

Here is another benefit.

Comptime paid in cash only when the worker leaves the job in the public sector. What have we done for private-sector workers to try to protect them? Comptime must be cashed out any time it is requested by the worker; must be cashed out at the end of the year if it has not been used.

Was that something that they felt was an important protection when they voted for the system in the public sector? Comptime paid in cash only when the worker leaves the job. The worker had to quit if he wanted the money.

I think what we have here is a clear situation where we need to give private-sector workers the same benefits which people in the public sector have been enjoying. I agree that we want to have them protected. But as Shakespeare, I think, said in one of the plays, "I think he doth protest too much."

They are asking for a full range of protections saying, "I can't do that in the private sector because you don't have private-sector protections." Well, we have big enough protections in every case for the private worker in this bill than they demanded when they passed this for the public sector in the bill which now controls the public-sector effort.

It is pretty clear to me S. 4 would give private hourly workers real choices. They are real choices with protections. They are protections which are much stronger than anything that was written into the bill by those Senators who wrote in the public sector framework.

It is high time we stop having an approach which tries to discriminate against the private hourly workers. It is high time we said that the benefits that have been available in the public sector should be available to those in the private sector who work by the hour. The benefits that have been available to the vast majority of American workers, public sector, salaried workers, the boardroom folks, the managers, and the supervisors, those benefits need to be available to the individuals who, as a matter of fact, work by the hour in this country.

We should give them the opportunity to choose a set of benefits that have not been rejected when available to the private-sector workers. They have been embraced by public-sector workers.

We are for protecting workers. Senator KENNEDY has argued our bill does not protect workers. Senator KENNEDY was a cosponsor of the public-sector

bill. He was a conferee on the committee, and it did not provide the protections in the public sector which we have in the private sector. It did not give workers the same kind of choices. I think it is time for us to say, "Let's be reasonable," and understand for private- and public-sector workers we have to provide the capacity for people to meet the needs of their families if we want America to be successful in the next century.

This debate can be talked about as if it is a debate about theory, about law, and about benefits. In fact, this is a debate about people. This is a debate about families. Are we going to give people the capacity to have families that are as successful as possible?

Let me just talk to you about a young woman named Kim Buchanan, from St. Louis, MO, a crisis clinician at the Meritz Behavioral Care facility in St. Louis, MO. Her husband is a Federal employee at the veterans hospital in St. Louis. Her husband enjoys the benefits of flextime. They have a son who is 3 years old. Like many American families, Kim Buchanan and her husband, Rocky, both work full time. Kim just landed a new job which requires her to work on shift hours through the week. She must also work weekends. She now needs to find a new day care provider for her children while she tries to keep up with her new work schedule. Fortunately, the Buchanans are getting some help from Rocky's new employer, the Federal Government. Yes, what the Federal Government provides is flexible working arrangements. He is allowed to work flexible schedules in order to keep up with some of the family's activities. That means Rocky can work a few more hours one week in order to take some time off, with pay, at a later date.

Now, here is a statement that Kim Buchanan made:

Rocky will pick up our son on Monday, Tuesday, and Wednesday. Those are the days I'm going to have him in day care. Rocky has flextime at his job. I would like to see that everyone has it. I don't work for the Federal Government, and it would be nice to have that kind of flexibility especially when you have children. It would be really nice to have that kind of flexibility instead of putting one parent in the bind.

I think Kim is right. Kim has a pretty dramatic situation. Her husband works for the Federal Government and is privileged to have flexible work arrangements. She works in private industry and it is illegal for her employer to cooperate with her. I wonder what her children think? Daddy works for the Government and gets special privileges, and Mommy works for the private sector and it is illegal for the private sector to help families the way the public sector does.

Virtually everything we do has some function of being a teacher and teaching us. I do not know what we are teaching kids when we tell them that it is illegal and wrong for private businesses to help families the way the

Government does by giving flexible work arrangements. When you have Kim and her husband, Rocky, and one can be flexible and have good arrangements and offer choices because he works for the Government, and Kim, who works for the private sector, would be in violation of the law to participate in such a plan, it just does not make a lot of sense.

