

safe work environment, or into the necessity of receiving just compensation for the work that they perform.

If we as Representatives of working Americans are going to talk about how best to help the working families of this country, we must make it our first priority to insure that they receive fair compensation for their work. H.R. 1 as it is currently written will not insure that workers who depend on overtime pay receive it if they do not wish to receive compensatory time.

Those Wage and Hour violations involved a little more than one-half of 1 percent of all 6.5 million employers in the United States. For the sake of the 170,000 known workers who were affected by criminal overtime policies, we should not act without providing insurance that they will not fall victim again due to anything we might accomplish today.

We should keep in mind the need to insure that employers are barred from denying a request for reasonable time off, that workers do not lose money because compensatory time is not credited for unemployment, pension, or social security. We must have absolute certainty that the most vulnerable to overtime violations—temporary, seasonal, part-time, and construction workers—are protected.

According to the Employer Policy Foundation, an employer-supported think tank in Washington, workers lose approximately \$19 billion in overtime each year.

I want to thank and commend the commitment of my colleague from New York on the issue of fair and equal treatment for all of our Nation's workers.

Mr. GOODLING. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OWENS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OWENS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 237, not voting 13, as follows:

[Roll No. 57]

AYES—182

Abercrombie	Coyne	Frost
Ackerman	Cramer	Furse
Allen	Cummings	Gejdenson
Andrews	Danner	Gonzalez
Bachus	Davis (FL)	Green
Baesler	Davis (IL)	Gutierrez
Baldacci	DeFazio	Hall (OH)
Barcia	DeGette	Hamilton
Barrett (WI)	Delahunt	Hastings (FL)
Becerra	DeLauro	Hefner
Berman	Dellums	Hilliard
Berry	Deutsch	Hinchee
Bishop	Dicks	Hinojosa
Blagojevich	Dixon	Holden
Blumenauer	Doggett	Hooley
Bonior	Doyle	Horn
Borski	Edwards	Hoyer
Boswell	Engel	Jackson (IL)
Boucher	Eshoo	Jackson-Lee
Brown (CA)	Etheridge	(TX)
Brown (FL)	Evans	Jefferson
Brown (OH)	Farr	John
Capps	Fattah	Johnson (WI)
Carson	Fazio	Johnson, E. B.
Clay	Filner	Kanjorski
Clayton	Flake	Kennedy (MA)
Clyburn	Foglietta	Kennedy (RI)
Conyers	Ford	Kennelly
Costello	Frank (MA)	Kildee

Kilpatrick	Millender-	Schumer
Klecza	McDonald	Scott
Klink	Miller (CA)	Serrano
Kucinich	Minge	Sherman
Lampson	Mink	Skaggs
Lantos	Moakley	Skelton
Largent	Moran (VA)	Slaughter
Lazio	Murtha	Snyder
Levin	Nadler	Stabenow
Lewis (GA)	Neal	Stark
Lipinski	Obey	Stokes
Lofgren	Olver	Stupak
Lowe	Ortiz	Tauscher
Luther	Owens	Thompson
Maloney (CT)	Pallone	Thurman
Maloney (NY)	Pascrell	Tierney
Manton	Pastor	Torres
Markey	Payne	Towns
Martinez	Pelosi	Traficant
Mascara	Peterson (MN)	Turner
McCarthy (MO)	Pomeroy	Velazquez
McCarthy (NY)	Poshard	Vento
McDade	Rahall	Visclosky
McDermott	Reyes	Waters
McGovern	Rivers	Watt (NC)
McHale	Rothman	Waxman
McKinney	Roybal-Allard	Wexler
McNulty	Rush	Weygand
Meehan	Sabo	Wise
Meek	Sanchez	Woolsey
Menendez	Sanders	Wynn
Metcalfe	Sandlin	Yates
	Sawyer	

