

The PRESIDING OFFICER. The Senator has 7 minutes and 15 seconds remaining.

Mr. ASHCROFT. I am grateful for this opportunity to speak in behalf of the Family Friendly Workplace Act. Unfortunately, so many statements about it this afternoon do not reflect the act. They may reflect some attacks on the act or what someone has said about the act, but the truth is this act is a totally voluntary way for employees to cooperate with their employers to provide more flextime, more time for people to spend with their families.

This is not some new potential that has never been tried anywhere. We began in 1978 in the Federal Government to offer these kinds of benefits to Government workers. They have been tried in the governmental setting during the 1970's, all through the 1980's, and now through most of the 1990's. I have been in the Senate for a couple years, almost 3 years now, and I have not had a single Federal worker come to me and say this is a terrible means for abusing workers. When you survey those workers, the General Accounting Office, which surveyed the workers, found out that at a 10-1 ratio those workers said this was a very important way to help them accommodate the needs of their families.

The Senator from Montana said if Federal Government workers get comptime, so should other workers. Well, Federal Government workers do get comptime and so should other workers. That is what this bill is about. But Federal Government workers get flextime and so should other workers. And that is what this bill is about.

Now, I appreciate the patience of Senators on this flextime cloture vote. This is not the way we intended for this to unfold. We have made an effort to reach out to those on the other side of the aisle. We have conferred with them about constructing some amendments because they have raised concerns. Now, when they raised concerns, we sort of thought it would be appropriate if they would bring amendments to the floor to address those concerns. As a matter of fact, no amendment from the Democratic side was offered for consideration—no amendment was offered for consideration.

So in an effort to address the concerns, we developed amendments that would meet those concerns that the Democrats had been raising. As soon as we developed those amendments—and there were a number of Senators, and Senator GRASSLEY has already been mentioned on a bankruptcy amendment, there were two amendments about worker choice between comptime and overtime pay, and also amendments about so-called discrimination so to make sure in spite of the fact that the language that is already in the bill that prohibits an employer from selecting a worker to do overtime work because he is one that would only take one kind of compensation or an-

other, we wanted to prohibit that. We not only wanted to reflect their concerns, we were willing to bring our own amendments. There were probably seven or eight amendments yesterday ready to come to the floor to assuage the concerns raised on the Democratic side of the aisle. And what happened? Instead of addressing this bill, they chose to filibuster this bill and talk about other things.

I am at a loss, when they talk about the need for two-way cooperation. The Senator from Louisiana comes today. She says she comes to offer amendments and offer thoughts. Well, I got the thoughts part. But we have not had any amendments offered. There has been an opportunity to offer amendments. If you really want to offer amendments, we want them. I stood here on this floor Monday afternoon and pled for people to bring amendments, to come and let us consider them. I stood here yesterday afternoon and pled, "If you have amendments to this bill, please come and bring them. Let us correct any defects." And did they come? No.

Yet when we brought amendments to try and address the very problems that they mentioned, they filibustered. They talked about things much as they did today. With the 30 minutes allowed in the bill, the Democrats chose to spend most of the time talking about other things.

The truth of the matter is we have a tremendous opportunity to extend to the American workers some very important rights and benefits that are enjoyed by the boardroom folks, the salaried folks, the supervisors and managers of America, and all the Government workers of America have either comptime or comptime and flextime. In enactment after enactment on the floor of this Congress we have extended those rights both to local government workers, to State government workers, to Federal Government workers, and we have reinforced that, and the President has even extended those rights by Executive order. This morning, while I was at the White House for the signing of the IDEA law, the President pulled me aside and said, "JOHN, there is nothing more important we can do for American families—nothing more important than to provide flexible working arrangements for American families." We do want to cooperate. My intention to cooperate will not be extinguished no matter what happens today.

I think what we have here is a filibuster to kill flextime without real debate and without offering real changes. It is a search and destroy mission targeted at killing flextime, flextime that would help the men and women of America accommodate the competing needs of their families and their home place.

Madam President, 57 Senators who now sit in this body, and Vice President GORE, voted to extend flextime benefits to Federal employees in the last decade and they voted to extend

them to State employees and they voted to do it without anywhere near the protections we have put in this bill. The protections simply were not there, and they say that employees cannot make a decision about when they can use their comptime—that simply does not reflect this bill. The bill says that an employee cannot be forced to use his or her comptime at anytime, so the employee makes the decision, and if the employee makes the decision to cash it in, the employee can get the money back. Right now, there are 60 million hourly workers who are waiting for an opportunity to have comptime and flextime benefits.

I challenge Senators to match their words with deeds and to vote to give millions of Americans the benefits that Federal workers have enjoyed since the 1970's. Today's cloture vote is far more than it may seem. Every vote against cloture is a vote to kill flextime for millions of working American families.

