

a bill unless it meets these priorities." And he negotiated and negotiated, and we negotiated, and we have a piece of legislation that is going to balance the budget but does preserve those priorities.

On the environment, just as an aside, I'll bet there is not a person serving in the Congress today who, 20 years ago, would have said this: We can double the use of energy in America in the next 20 years and we will end up with cleaner air and cleaner water. I'll bet there is not one person who would have predicted that, because all the experts predicted we would increase dramatically our use of energy and have dirtier air and dirtier water as a result.

But it did not happen. We doubled our use of energy as a nation, and our air is cleaner and our water is cleaner. Why? Because the Government said those who continue to pollute our air and water are going to be penalized. Congress said it will no longer be business as usual. The environment is important. We are going to insist that those who are polluters in our country are going to stop polluting.

We don't have a perfect situation, but I am saying we are moving in the right direction, we have cleaner air and cleaner water, even as we have doubled the use of energy.

So, what the President was saying is, on education, on health care, on the environment, there are certain things that must be in this legislation. Even as we balance the budget we must make room to invest and continue to make progress in those areas. This piece of legislation does that.

I know there are some who have heartburn because it does it. But I think it is the right impulse, for us to decide what is important for all of us, Republicans and Democrats, to do in this country to advance the interests of America.

One of them is to help to invest in our future by investing in our kids' education.

One of those is to say to those in this country who do not have the opportunity and do not have the resources to have health care coverage, especially for kids, that we want to help get health care coverage. This agreement will provide it for 5 million kids.

And one of those is to say the environment is important. We should not back up or retreat on the environment. What we should do is continue to move forward and make progress to clean up our Earth and clean our water and say to polluters it is not appropriate to pollute this country. Part of the cost of production is to clean up as you produce. Fortunately, that is not so controversial anymore, because we have made so much progress and the American people so value living in a clean environment that now, most all politicians, I think, understand the value of that.

But I wanted to simply come today to say that we have made a lot of progress. In 1993 we took the first

flight of stairs, and I am pleased I made that vote. It was a long flight of stairs. It was a tough vote to make. Now we are climbing the second flight of stairs. I think this is going to be a bipartisan effort and I am pleased that is the case.

No, this bill is probably not perfect. But I would say this. We are moving in the right direction in this country. The fact is, our economy is better than it was. Unemployment is down. Inflation is down. More people are working. We are moving in the right direction, largely because, I think, going from a period when we had Federal deficits of \$300 billion a year, everyone in this country now sees that the President is serious and the Congress is serious about getting our fiscal house in order. That gives people more confidence about the future.

If people, yes, even the market—especially the market, I suppose—if they have confidence about the future and about the fiscal discipline that can come from a President and a Congress working together, we will see them making the investments in the future because they have more confidence in the future. That is what this is all about.

So, I wanted to say, when I got up this morning and read the newspaper, I was pleased to see that we are taking another step toward agreement.

I don't happen to view bipartisanship as something that is bad for this country. I think it is something that is good for this country. There are some, incidentally, who think being bipartisan is inherently bad, because both sides ought to fight like the devil for whatever it is they believe and whatever is the outcome is the outcome.

I do not believe that. That is not the way we did most things in this country. We have an interstate highway that goes from Fargo, ND, to Beach, ND. It was not one group of people out there who said, "Let's have a big fight about an interstate highway." It was a bipartisan approach in the 1950's, to say, "Let's create an interstate highway in this country."

The interesting part about it is I don't suppose, when Dwight Eisenhower, then President, and Sam Rayburn, Speaker of the House, sat down at the White House and reminisced about what they were going to do here, I don't suppose they actually stopped to think how do we justify to the American people the cost of building a 4-lane interstate highway from Beach, ND, to Fargo, ND, where 600,000 people live?

I suppose Citizens Against Government Waste and the National Taxpayers Union, or some other group these days—if someone were to try to do that—would say, "What on Earth are you doing?" How on Earth can you justify that expenditure, going across sparsely populated states?

Of course we now know it was one of the great achievements in the middle of this century, building an interstate

highway system that opened up vistas of commerce and opportunity.

