

Glass and other businesses large and small, should not have the comp time benefit that the government saw fit to provide to its own employees long ago. It's time that family-friendly employers in the private sector be permitted to have the flexibility to work with employees to meet not only their workforce needs but the needs of their employees as well.

In my years of involvement in public policy, I have always been able to see that, no matter how contentious the issue, the other side had legitimate points. However, in this case there does not seem to be any legitimate reason not to allow private-sector employees the same opportunity for flexibility that their brothers and sisters in the public sector enjoy.

Thank you for the privilege of allowing me to speak on behalf of the U.S. Chamber of Commerce on this important issue. I would be happy to answer any questions.

STATEMENT BY DIANE BUSTER

My name is Diane Buster, I reside in Louisville, Kentucky where I work as Administrative Assistant to the Executive Director of a small, local, not-for profit corporation. Why, you may wonder, would I get up at 4:00 a.m., take a day off without pay and travel here to speak on the issue of workplace flexibility? Why? Because I am passionate about the need for the passage of the Work and Family Integration Act.

As part of the labor force in this country for almost thirty years, always in position where I have been paid an hourly wage, I have lobbied in every position I have had for flexibility to manage my home, family and personal life. Always the price I paid for that flexibility was a lesser wage and less responsibility as I settled for part-time work to enable me to manage the demands of my responsibilities as homemaker and mother in addition to my work duties.

For the last 15 years I have been in the full-time work force bound by an archaic law, The Fair Labor Standard Act, passed in 1938 when only about 20% of women worked as compared to the almost 60% of women currently in the labor force. This act mandates that I may only work 40 hours per week and that, should I exceed that amount of hours in any seven contiguous days, my employer is required to pay me one and one half times my normal wage, even though I would prefer to be allowed time off in lieu of the overtime pay. This law, I'm told, applies to hourly workers whose duties are not self directed. Tell me I'm not self directed when I am the only one left in the office when the non-classified staff, privileged to direct their own schedule, has all left early to attend family functions, shop, play golf or indulge in some similar recreation!

As a working mother and grandmother, with family all residing out of state, helping out in emergency situations and caring for the needs of my immediate family members would be infinitely more possible with a bank of compensatory time to draw on to use for such emergency care needs. The meager budget of the small non-profit corporation where I work, whose staffing needs fluctuate, would quite obviously be better off not having to pay me overtime wages, permitting me compensatory time when the workload is less. In know I am not alone, but one of thousands of workers for whom the stress of balancing the demands of work, home, personal and family needs would be greatly alleviated by having more control over my work schedule. Small businesses, the backbone of our communities, who are being choked to death, forced to adhere to laws and restrictions which make no sense for their time and place in our economy today, would also be

enormously helped by being able to predicate their work schedules on the specific demands of their particular business.

As the law currently stands, the privilege of compensatory time is denied to hourly employees in private business while it is permitted to salaried employees in the private sector and to employees of the Federal government. This seems patently unfair and smacks of elitism, if not discrimination. A vote for fairness seems in order.

Passage of the Work and Family Integration Act will, I believe, immensely help to alleviate stress for the working population and greatly assist small businesses.

[From the Paducah Sun, Feb. 7, 1997]

PASS COMP BILL

Opposition by some congressional Democrats and their supporters in organized labor to a plan to allow compensatory time off for hourly workers in lieu of overtime pay has an odd ring to it.

The bill pushed by the GOP Congress, and endorsed by President Clinton, would give employees the option of taking the time, at the rate of 1½ hours for each overtime hour, if the employer agrees. Workers would be able to bank time for personal use, as many obviously would prefer. Many companies also would rather give the employees time off instead of the extra money.

Unions have criticized the idea as an attack on the traditional 40-hour work week. The don't trust employers not to pressure their employees to take the time off rather than the overtime compensation.

But the real reason for the political opposition to the plan is revealed in this statement by Rep. Lynn Woolsey, Democrat of California: "It will be flexible for the employer. We must ensure that the employee has 100 percent choice." Translation: The legislation is wrong because it doesn't force the employer to do anything. Never mind that the bill would give the worker a potential choice the existing law denies him completely.

