

SENATE RESOLUTION 20—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 20

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition and Forestry is authorized from March 1, 1997, through February 28, 1998, and March 1, 1998, through February 28, 1999, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 1997, through February 28, 1998, under this resolution shall not exceed \$1,747,544, of which amount (1) not to exceed \$4000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) to exceed \$4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202 (j) of the Legislative Reorganization Act of 1946).

(b) For the period of March 1, 1998, through February 28, 1999, expenses of the committee under this resolution shall not exceed \$1,792,747, of which amount (1) not to exceed \$4000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$4000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1997, and February 28, 1998, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 1997, through February 28, 1998, and March 1, 1998, through February 28, 1999, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 21—TO DIRECT THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself, Mr. McCain, Mr. Coats, and Mr. Stevens) submitted the following resolution; which was considered and agreed to:

S. RES. 21

Whereas, in the case *Sen. Robert C. Byrd, et al. v. Franklin D. Raines, et al.*, C.A. No. 97-0001, pending in the United States District Court for the District of Columbia, the constitutionality of the Line Item Veto Act (Public Law 104-130; 110 Stat. 1200), has been placed in issue;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978 (2 U.S.C. 288b(c), 288e(a), 288l(a)), the Senate may direct its counsel to appear as *amicus curiae* in the name of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to appear as *amicus curiae* on behalf of the Senate in the case of *Sen. Robert C. Byrd et al. v. Franklin D. Raines, et al.*, to defend the constitutionality of the Line Item Veto Act.

SENATE RESOLUTION 22—RELATIVE TO THE DEATH OF THE HONORABLE PAUL TSONGAS

Mr. LOTT (for himself, Mr. Daschle, and Mr. Kerry) submitted the following resolution; which was considered and agreed to:

S. RES. 22

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Paul Tsongas, formerly a Senator from the Commonwealth of Massachusetts.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Wednesday, January 22, 1997, at 10:30 a.m. in open session, to consider the nomination of William S. Cohen to be Secretary of Defense.

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

COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Com-

mittee on Armed Services be authorized to meet on Wednesday, January 22, 1997, at 3:00 p.m. in executive session, to consider the nomination of William S. Cohen to be Secretary of Defense.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, January 22, 1997, to conduct a hearing of the following nominee: Andrew M. Cuomo, of New York, to be Secretary of Housing and Urban Development.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GREGG. Mr. President, I ask unanimous consent that Commerce, Science, and Transportation be authorized to meet in executive session for the purpose of adopting Committee Rules at 2:00 p.m., January 22, 1997 and at 2:30 p.m. to hold a confirmation hearing for Mr. William Daley, to be Secretary of the Department of Commerce.

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

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, January 22, 1997, at 10:00 a.m. to hold a hearing on balanced budget amendment.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet in executive session during the session of the Senate on Wednesday, January 22, 1997, at 9:30 a.m.

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

ADDITIONAL STATEMENTS

IN SUPPORT OF THE FAMILY FRIENDLY WORKPLACE ACT

● Mr. KYL. Mr. President, I am pleased to join Senator ASHCROFT as an original cosponsor of S. 4, the Family Friendly Workplace Act.

S. 4 will update the Fair Labor Standards Act [FLSA] to better reflect the needs of today's workers. It will provide the kind of flexibility that workers and employers need in an age in which more and more of us are balancing roles as both parent and wage earner.

The current FLSA does not provide enough flexibility. S. 4 will allow employers and employees together to decide whether the employee should receive overtime pay or compensatory

time off for working more than a 40-hour workweek. Under current law, an employer cannot allow an employee to work 45 hours one week in exchange for 35 hours the next week so the worker can attend, for example, a child's baseball game, a parent-teacher conference, or doctor's appointment. S. 4 will change this rigid interpretation of the FLSA. It will allow workers the ability to arrange biweekly work schedules—the employee could work any combination of 80 hours over 2 weeks, if agreed to by the employer. Someone could work a long week and then a short week to best fit the needs of his or her family.

The Family Friendly Workplace Act also provides, if agreed to by both employer and employee, a way for employees to "bank" overtime hours—up to 6 weeks of paid time—so that, when needed, employees will have a way to take extended leave and still have a paycheck. In contrast, President Clinton is proposing that Congress mandate to employers that an employee be granted extra—that is, unpaid—time off to attend to family needs.

As a safeguard against abuse, S. 4 requires that any flexible work arrangement or banked overtime hours be agreed upon by both the employer and the employee, without coercion. In addition, the amount of time an employee could accumulate would be limited to 240 hours. Moreover, at the end of the year, employers must "cash out" by paying the employee for the unused accumulated hours—The employee must be able to "cash out" his or her accumulated leave within 30 days. Collective bargaining agreements would remain unaffected, but the revised work schedule could be worked into a collective bargaining agreement.

Families today are looking for ways to better manage work and child-rearing. Without imposing additional Government mandates on employers, S. 4 will provide employers and employees the flexibility to better juggle the responsibilities of work and family. According to Lynn Hayes, author of "The Best Jobs in America for Parents," when working parents are asked what they desire most in a job, a majority answer "flexibility in scheduling." And, according to a study commissioned a few years ago by Arizona's Salt River Project of the Southwest region, a majority of parents with children under 13 are willing to trade salary increases for flexible time, leave, and dependent-care benefits.