My point is, I think bipartisanship is a wonderful thing. I think there ought to be more opportunities for us to work together. And I hope, if this budget agreement is as we are to understand it to be and is a bipartisan effort, that in the coming weeks, we can demonstrate to the American people we do care about fiscal responsibility, we do want to abolish the Federal budget deficit, and we do want to provide greater hope and opportunity to the American people by doing so.

With that, Mr. President, I yield the floor and 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. COVERDELL. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

FAMILY FRIENDLY WORKPLACE ACT

Mr. KENNEDY. Mr. President, I would like to respond to a few points made on the floor this morning concerning the so-called Family Friendly Workplace Act. My colleagues from Georgia and Missouri said this morning that Democrats were filibustering this bill. They complained that working Americans are crying out for flexibility, and that Democrats are arbitrarily standing in the way of progress.

I would like to set the record straight. We began debate on this bill Tuesday morning, May 13, and spent just over 2 hours discussing the legislation. Then the Republican leadership filed a petition to cut off debate. There was no filibuster. There were no Senators on the floor reading from irrelevant materials in an effort to thwart the will of the majority.

We had no more discussion on the bill on Tuesday afternoon, or on Wednesday the 14th. Yesterday morning, May 15, we had 45 minutes of debate, followed immediately by a vote on the cloture petition. By a vote of 53 to 47, the Senate refused to cut off debate on the bill.

I do not think that 3 hours of debate is enough. This bill would fundamentally alter the Fair Labor Standards Act, a law that has been on the books for almost 60 years. Three hours of debate simply is not enough time for adequate discussion on changes in so basic a protection for the Nation's workers. This is not a filibuster, Mr. President. We simply want full and fair consideration of this fundamental change in labor standards.

My colleagues from Missouri and Kentucky also said this morning that the Fair Labor Standards Act forbids flexible work schedules for hourly employees. This, too, is false. If employers

genuinely want to provide family-friendly arrangements, they are free to do so under current law. The key is the 40-hour week. Employers can schedule workers for four 10-hour days a week with the fifth day off, and pay them the regular hourly rate for each hour. No overtime pay is required.

Employers can also arrange a work schedule of four 9-hour days plus a 4-hour day on the fifth day—again, without paying a dime of overtime. Under current law, some employees can even vary their hours enough to have a 3-day weekend every other week.

Employers also can offer genuine flex time. This allows employers to schedule an 8-hour day around core hours of 10 a.m. to 3 p.m., and let employees decide whether they want to work 7 a.m. to 3 p.m. or 10 a.m. to 6 p.m. This, too, costs employers not a penny more.

But only a tiny fraction of employers use these or the many other flexible arrangements available under current law. The Bureau of Labor Statistics found in 1991 that only 10 percent of hourly employees are offered flexible schedules.

Current law permits a host of family friendly, flexible schedules, but virtually no employers provide them. S. 4 has a different purpose. It would cut workers' wages. That is why employer groups support it unanimously. Obviously it is not just small businesses that wish to cut pay and substitute some less expensive benefit instead.

My colleagues made another point that cries out for response. They contend that S. 4 gives employees the choice when to use accumulated compensatory hours. Once again, this is incorrect. Under S. 4, the employer could deny a worker's request to take comptime and the employee would have no redress. Even if the employer failed to comply with the bill's stated standards governing the use of compensatory time, the employee would have no right to protest, and no remedy for any protest that was lodged nonetheless.

Contrary to my colleagues' contentions, the Democratic alternative that was offered on May 14 by Senators BAUCUS, KERREY, and LANDRIEU actually gives the employee the choice of when to use accrued compensatory time. My colleagues' statements to the contrary notwithstanding, it is not the Government that would make that decision under our alternative, nor is it the Secretary of Labor.