The family leave issue, it is recalled, was enthusiastically embraced by Democrats as a great step forward for working families. The law gives workers the option of taking 12 weeks unpaid leave to deal with family needs. In other words, they voluntarily give up money in exchange for time off and flexibility, just as the comp time bill would do.

So what's the difference? It is the mandate issue. Under family leave, the company has no choice but to allow the absence. To liberals, providing an avenue where an employee and his boss can work out a mutually satisfactory arrangement is not good enough. In fact, the whole idea apparently is so obnoxious to them they would rather leave matters as they are and give the worker no legal option for a more flexible work schedule.

The comp time bill clearly ought to be passed. Salaried and government employees already have the privilege, so why not extend it to hourly workers? The language guarantees the right of workers to take the overtime pay if they desire, so labor's objection that the companies can't be trusted is only so much old-school us-against-them thinking.

The late Paul Tsongas once made a trenchant observation to the effect that too many of his fellow Democrats love jobs but hate employers. Rep. Woolsey and others have done their part in proving him right.

[From the Courier-Journal, Mar. 22, 1997]

IT'S "COMPTIME" TIME

What's so scary about "comptime"?

In the debate leading up to its passage by the U.S. House of Representatives this week, a bill offering new flexibility on wages and

working hours was denounced by some opponents as a threat to freedom, fairness and the American way.

And President Clinton has warned that he'll veto it in its present form. That's a formidable threat since the bill passed by only 12 votes in the House. (All five of Kentucky's Republican members voted for it. Democrat Scotty Baesler voted against.)

We're puzzled by Mr. Clinton's opposition. The bill doesn't endanger the 40-hour work week at the heart of the Fair Labor Standards Act of 1938. All it says is that, if workers and their employers agree, comptime can be substituted for overtime pay. An employee who works, say, 45 hours in a week would have the option of getting paid time-and-a-half for the five hours or of getting 7½ hours of comp time.

At the end of the year, any accrued comptime would be converted to overtime pay. And the total amount of comptime during a year couldn't exceed 160 hours.

Employers could choose not to participate in a compensatory time agreement or, if they were in one, could withdraw after 30 days notice. Workers could withdraw at any time by submitting a written request. (In unionized work places, work schedules and rules for overtime would be set by contract.)

This looks like a win-win situation. Workers and employers would get more flexibility in working out schedules, and neither side would be forced to participate.

What's Bill Clinton scared of?

Mr. McCONNELL. I challenge my colleagues to enact this simple, sensible legislation. The family friendly workplace is about nothing more than choice and paid time off. S. 4 is the Federal Government at its best—benefits for working families with no Federal mandates and no excessive costs for small businesses. I also particularly commend Senator ASHCROFT for his leadership in developing this important legislation.

Mr. President, I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized for up to 10 minutes by previous order.

Mr. COVERDELL. I thank the Chair.

COUNTERDRUG COOPERATION BETWEEN THE UNITED STATES AND MEXICO

Mr. COVERDELL. Mr. President, on May 14, 1997, I along with my colleague, Senator FEINSTEIN of California, received a communique from President Clinton that I would like to read at this point. It says:

DEAR SENATOR COVERDELL: Thank you for your letter regarding counterdrug cooperation between the United States and Mexico. I want to take this opportunity to tell you about my visit to Mexico and the efforts my Administration is making to advance our counternarcotics strategy in a bipartisan spirit.

President Zedillo and I had a full and frank discussion on ways we can achieve greater progress toward attacking the abuse and trafficking of illegal drugs. The Binational Drug Threat Assessment report that General McCaffrey and Attorney General Madrazo presented to us sets forth in plain terms a common view of all aspects of the drug phenomena striking at our societies. On that basis, President Zedillo and I agreed to form

an Alliance Against Drugs, which commits our two governments to prepare a common counterdrug strategy this year to achieve 16 specific objectives.

These objectives, which reflect your own thoughtful contributions, include reducing demand through anti-drug information campaigns directed at our youth, bringing the leaders of criminal organizations to justice through strengthened law enforcement cooperation, attacking corruption, improving extradition (for example, by negotiating a protocol to the extradition treaty to allow trials in both countries prior to completion of sentences in either country), fully implementing laws to combat money laundering and increasing interdiction and eradication. Achieving all these objectives in the short term is unrealistic, but I believe we can make progress and that President Zedillo's effort to restructure Mexico's anti-drug forces is an essential starting point.