NOES—237

Aderholt	Emerson	Linder
Archer	Ensign	Livingston
Army	Everett	LoBiondo
Baker	Ewing	Lucas
Ballenger	Fawell	Manzullo
Barr	Foley	McCollum
Barrett (NE)	Forbes	McCrery
Bartlett	Fowler	McHugh
Barton	Fox	McInnis
Bass	Franks (NJ)	McIntosh
Bateman	Frelinghuysen	McIntyre
Bentsen	Gallegly	McKeon
Bereuter	Ganske	Mica
Bilbray	Gekas	Miller (FL)
Bilirakis	Gibbons	Molinari
Bliley	Gillmor	Mollohan
Blunt	Gilman	Moran (KS)
Boehert	Goode	Morella
Boehner	Goodlatte	Myrick
Bonilla	Goodling	Nethercutt
Bono	Gordon	Neumann
Boyd	Goss	Ney
Brady	Graham	Northup
Bryant	Granger	Norwood
Bunning	Greenwood	Nussle
Burr	Gutknecht	Oxley
Burton	Hall (TX)	Packard
Buyer	Hansen	Pappas
Callahan	Harman	Parker
Calvert	Hastert	Paul
Camp	Hastings (WA)	Paxon
Campbell	Hayworth	Pease
Canady	Hefley	Peterson (PA)
Cannon	Henger	Petri
Cardin	Hill	Pickering
Castle	Hillery	Pickett
Chabot	Hobson	Pitts
Chambliss	Hoekstra	Pombo
Chenoweth	Hostettler	Porter
Christensen	Houghton	Portman
Coble	Hulshof	Pryce (OH)
Coburn	Hunter	Quinn
Collins	Hutchinson	Radanovich
Combest	Hyde	Ramstad
Condit	Inglis	Rangel
Cook	Istook	Regula
Cooksey	Jenkins	Riggs
Cox	Johnson (CT)	Riley
Crane	Johnson, Sam	Roemer
Crapo	Jones	Rogan
Cubin	Kelly	Rogers
Cunningham	Kim	Rohrabacher
Davis (VA)	Kind (WI)	Ros-Lehtinen
Deal	King (NY)	Roukema
DeLay	Kingston	Royce
Diaz-Balart	Klug	Ryun
Dickey	Knollenberg	Salmon
Dooley	Kolbe	Sanford
Doolittle	LaHood	Saxton
Dreier	Latham	Scarborough
Duncan	LaTourrette	Schaefer, Dan
Dunn	Leach	Schaefer, Bob
Ehlers	Lewis (CA)	Schiff
Ehrlich	Lewis (KY)	Sensenbrenner

Sessions	Solomon	Tiaht
Shadegg	Souder	Upton
Shaw	Spence	Walsh
Shays	Stearns	Wamp
Shimkus	Stenholm	Watkins
Shuster	Strickland	Watts (OK)
Sisisky	Sununu	Weldon (FL)
Skeen	Talent	Weldon (PA)
Smith (MI)	Tanner	Weller
Smith (NJ)	Tauzin	White
Smith (OR)	Taylor (MS)	Whitfield
Smith (TX)	Taylor (NC)	Wicker
Smith, Adam	Thomas	Wolf
Smith, Linda	Thornberry	Young (AK)
Snowbarger	Thune	Young (FL)

NOT VOTING—13

Clement	Kaptur	Price (NC)
Dingell	Kasich	Spratt
English	LaFalce	Stump
Gephardt	Matsui	
Gilchrest	Oberstar	

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Mr. SOLOMON changed his vote from "aye" to "no."

Mr. VENTO changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GILCREST. Mr. Chairman, on rollcall No. 57, I was unavoidably detained. Had I been present, I would have voted "no."

The CHAIRMAN. The Committee will rise informally to receive a message.

The SPEAKER pro tempore (Mr. LAHOOD) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

WORKING FAMILIES FLEXIBILITY ACT OF 1997

The Committee resumed its sitting.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 105-31.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. MILLER of California:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Paycheck Protection and Family Flexibility Act of 1997".

SEC. 2. IN GENERAL.

Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) is amended to add at the end the following:

"(r)(1) An employee may receive, in accordance with this subsection and in lieu of