Instead, the Baucus-Kerrey-Landrieu amendment gives the worker the choice. If an employee wants to use compensatory time for any reason that would qualify for leave under the Family and Medical Leave Act, the employee has an absolute right to do so. This simply gives employees the ability to be paid for leave that they already have a right to take on an unpaid basis. Thus, an employee could in fact use comptime to care for a seriously ill child, or deal with a newborn or newly adopted child. Supporters of

S. 4 claim this is what they want their bill to accomplish. The Democratic alternative actually achieves that goal.

Under the Baucus-Kerrey-Landrieu amendment, if an employee gives more than 2 weeks' notice, the employee can use comptime for any reason as long as it does not cause substantial and grievous injury to the employer's operations. Thus, if a worker wants to use comptime 3 weeks from today to attend the school play, he or she can do so unless the business would suffer this acute level of disruption. Again, the proponents of S.4 allege that they want to give employees the ability to do this. But only the Democratic alternative actually gives employees the choice.

If an employee gives less than 2 weeks notice of a request to use comptime, under the Democratic alternative the employer must grant the request unless it would substantially disrupt the business. Once again, this supplies real choice to employees while protecting employers' ability to run their businesses. Flexibility in the workplace must run in both directions. The Republican bill gives all the flexibility to the employer, and gives the employee nothing but a pay cut.

One final point requires a response. My colleague from Missouri contends that S. 4 simply gives hourly employees the same benefits that State and local government workers have enjoyed since 1985. He argues that Democratic support for that earlier legislation is inconsistent with our opposition to S. 4.

But the facts belie this contention. As the Senator from Missouri well knows, the Fair Labor Standards Act was amended in 1985 to allow public sector comptime principally to allow State and local governments to avoid the costs of overtime pay. The Senator from Missouri was Governor of that State in 1985, and he testified in support of the changes before the Senate Labor Subcommittee.

Historically, State and local governments had not been subject to the overtime provisions of the Fair Labor Standards Act. When that was reversed by a Supreme Court decision, those governments were faced with substantial new costs. They immediately sought relief from Congress so that they could avoid the costs of overtime pay.

For example, the National League of Cities claimed that, without relief, "the cost of complying with the overtime provisions of the FLSA * * * will be in excess of \$1 billion for local governments." The National Association of Counties reported that "It will cost States and localities in the billions of dollars to maintain current service levels under this ruling. * * * We need flexibility to use compensatory time and volunteers as alternatives to meeting the public's demand for increased services when we are faced with budget shortfalls."

Such estimates, along with similar dire warnings from other States, led to

the enactment of comptime legislation for State and local government employees in 1985. As Senator HATCH put it, that legislation was meant "to prevent the taxpayers in every single city in America from suffering reduced services and higher taxes."

Deny it as they will, supporters of S. 4 have precisely the same motive. Saving money is precisely what the supporters of S. 4 want to accomplish. A representative of the National Federation of Independent Businesses testified before the Labor Committee in February that small businesses support S. 4 because they "cannot afford to pay their employees overtime." Cutting workers' wages is unacceptable to those on this side of the aisle. That is why we oppose S. 4.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, May 15, 1997, the Federal debt stood at \$5,344,063,176,240.27. (Five trillion, three hundred forty-four billion, sixty-three million, one hundred seventy-six thousand, two hundred forty dollars and twenty-seven cents)

One year ago, May 15, 1996, the Federal debt stood at \$5,115,694,000,000. (Five trillion, one hundred fifteen billion, six hundred ninety-four million)

Five years ago, May 15, 1992, the Federal debt stood at \$3,918,654,000,000. (Three trillion, nine hundred eighteen billion, six hundred fifty-four million)

Ten years ago, May 15, 1987, the Federal debt stood at \$2,290,946,000,000. (Two trillion, two hundred ninety billion, nine hundred forty-six million)

Twenty-five years ago, May 15, 1972, the Federal debt stood at \$427,283,000,000 (Four hundred twenty-seven billion, two hundred eighty-three million) which reflects a debt increase of nearly \$5 trillion—\$4,916,780,176,240.27 (Four trillion, nine hundred sixteen billion, seven hundred eighty million, one hundred seventy-six thousand, two hundred forty dollars and twenty-seven cents) during the past 25 years.

MESSAGES FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which requests the concurrence of the Senate:

H.R. 1469. 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.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on May 16, 1997, during the adjournment of the Senate, received a message from the House of