I want to keep the Congress informed of the progress we are making toward achieving the objectives set forth in my 1997 National Drug Control Strategy and the U.S.-Mexico Alliance Against Drugs. ONDCP Director McCaffrey will provide further details on these issues to Members of both Houses in the near future. My Administration will also provide the Congress by September 1, 1997, a report covering each of the issues contained in the Senate resolution passed in March as elaborated in your recent letter and discussions with my Administration. In addition, we will provide reports, as you have requested, commenting on prospects for multilateral hemispheric cooperation and on the feasibility of enhancing truck inspections at the border.

I appreciate your continued efforts to work with my Administration to ensure that our children face a future free of drugs and the crime they breed.

Sincerely,

BILL CLINTON.

Mr. President, this letter is in direct response to the legislation offered by myself and Senator FEINSTEIN in March of this year, passed overwhelmingly by the Senate but which had not yet become law because of differences between the House and the Senate.

Because the President was going to be in Mexico and in Central America, that led to extensive discussions between myself and Senator FEINSTEIN and the administration, culminating with a discussion between myself and the National Security Adviser, Sandy Berger, during the trip to Mexico wherein the administration agreed to provide this letter of assurances to myself and Senator FEINSTEIN, and in spirit the Congress and the other Senators who worked so diligently to pass these legislative proposals.

From my point of view—and the Senator will speak for herself—it is a new platform. It is an acknowledgement of the issues that the Senator and I were trying to bring before the Congress, the Nation and the people of Mexico. I personally accept it in the spirit of cooperation and eagerly await the information to be provided to us in September. From my point of view, it is the acceptance of the point that was being made during the debate that the status quo was unacceptable for either country and that we had to move to a new era of more candor and more realism about the ravaging drug war and the

damage it has done to both our countries and to the hemispheric democracy. So, I appreciate the National Security Adviser's conversation. I believe he and the administration fulfilled the discussion, at least to the level that I had it.

I appreciate, again, and want to acknowledge the work of the Senator from California on this issue. It has been very dedicated, very focused, and very meaningful. I have enjoyed working with her on this matter. I believe the drug war in our hemisphere could potentially destabilize the hemisphere. It is doing enormous damage to the youth of our country and is an issue that must receive far more attention than it has to date. I hope this communication is not the end, but the beginning of much more work to be done by the Members of the Senate and the Congress.

With that, Mr. President, I yield the floor. I see my colleague from California is prepared to talk on the subject, and I welcome her remarks.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California, by previous order, is recognized for up to 10 minutes.

Mrs. FEINSTEIN. Mr. President, I want to begin by thanking the senior Senator from Georgia for his leadership in this matter. This has been a difficult area, I think, for both of us, because I believe we both respect Mexico. We know that Mexico is an ally, a friend, a neighbor, and we want to see relations become much better and much more fully developed. We do not want to see a rift continuing to develop, so, we have worked with that spirit in mind. Yet, one can want this equal partnership but also continue to point out the facts of what is happening in our States and our region, and particularly along the southwest border. So I thank the Senator from Georgia for his leadership. It has been, as he knows, a great pleasure for me to be able to work with him. It has been a wonderful experience. We will keep it going.

I also want to extend my thanks to the President and to the National Security Adviser, Sandy Berger. Both Senator COVERDELL, as he indicated, and I—we have met separately with the administration. We have both made the same request that this report, described by our Senate resolution, be rendered by the administration to this body.

Let me begin by saying the administration could easily have said no. There is no legislative vehicle that accompanies this request. But they did agree, in our negotiations, to honor this request, and they have kept that commitment and, in effect, will produce the report on September 1. I am heartened by that. As my colleague just spoke, we are heartened because we hope it will be a new day of cooperation between the executive and the legislative branches in what is rapidly becoming the soft underbelly of this Na-

tion as well as the Mexican nation, and that of course is drugs.

As many know, I have a bill which is now in the Judiciary Committee's bill called the Gang Violence Act. What we have discovered is that drugs are fueling a new extension of gangs working across the States. One of the steps I am hopeful this body will be taking is passage of that bill and, in essence, applying to street gangs, who are organized and moving across State lines, the same racketeering statutes that we would apply to Mafia-type organized crime—expanding the Travel Act, putting in asset seizures and forfeitures, effectively doubling Federal penalties for Americans who participate in major drug trafficking, gun running, and other criminal activity, across State lines.