Let me talk about another individual. Here is Leslie Langford, a secretary in Massachusetts. Her husband is a printer. They have a son who is about to have his first birthday and a daughter who is 5 years old.

Listen to what Leslie says:

I've been an hourly employee for the past 14 years. As a full-time employee and a mother of two young children, including an 11-month-old, time is one of the most valuable commodities in my life, and I can't afford to waste any of it. Like many of you, I find it a challenge to juggle the needs of my employer and my family. Luckily I work for a boss in a company that makes this great balancing act a little easier to manage; I strongly support the Family Friendly Workplace Act. This legislation would give millions of workers the flexibility to be with their families when they are needed most. Family friendly legislation such as this is not only desperately needed but long overdue in this country to benefit working parents and their children.

I am sure if you were to ask Leslie Langford if she thought Government workers should have a range of benefits that private workers did not have, that there could be rules for Government workers that said it was OK to have choices about flextime and comptime, and to spend time with your family for Government workers, but it would be illegal to do that for the private sector, I suspect Leslie would say, how can that be? And the entirety of this country is saying how can that be? Why can we not allow hourly-paid workers in the private sector, who are a minority of the workers in this country, why can we not allow them some of the benefits enjoyed by public-sector workers and many of the salaried private workers across the country?

Here is an interesting letter that came to my office from a 25-year-old single mother of twin 2-year-old daughters. Listen to this letter from a single mother of twin 2-year-old daughters. She says,

Recently I heard of your Family Friendly Workplace Act. My employer does not allow a flexible work schedule or overtime. My understanding of this act is that I will be able to have flexibility in my work schedule giving me the opportunity to make up work hours lost because of illness in the family and doctor appointments.

Now her employer cannot offer flexible work schedules and overtime like we have in the public sector. It is illegal. That is not a hit on her employer, it is just that we said this benefit that you might want to be able to share with your employers—you cannot do that.

She goes on to say:

As a 25-year-old single mother of twin 2-year-old daughters—[she has her hands

full]—the Family Friendly Workplace Act would be extremely beneficial to my situation. My children were born with a congenital heart disease and they need to attend checkup appointments on a 3-month basis, with a cardiologist. These appointments have to allow a full day, since our specialist is in Springfield, MO, and especially because both of my children attend the appointments. Also, since my children have a heart disease they need special attention if they are ill.

As a single mother, it is very difficult to lose any days financially. [I bet it is] The opportunity to make up any lost work days would be incredibly helpful. The Family Friendly Workplace Act would give me the opportunity to take time off from work, without the loss of pay because of those days my children are ill or need to attend a doctor's appointment.

Thank you for taking the time to read my letter and your consideration of the many working parents who would appreciate such an act. Please go forward with the Family Friendly Workplace Act.

"Please go forward." I think that means don't filibuster. I think it means get to a vote on this act. I think it means share the same benefits with those of us in the private sector who are needed desperately by our families as you already allow for people who work for the Federal Government, the boardroom already enjoys, as salaried employees already enjoy, as the majority of workers in America already enjoy, please address the needs of those of us who are in the minority here, the hourly-paid workers in the private sector.

Madam President, we have a great opportunity to serve the people of this country, to let them make choices. We have developed a framework for that choice, which is a solid framework that protects the worker. It protects the worker far more profoundly than the workers who are protected in the public system, and there are no complaints in the public system, virtually no complaints. I do not know if the Presiding Officer has ever had a Federal worker rush in and say, "This is a terrible system which gives us flextime—abolish." I doubt, seriously, if that has been the case.

We have built more protections into this bill for the private sector than there are for the public sector, and the 56 Senators in this body, including many on the other side of the aisle, and the lead opponent on the other side of aisle against this measure is the Senator from Massachusetts. He was a cosponsor of the measure which provided benefits to public-sector workers and a cosponsor of that measure which does not provide nearly the same protections for workers. I think it is time for us to confess that if benefits are available to the public sector they ought to be available in the private sector.

