

Unfortunately, politics as usual could kill this attempt to help harried families. President Clinton has called for comp-time legislation, but has threatened to veto the bill the House has passed, largely on the grounds that it does not go far enough to protect workers' interests. Unions have made opposition a litmus test for Democrats, making a yes vote suicidal for members who want to protect their labor PAC donations (a big reason only 13 House Democrats voted yes). Democratic opponents have cast the House bill as the "paycheck reduction act." And Republicans have appeared gleeful at the thought of jamming legislation down labor's throat, a payback for unions \$35 million soft money campaign last year for Democrats. In sum, hardly the atmospherics for compromise.

Nonetheless, this effort to modernize labor law shouldn't be allowed to run aground on partisan shoals. The tools and protection workers need in the new economy are different from those of the Industrial Era. Employers and employees alike will benefit from public policy that supports two-parent families by giving them the flexibility to balance family and income needs.

The legislation has won wide backing from business groups: not only because it could lower labor costs by cutting cash out the door for payroll and payroll taxes, but also because smart companies understand how flexibility can help their efforts to recruit and retain top-notch employees. As a recent Working Woman article on workplace flexibility programs at Xerox Corp. noted, "In the end, researchers found that work/life initiatives were not just a feelgood answer to personal time conflicts, but a solution to business problems—and one that could provide companies with a competitive edge." A comp-time law would give companies yet another flexibility option to offer employees, but without mandating it.

At the same time, we must also make sure workers' interests are protected. In the real world, some companies will certainly try to maneuver workers into taking comp time instead of overtime, or start offering overtime work only to people who will take comp time instead of pay. As a former newspaper reporter, I'm well aware of the lengths to which managers will go to avoid paying overtime. That is why any legislation must ensure that comp time is truly voluntary. It should bar employers from coercing employees to take comp time, give employees reasonable latitude over when they can take the time off or cash out their accumulated hours, protect part-time, seasonal and other especially vulnerable employees, and prevent employers from discriminating unfairly in determining who gets comp time.

The House bill's five-year sunset provision was a good compromise. If employers aren't honoring these protections, or the law proves so overly complex that employers don't take advantage of it, we can always revise it or return to the status quo ante.

The president and House Republicans aren't that far apart on comp-time legislation. The Senate could point the way toward compromise, based on this foundation: Republicans must understand that tinkering with one of the labor movement's greatest accomplishments—the 40-hour work week—naturally generates suspicion in Democratic quarters. And they shouldn't automatically resist every attempt to bolster worker protection. Meanwhile, Democrats who rightly seek to protect workers must understand that they can, and may well, doom comp time with overly complex conditions. In the end, the last thing anyone should want is a law so complicated that employers, especially in small businesses, choose not to offer employees any option at all for fear of being sued.

The irony of the debate is that the comp-time option has been available in the public sector since 1985. To be sure, it won't work everywhere in the private sector, but it's time to go give companies—and their workers—the choice.

Mr. COVERDELL. Mr. President, now is the time to get serious about this, but it is your move. I urge the White House to get with the sponsor of S. 4, and let us find out where the common ground is. Senators JEFFORDS, DEWINE, and ASHCROFT are ready to work with you, Mr. President, as they always have been. It is your move.

I hope Senators who voted against cloture, cutting off debate, will think about whose side they are on. Are you on the side of those who already have flextime but want to deny others the same rights? Or are you on the side of the working women and men who do not have these options? The only workers who are denied flextime today are hourly workers: the secretaries, sales clerks, mechanics, factory workers in our country. They are the folks who get up early, punch in the time clock, and work hard to make ends meet. It is time that we were on the side of the millions of working class people in America who are denied these choices. I repeat these choices that Federal workers already have. Single moms, two-paycheck families need flextime. Just ask them and they will tell you. Let us give working parents a helping hand in the vital job they are doing.

Mr. President, I suggest the absence of a quorum.

Mr. BUMBERS. Mr. President, will the Senator withhold that request for a moment?

Mr. COVERDELL. Mr. President, I withhold my request for a moment.

Mr. BUMBERS. Parliamentary inquiry. What is the time situation between now and the time we go to the FEINSTEIN amendment?

The PRESIDING OFFICER. We have morning business until 11. We have already cut into that substantially. About half of it is remaining.

Mr. BUMBERS. How much time remains and who is supposed to receive it?

The PRESIDING OFFICER. The Democratic side—the Democratic leader has 12 minutes, the Senator from Wyoming has 8 minutes.

Mr. BUMBERS. I thank the Chair.

Mr. COVERDELL. Mr. President, I yield the floor.

Mr. THOMAS addressed the Chair.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. DEWINE). Under the previous order, there will now be a period for morning business until the hour of 11 a.m., with Senator DASCHLE or his designee in control of 10 minutes and Senator THOMAS or his designee in control of 10 minutes.

The Senator from Wyoming.

THE PARTIAL-BIRTH ABORTION ACT

Mr. THOMAS. Mr. President, I am sorry we have moved into some of our time, but I will be very brief and cover the points I want to make. I am real pleased today to be joined by three of my associates in support of H.R. 1122, the Partial-Birth Abortion Act. I am going to be very brief. It has been talked about to a great extent. Everything, probably, has been said. But there is one thing that sticks in my mind that I think is important about this discussion and this vote that will come up.

We did this last year, you will recall. It passed by significant numbers in the Senate. President Clinton vetoed the bill that was passed in the 104th Congress. I just want to mention the reasons that he gave for vetoing the bill.

First, he said it was only necessary in "a small number of compelling cases." The fact is that is not factual. The fact is that has changed. The fact is, there are facts that show, for instance, in New Jersey, that there were more than 1,500, just in the one State. So that reason for vetoing is not true. It is not true.

The second one was to protect the mother from "serious injury to her health." The fact is, in the vast majority of cases when the partial-birth technique is used, it is for elective purposes, and that, also, has been shown to be true.

Third, the President said, to avoid the mother "losing the ability to ever bear further children." The facts have now shown it is never necessary to safeguard the mother's health or fertility; that there are other procedures that are available. I think these are compelling, compelling arguments. These are the reasons the President vetoed the bill that have subsequently been found not to be factual.

I yield time to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEM. Mr. President, I rise today to offer my full support for the Partial-Birth Abortion Ban Act. I am proud to be an original cosponsor of this important legislation.

I thank my distinguished colleague from Pennsylvania, Senator SANTORUM, for his leadership on this issue.

This debate, of course, is about abortion, which I strongly oppose. But it is about much more than that. It is about doing what is right. It is about values.

And it is about a civilized society standing against a heinous procedure that is used to kill a mostly born child—a procedure that, as even some advocates of abortion rights have conceded, comes dangerously close to murder.

The debate about abortion raged in America long before I began my service in the Senate. It will continue long after the Senate votes on this bill to ban one specific abortion procedure.

It will continue until America comes to grips with the moral crisis that