So, we will take major steps in this Nation to combat our problem, which is one of demand for drugs. The report that we have asked the administration to produce will deal with Mexico's progress in the following areas:

Efforts to combat drug cartels—four big Mexican drug cartels are operating with impunity beyond our border; bilateral law enforcement cooperation—we are very interested in a partnership between our Drug Enforcement Administration and Mexican drug authorities, but to have our agents in Mexico unable to arm themselves makes no sense, particularly with the record of assassination that the cartels have established; improved border enforcement—obvious; extradition of Mexican nationals wanted in the United States on drug charges; implementation of money-laundering laws; increased crop eradication; rooting out corruption; and improved air and maritime cooperation. All of these points are elucidated in our Senate resolution requesting this report, and the administration has agreed, unilaterally, to provide it. For that I am very thankful.

Let me talk about one area, and that area is extradition. This is an area which for me is a litmus test as to whether there is cooperation. I want to give one case that was just written up in the May 13, 1997 Los Angeles Times by Anne-Marie O'Connor. It is not a traditional case, in terms of names like Amado Carillo-Fuentes—well-known cartel names. This case deals with a family by the name of Reynoso: Antonio Reynoso and two brothers, Jose and Jesus Reynoso. They were indicted among 22 alleged members of a vast ring that transported cocaine from Mexico to Los Angeles to Chicago and to New Jersey, using Lear jets, boilers, and canned vegetables. They are named in an extradition request presented by this country to the Mexican Government. Last September, Jose Reynoso pled guilty on a drug-smuggling charge. Both Antonio and Jesus are under indictment for conspiracy to import and possess cocaine with intent to distribute, as well as for money laundering. In the last 2 years, they have built a magnificent home within a

stone's throw of the border between San Diego and Tijuana. There is a small picture in the Los Angeles Times, which shows the border fence and then this drug lord's home right across the border fence. I want to describe it to you for a moment. I am quoting from the Los Angeles Times.

To their profound annoyance, Justice Department officials say, Reynoso, 53, is putting the finishing touches on an ostentatious walled residence that backs right up to the U.S. border. If he wanted to, he could hit a tennis ball into San Diego County.

The article goes on to describe the mansion:

Encircled by a forbidding wall that ascends 35 feet, chateau Reynoso rises like a ship over San Diego County, not far from a binational gulch called "Smuggler's Canyon." [Where I have been.] With its turret, a glass pool atrium and a dazzling green roof worthy of Oz, it is so conspicuous that Border Patrol agents sometimes point it out to visitors.

U.S. law enforcement officers note its fortress architecture and its protected position at the end of a narrow cul-de-sac. So close to the United States, they complain, yet so far from a San Diego courtroom.

"I wish we could just tunnel back and grab him," a Justice Department attorney said.

Then it goes on to say:

... Reynoso's name has appeared on lists of traffickers given to Mexican authorities by United States Attorney General Janet Reno. But no discernible action has been taken. U.S. officials have no indications that Reynoso is even a wanted man in Mexico.

This same family was the mastermind behind a huge tunnel, 60 feet below the ground, between Otay Mesa and San Diego. This tunnel had electricity, it had air conditioning, and it was used by this family to smuggle drugs under the border into the United States. It was one of the most sophisticated tunnels, really, ever known. This family spent \$1.1 million buying the lot in Otay Mesa where the passage's exit was to be located.

This is a clear indication, I believe, of what Senator COVERDELL and I will be looking for in terms of actions taken by the Mexican Government. We will have another round on certification. It is important to both of us, as well as, I believe, to a majority of this body, that there be actions taken in this equal partnership between the United States and Mexico. Let me just summarize.

The response from a good friend, a neighbor, and an ally that drugs are exclusively a U.S. problem is simply not adequate. We admit that we have a demand problem. We have taken steps to strengthen our laws, to allocate funds for prevention programs. Still, we know we must do more and we are willing to say we will and do it.