No one defends current law as adequate to meet the needs of today's family, especially President Clinton. As I mentioned before, this morning President Clinton expressed to me his belief that flexible work arrangements are the most important thing we can do for families. The President wants a bill he can sign.

I, again, challenge Senators to be serious, start negotiating and stop stalling.

CLOTURE MOTION

The PRESIDING OFFICER. The hour of 4 p.m. having arrived, under the previous order, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the modified committee amendment to Calendar No. 32, S. 4, the Family Friendly Workplace Act of 1997:

Trent Lott, James M. Jeffords, Sam Brownback, Susan M. Collins, Fred Thompson, Gordon Smith, Judd Gregg, Jesse Helms, John Ashcroft, Jon Kyl, Paul Coverdell, William V. Roth, Jr., Conrad R. Burns, Richard G. Lugar, Phil Gramm, Bob Smith.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the modified committee amendment to S. 4, the Family Friendly Workplace Act, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll. Mr. NICKLES. I announce that the Senator from Vermont [Mr. JEFFORDS] is necessarily absent.

I further announce that, if present and voting, the Senator from Vermont [Mr. JEFFORDS] would vote "yea."

Mr. FORD. I announce that the Senator from Rhode Island [Mr. REED] is necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. REED] would vote "no."

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—51

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Roth
Burns	Hagel	Santorum
Chafee	Hatch	Sessions
Coats	Helms	Shelby
Cochran	Hutchinson	Smith (NH)
Collins	Hutchison	Smith (OR)
Coverdell	Inhofe	Snowe
Craig	Kempthorne	Stevens
DeWine	Kyl	Thomas
Domenici	Lott	Thompson
Enzi	Lugar	Thurmond
Faircloth	Mack	Warner

NAYS—47

Akaka	Durbin	Leahy
Baucus	Feingold	Levin
Biden	Feinstein	Lieberman
Bingaman	Ford	Mikulski
Boxer	Glenn	Moseley-Braun
Breaux	Graham	Moynihan
Bryan	Harkin	Murray
Bumpers	Hollings	Reid
Byrd	Inouye	Robb
Campbell	Johnson	Rockefeller
Cleland	Kennedy	Sarbanes
Conrad	Kerrey	Specter
D'Amato	Kerry	Torricelli
Daschle	Kohl	Wellstone
Dodd	Landrieu	Wyden
Dorgan	Lautenberg	

NOT VOTING—2

Jeffords
Reed

The PRESIDING OFFICER (Mr. STEVENS). On this vote, the yeas are 51, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in

adjournment until the hour of 10 a.m. on Thursday, June 5, and that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted.

Mr. DASCHLE. Mr. President, I object.

Mr. LOTT. I move that the Senate stand in adjournment, and I ask for the yeas and nays.

Mr. DASCHLE. I note the absence of a quorum.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

QUORUM CALL

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2]

Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Boxer	Frist	Murray
Breaux	Glenn	Reid
Campbell	Johnson	Rockefeller
Cleland	Kennedy	Sarbanes
Conrad	Kerry	Specter
Daschle	Landrieu	Stevens
Dorgan	Levin	Wellstone
Feingold	Lott	Wyden

The PRESIDING OFFICER. A quorum is not present.

The majority leader.

VOTE ON MOTION TO ADJOURN

Mr. LOTT. Mr. President, I move the Senate stand adjourned. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Vermont [Mr. JEFFORDS] and the Senator from New Mexico [Mr. DOMENICI] are necessarily absent.

Mr. FORD. I announce that the Senator from Rhode Island [Mr. REED] is necessarily absent.

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—53

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Chafee	Helms	Smith (NH)
Coats	Hutchinson	Smith (OR)
Cochran	Hutchison	Snowe
Collins	Inhofe	Specter
Coverdell	Kempthorne	Stevens
Craig	Kyl	Thomas
D'Amato	Lott	Thompson
DeWine	Lugar	Thurmond
Enzi	Mack	Warner
Faircloth	McCain	

NAYS—44

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Inouye	Reid
Byrd	Johnson	Robb
Cleland	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Torricelli
Dodd	Kohl	Wellstone
Dorgan	Landrieu	Wyden
Durbin	Lautenberg	

NOT VOTING—3

Domenici
Jeffords
Reed

The motion was agreed to.

ADJOURNMENT

The PRESIDING OFFICER. This vote demonstrates a quorum is present and the Senate stands in adjournment until 12 noon, June 5, 1997.

Thereupon, the Senate, at 4:51 p.m., adjourned until Thursday, June 5, 1997, at 12 noon.