There are other studies showing that Americans want flexibility in the workplace. In a work/family study conducted by Johnson & Johnson, for example, the company expected a need for child care to surface. Instead, "the big issue that popped out was that of all the things that we would do as a corporation in support of parents, the biggest factor was that they wanted a flexible work schedule."

Mr. President, the Family Friendly Workplace Act will update labor law to

allow for increased flexibility in the workplace and to better reflect the needs of today's families. As we all know, today's parents are under a great deal of pressure—to provide for their children financially and provide the time needed to raise a healthy child, capable of contributing positively to society. We in Congress should respond by correcting the law, when possible and without mandate, to improve the ability of parents to provide for their children.

Reforming both tax and labor law will go a long way toward improving the quality of life of the American family. In 1950, the average family paid one dollar in taxes to the Federal Government for every \$50 earned. Today, it pays almost \$1 out of every \$3 earned. That is why I am introducing the Tax Limitation Amendment, a proposed amendment to the Constitution to require a two-thirds vote of the House and Senate to increase taxes—reducing taxes could be achieved by a simple majority—and why I support such initiatives as a \$500 tax cut for families with children under 18.

Today's increased tax burden has kept parents working more hours to keep more of their own hard-earned dollars. High taxes are more than a strain on our pocketbooks—they are allowing us to spend less time with our children, or with others who may be dependent upon us. In concert with tax relief, the hours that the Family Friendly Workplace Act can provide a working mother or father to spend with growing children will begin to remove some of the financial and scheduling headaches presented by so many jobs today.

Once the public learns about the Family Friendly Workplace Act, and what it has to offer the American family, I believe there will be a groundswell of support that will be heard around the Capitol. I urge my colleagues in both the House and the Senate to quickly pass this bill and send it to the President, so that he will be given an early opportunity to, as he has said, "pass a flex-time law that allows employees to take their overtime pay in money, or in time off, depending on what's better for their family."●

DEATH OF CLYDE TOMBAUGH

● Mr. BINGAMAN. Mr. President, last week my State and this country lost an extraordinary man. Clyde Tombaugh, a retired New Mexico State University professor, died on January 17 at the age of 90.

In 1930, at the age of 24, this completely self-taught high school graduate was working at an observatory in Arizona when he spotted something unusual in a photographic plate. Remarkably, his discovery turned out to be the ninth planet, Pluto.

His discovery earned him a full scholarship to the University of Kansas to study astronomy, and he went on to a long and distinguished career. He

founded the research astronomy department of NMSU, and retired in 1973 and served as professor emeritus.

This "remarkable man of science," as one colleague described him, has left a truly great legacy.●

TRIBUTE TO FATHER WILLIAM M. MOBLEY, JR.

● Mrs. MURRAY. Mr. President, I stand today in recognition of an extraordinary, colorful lifetime of service and dedication by one individual who strove to make a difference in his community. Father William M. Mobley was, in many respects, larger than life; he was the type of person who several centuries ago would have typified the Renaissance man. He was a soldier, historian, teacher, playwright, and actor. But, in addition to his high intellect and varied cultural interests, Father Mobley was a man grounded in his Catholic faith and dedicated to the everyday concerns of his parishioners.

He was known widely as Father Bill in Mukilteo and nearby Everett, cities just north of Seattle in my home State of Washington. It was here that he served St. John's Mission and St. Mary Magdalene Church from 1987 until his death this past Christmas Eve, December 24, 1996.

Father Mobley came to the priesthood, and his Catholic faith, late in his life. Born on April 3, 1929, he was raised in Southern Baptist roots in Birmingham, AL. He was first introduced to Catholicism while an Air Force soldier during the Korean war, and converted in 1954. In 1956, Father Mobley graduated with honors from Birmingham-Southern College, where he was widely acclaimed for his acting, directing, and writing abilities in the theater. Though he was offered a prestigious scholarship to the Yale Drama School, Father Mobley turned his attention to helping those around him. Influenced by this desire to serve others, Father Mobley joined Dr. Tom Barton, whom he had met while working at a hospital in Pell City, AL, and traveled to Green River, UT. From 1959 to 1970, Father Mobley assisted Dr. Barton in managing a badly needed medical center that serviced residents of Green River and east-central Utah.

In 1970, at the age of 41, Father Mobley entered the Pope John XXIII National Seminary in Weston, MA. Unfortunately, soon thereafter, Father Mobley suffered a heart attack, the first of three he would have in his lifetime, and had to have open-heart surgery. While this would have been an insurmountable hurdle for a lot of people, Father Mobley rose above his physical pains and persevered to complete his ordination in December 1973.

He then returned to Utah to serve in the Diocese of Salt Lake City. While there, Father Mobley touched innumerable lives and hearts, participated in charitable work, and ran a retreat house in Logan, UT. But the strains of his physical condition were taking