But when Mexican nationals run meth labs throughout California—and over 700 meth labs have been seized by the State Bureau of Narcotic Enforcement in California alone in the last year, 700 of them—and Mexico refuses to enforce its border, the drug problem is not our problem alone.

The PRESIDING OFFICER. The Chair advises the Senator her 10 minutes have expired.

Mrs. FEINSTEIN. May I ask for 1 minute to wrap up, please?

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

Mrs. FEINSTEIN. When drug cartels are brazen enough to kill Government officials and church leaders in cold blood, the drug problem is not our problem alone. When the cartels are operating with such impunity that they do not hesitate to bribe officials on both sides of the border and, as "Nightline" has just pointed out, to buy up businesses along the border, the drug problem is not our problem alone. So the drug problem is a problem for both sides. What we need is a cooperative effort of both nations acting as full partners. Neither the United States nor Mexico can win this battle alone.

The report that the President has now committed to provide to the Congress on September 1 will be an important indicator of whether or not Mexico has taken the decision to approach this terrible problem in a cooperative partnership and in a fully committed way. Unless the report can cite significant and demonstrable progress in cooperation, the answer, very sadly, will be that Mexico has not yet taken such a decision. I hope that is not the case on September 1.

To me, this report is very meaningful. The point I want to make is that I believe the expectation of a majority of this body is that there be tangible and substantial steps taken that are visible, discernible, and real to combat the cartels and to stop the corruption, the bribing, and the sort of total disregard for law which is now characteristic of the situation.

I, for one, will watch the extradition picture especially carefully.

Mr. President, I ask unanimous consent that the May 14 letter from the President be printed in the RECORD, I thank the Presiding Officer for his forbearance, and I yield the floor.

THE WHITE HOUSE,
Washington, DC, May 14, 1997.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR DIANNE: Thank you for your letter regarding counterdrug cooperation between the United States and Mexico. I want to take this opportunity to tell you about my visit to Mexico and the efforts my Administration is making to advance our counternarcotics strategy in a bipartisan spirit.

President Zedillo and I had a full and frank discussion on ways we can achieve greater progress toward attacking the abuse and trafficking of illegal drugs. The Binational Drug Threat Assessment Report that General McCaffrey and Attorney General Madrazo presented to us sets forth in plain terms a common view of all aspects of the drug phenomena striking at our societies. On that basis, President Zedillo and I agreed to form an Alliance Against Drugs, which commits our two governments to prepare a common counterdrug strategy this year to achieve 16 specific objectives.

These objectives, which reflect your own thoughtful contributions, include reducing demand through anti-drug information campaigns directed at our youth, bringing the

leaders of criminal organizations to justice through strengthened law enforcement cooperation, attacking corruption, fully implementing laws to combat money laundering and increasing interdiction and eradication. Achieving all these objectives in the short term is unrealistic, but I believe we can make progress and that President Zedillo's effort to restructure Mexico's anti-drug forces is an essential starting point.

I want to keep the Congress informed of the progress we are making toward achieving the objectives set forth in my 1997 National Drug Control Strategy and the U.S.-Mexico Alliance Against Drugs. ONDCP Director McCaffrey will provide further details on these issues to Members of both Houses in the near future. My Administration will also provide the Congress by September 1, 1997, a report covering each of the issues contained in the Senate resolution passed in March as elaborated in your recent letter and discussions with my Administration. In addition, we will provide reports, as you have requested, commenting on prospects for multilateral hemispheric cooperation and on the feasibility of enhancing truck inspections at the border.

I appreciate your continued efforts to work with my Administration to ensure that our children face a future free of drugs and the crime they breed.

Sincerely,

BILL CLINTON.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The PRESIDING OFFICER. Does the Senator suggest the absence of a quorum?

Mr. COVERDELL. Mr. 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.

The PRESIDING OFFICER (Mr. ROBERTS). Is there objection to the order for the quorum call being rescinded? Without objection, it is so ordered.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to section 711(b)(2) of Public Law 104-293, appoints the Senator from Pennsylvania [Mr. SPECTER] as a member of the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction.

The Chair, in his capacity as a Senator from the State of Kansas, suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FAMILY FRIENDLY WORKPLACE ACT

Mr. WELLSTONE. Mr. President, I was working in my office on some other matters, and it came to my attention that several of my colleagues, I