My grandfather used to say "God is no respecter of persons." People are the same, they have the same challenges. Public-sector workers have families and they need to be able to spend time with their families and they can with the special law that we have for them. Salaried workers need to, and

the law allows that. The boardroom boys need to do that for whatever they need to do when they leave early. But salaried workers and boardroom folks and Government workers are special citizens compared to hourly workers. I think just as God is no respecter of persons, we should not be a respecter of persons that says one category of American workers has the freedom to help their family, and for others it is illegal. I think that ought to cause us all to cringe, and I think the ones that ought to be cringing the most are the ones that have provided it, voted to provide it, even without protections to the public sector who are saying now we cannot provide that to the private sector until we make it so cumbersome it would not work.

Madam President, we have a great opportunity to help the families of America help each other. The success of this Nation is not going to be determined by what happens in Washington, DC. The success of this Nation will be determined around the kitchen table in American homes. That is where values are built. That is where we develop the kind of character that really determines the future of a country. We have to do what we can to make the homes as strong as possible, and we cannot have a group of American workers that are—they are a minority of the workers. It is clear the majority already have flexible work arrangements. We cannot have the 59 million American workers say, "Your home is not important enough. You could not make this decision. You are not bright enough." The truth of the matter is they deserve the opportunity to have flexible working arrangements to choose compensatory time off instead of overtime if they want it, and then to change their mind if they want and to ask for the money instead.

I think the great opportunity we have is something we can capitalize on next week. I look forward to voting on it at that time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS ACT OF 1997

The PRESIDING OFFICER. Pursuant to the order of May 8, 1997 H.R. 1469, having been received from the House, the clerk will report.

The legislative clerk read as follows:

A bill, H.R. 1469, making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause is stricken and the language of S. 672 is inserted in lieu thereof.

Under the previous order, the bill is deemed read a third time and passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1469) entitled "An Act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.", do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide supplemental appropriations and rescissions for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I—DEPARTMENT OF DEFENSE SUPPLEMENTALS

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$306,800,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$7,900,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$300,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$29,100,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Overseas Contingency Operations Transfer Fund", \$1,312,900,000: Provided, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title: Provided further, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPLAN 34A/35 POW PAYMENTS

For payments to individuals under section 657 of Public Law 104-201, \$20,000,000, to remain available until expended.

REVOLVING AND MANAGEMENT FUNDS

RESERVE MOBILIZATION INCOME INSURANCE FUND

For an additional amount for the "Reserve Mobilization Income Insurance Fund", \$72,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

SEC. 101. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$100,000,000 of working capital funds of the Department of Defense and funds made available in Public Law 104-208 to the Department of Defense only for obligations incurred for United States participation in the Bosnia Stabilization Force (SFOR) and for the continuation of enforcing the no-fly zones in northern and southern Iraq (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That this transfer authority is in addition to transfer authority provided in section 8005 of Public Law 104-208 (110 Stat. 3009-88).

SEC. 102. None of the funds available to the Department of Defense shall be obligated or expended to transfer management, development, and acquisition authority over the elements of the National Missile Defense Program from the Military Services until the contract for a Lead System Integrator for the National Missile Defense Program is awarded: Provided, That the Joint Requirements Oversight Council, with the advisement of the Joint Chiefs of Staff, is directed to conduct an analysis and submit recommendations as to the recommended future roles of the Services with respect to the management, technical development, cost, schedule, and acquisition plan for the elements in the National Missile Defense Program and to certify that the Lead System Integrator contract will conform to these recommendations: Provided further, That the analysis and recommendations shall be submitted to the Congressional Defense Committees within 60 days of enactment of this Act.

SEC. 103. In addition to the amounts provided in Public Law 104-208, \$50,000,000 is appropriated under the heading "Overseas Humanitarian, Disaster and Civil Aid": Provided, That, from the funds available under that heading, the Secretary of Defense shall make a grant in the amount of \$50,000,000 to the American Red Cross for reimbursement for disaster relief and recovery expenditures.

(TRANSFER OF FUNDS)

SEC. 104. The Secretary of the Navy shall transfer up to \$23,000,000 to "Operation and Maintenance, Marine Corps" from the following accounts in the specified amounts, to be available only for reimbursing costs incurred for repairing damage caused by hurricanes, flooding, and other natural disasters during 1996 and 1997 to real property and facilities at Marine Corps