

after about 8 o'clock, they start making mistakes. And some of us still have wives that we like to see or spouses that we like to see or children that we enjoy being with. So the threat of staying up all night tonight to talk about a bill that in fact we hope we can come to agreement on shortly rings hollow to me. Let's just do our work and keep calm and we can get this thing solved.

MESSAGES FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, and agrees to the conferences asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. KASICH, Mr. HOBSON, and Mr. SPRATT as managers of the conference on the part of the House.

The message also announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 79. An act to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe.

H.R. 908. An act to establish a Commission on Structural Alternatives for the Federal Courts of Appeals.

H.R. 1019. An act to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys.

H.R. 1020. An act to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest.

H.R. 1420. An act to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes.

H.R. 1439. An act to facilitate the sale of certain land in Tahoe National Forest, in the State of California to Placer County, California.

H.J. Res. 75. Joint Resolution to confer status as an honorary veteran of the United States Armed Forces on Leslie Townes (Bob) Hope.

MEASURES REFERRED

The following bills and joint resolutions were read the first and second times by unanimous consent and referred as indicated:

H.R. 79. An act to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe; to the Committee on Indian Affairs.

H.R. 1019. An act to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the ef-

fects of earlier erroneous land surveys; to the Committee on Energy and Natural Resources.

H.R. 1020. An act to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest; to the Committee on Energy and Natural Resources.

H.R. 1439. An act to facilitate the sale of certain land in Tahoe National Forest, in the State of California to Placer County, California; to the Committee on Energy and Natural Resources.

H.J. Res. 75. Joint resolution to confer status as an honorary veteran of the United States Armed Forces on Leslie Townes (Bob) Hope; to the Committee on Veterans' Affairs.

AMENDMENTS SUBMITTED

THE FAMILY FRIENDLY WORKPLACE ACT

KENNEDY AMENDMENT NO. 368

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to amendment No. 256 proposed by Mr. GRASSLEY to the bill (S. 4) to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes; as follows:

Beginning on page 9, strike line 19 and all that follows through page 10, line 3 and insert the following:

"(9)(A) An employee shall be permitted by an employer to use any compensatory time off provided under paragraph (2)—

"(i) for any reason that qualifies for leave under—

"(I) section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)), irrespective of whether the employer is covered, or the employee is eligible, under such Act; or

"(II) an applicable State law that provides greater family or medical leave rights than does the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.);

"(ii) for any reason after providing notice to the employer not later than 2 weeks prior to the date on which the compensatory time off is to be used, except that an employee may not be permitted to use compensatory time off under this clause if the use off the compensatory time of will cause substantial and grievous injury to the operations of the employer; or

"(iii) for any reason after providing notice to the employer later than 2 weeks prior to the date on which the compensatory time off is to be used, except that an employee may not be permitted to use compensatory time off under this clause if the use of the compensatory time off will unduly disrupt the operations of the employer.

KENNEDY AMENDMENT NO. 369

(Ordered to lie on the table.)

Mr. KENNEDY submitted an amendment intended to be proposed by him to amendment No. 265 proposed by Mr. GORTON to the bill, S. 4, supra; as follows:

On page 7, strike line 13 and insert the following:

"(B) It shall be an unlawful act of discrimination, within the meaning of section 15(a)(3), for an employer—

"(i) to discharge or in any other manner penalize, discriminate against, or interfere with, any employee because—

"(I) the employee may refuse or has refused to request or accept compensatory time off in lieu of monetary overtime compensation;

"(II) the employee may request to use or has used compensatory time off in lieu of monetary overtime compensation; or

"(III) the employee has requested the use of compensatory time off at a specific time of the employee's choice;

"(ii) to request, directly or indirectly, that an employee accept compensatory time off in lieu of monetary overtime compensation;

"(iii) to require an employee to request compensatory time off in lieu of monetary overtime compensation as a condition of employment or as a condition of employment rights or benefits;

"(iv) to qualify the availability of work for which monetary overtime compensation is required upon the request of an employee for, or acceptance of, compensatory time off in lieu of monetary overtime compensation; or

"(v) to deny an employee the right to use, or coerce an employee to use, earned compensatory time off in violation of this subsection.

"(C) An agreement or understanding that is entered".

SPECTER AMENDMENT NO. 370

(Ordered to lie on the table.)

Mr. SPECTER submitted an amendment intended to be proposed by him to the bill, S. 4, supra; as follows:

Beginning on page 6, strike line 20 and all that follows through page 8, line 23 and insert the following:

"(6)(A) An employer that provides compensatory time off under paragraph (2) to an employee shall not—

"(i) directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any employee for the purpose of—

"(I) interfering with the rights of the employee under this subsection to request or not request compensatory time off in lieu of payment of monetary overtime compensation for overtime hours;

"(II) interfering with the rights of the employee to use accrued compensatory time off in accordance with paragraph (9); or

"(III) requiring the employee to use the compensatory time off; or

"(ii)(I) request, directly or indirectly, that an employee accept compensatory time off in lieu of payment of monetary overtime compensation; or

"(II) discriminate by qualifying the availability of work for which overtime compensation is required on the request of an employee for, or the acceptance by an employee of, compensatory time off in lieu of payment of monetary overtime compensation.

"(B) An agreement or understanding that is entered into by an employee and employer under paragraph (3)(A)(ii) shall permit the employee to elect, for an applicable workweek—