''(i) absences of the employee from employment of less than a full workday; or

''(ii) absences of the employee from employment of less than a full pay period,

shall not be considered in making such determination.

''(B) In the case of a determination described in subparagraph (A), an actual reduction in pay of the employee may be considered in making the determination for that employee.

''(C) For the purposes of this paragraph, the term 'actual reduction in pay' does not include any reduction in accrued paid leave, or any other practice, that does not reduce the amount of pay an employee receives for a pay period.

''(2) The payment of overtime compensation or other additions to the compensation of an employee employed on a salary based on hours worked shall not be considered in determining if the employee is an exempt employee described in subsection (a)(1).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of enactment of this Act and shall apply to any civil action—

(A) that involves an issue with respect to section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)); and

(B) in which a final judgment has not been made prior to such date.

(d) PROTECTIONS FOR CLAIMS RELATING TO COMPENSATORY TIME OFF IN BANKRUPTCY PROCEEDINGS.—Section 507(a)(3) of title 11, United States Code, is amended—

(1) by striking ''$4,000'' and inserting ''$6,000'';

(2) by striking ''for—'' and inserting the following: ''except that all accrued compensatory time (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207)) shall be deemed to have been earned within 90 days before the date of the filing of the petition or the date of the cessation of the debtor's business, whichever occurs first, for—''; and

(3) in subparagraph (A), by inserting before the semicolon the following: ''or the value of unused, accrued compensatory time (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207))''.

SEC. ___4. TERMINATION.

The authority provided by this title, and the amendments made by this title, terminates 5 years after the date of enactment of this Act.

PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON ACCESSION OF POLAND, HUNGARY, AND CZECH REPUBLIC

CRAIG EXECUTIVE AMENDMENT NO. 2081

(Ordered to lie on the table.)

Mr. CRAIG submitted an amendment intended to be proposed by him to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) supra; as follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) STATUTORY AUTHORIZATION FOR DEPLOYMENTS IN BOSNIA AND HERZEGVIAN.—Prior to the deposit of the United States instrument of ratification, there must be enacted a law containing specific authorization for the continued deployment of the United States Armed Forces in Bosnia and Herzegovina as part of the NATO mission in that country.

Mr. CRAIG. Mr. President, today I am filing an amendment related to the resolution of ratification for the proposed expansion of the North Atlantic Treaty Organization.

Last May, President Clinton publicly embraced the idea of a ''new NATO'' mission. It is my concern that the President's vision of a new NATO will signal the end of NATO as a defensive alliance and begin its role as a regional peacekeeping organization. The President declared:

We are building a new NATO. It will remain the strongest alliance in history, with smaller, more flexible forces, prepared to provide for our defense, but also trained for peacekeeping. It will work closely with other nations that share our hopes and values and interests through the Partnership for Peace. It will be an alliance directed no longer against a hostile bloc of nations, but instead designed to advance the security of every democracy in Europe—NATO's old members, new members, and non-members alike.

I cannot support the President's call for a new NATO to be the de facto regional peacekeeper in Europe. President Clinton's peacekeeping operation in Bosnia has been going on for more than two years, without authorization from Congress, with costs mounting far above every estimate, and with mission end-dates repeatedly broken. The mission in Bosnia is now just what we were promised it would not be: an unauthorized, open-ended, no end-date, nation building deployment with no withdrawal criteria.

In 1995, President Clinton vowed that the U.S. troop deployed to Bosnia ''should and will take about one year.'' Three years, and $8 billion later, the Administration now admits ''we do not propose a fixed end date for the deployment.'' Will the expansion of NATO be a green light for other unauthorized, open-ended, and cost missions for the U.S.?

Today I am filing an amendment which provides that before the President can deposit the instruments of ratification for NATO expansion he must receive authorization for the Bosnia mission. Let me be clear on one point: this is NOT a ''war power'' amendment. This does not say he cannot continue the deployment in Bosnia without authorization, nor does it cut off funds for that mission, nor does it set an end-date for that mission, nor does it establish withdrawal criteria. It does, however, require the President to cooperate with Congress to set reasonable parameters for that mission before he gets a blank check—like a ''new NATO ''—for more just out of area, out of Article 5 missions.

Membership in NATO is a commitment of U.S. blood. This is a responsibility that I do not take lightly. For the sake of our men and women serving in this dangerous and volatile region, the mission in Bosnia ought to be authorized by Congress.

CRAIG (AND HUTCHISON) EXECUTIVE AMENDMENT NO. 2082

(Ordered to lie on the table.)

Mr. CRAIG (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by them to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) supra; as follows:

In section 3(2)(A), strike ''Prior'' and insert ''Subject to subparagraph (C), prior''.

In section 3(2)(B)(i), strike ''Not'' and insert ''Subject to subparagraph (C), not later than 180 days after the date of adoption of this resolution, and not''.

At the end of section 3(2), add the following new subparagraph:

(C) RESOLUTION OF APPROVAL.—

(i) IN GENERAL.—Prior to the date of deposit of the United States instrument of ratification, the Senate has adopted a resolution, by an affirmative vote of two-thirds of the Senators present and voting, stating in substance the approval of the certification under subparagraph (A), and the first report required to be submitted under subparagraph (B).

(ii) PROCEDURES.—A resolution described in subparagraph (A)(ii) that is introduced on or after the date of certification under subparagraph (A)(i) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

Mr. CRAIG. Mr. President, today I am filing an amendment to the resolution of ratification for the proposed expansion of the North Atlantic Treaty Organization.

As the Senate begins debate about expansion, I think it is fair to say that most Senators—whether they favor, oppose, or are undecided about the proposed treaty revision—can all agree that the issue of cost to the U.S. taxpayer is of great concern. Unfortunately, these costs are yet to be determined. The Administration claims the NATO expansion bill for the U.S. will be approximately $1 billion. On the other hand, the Congressional Budget Office contends it will cost taxpayers $125 billion. Given the enormous discrepancy between the estimates, it only makes sense that we know what actual costs will be before we make an irrevocable decision to enlarge NATO.

I would like to commend the Foreign Relations Committee for their fine work in crafting language detailing American cost obligations to NATO. However, there seems to be one problem: all of this cost related information will be made available to Congress only after the Senate's advice and consent to expansion is final and irrevocable. That means if the information is not satisfactory to the Senate, we will have no recourse.

The amendment I am filing simply provides that the Congress has the fullest possible information as to what we will pay for, before we commit to the United States to this tremendous political and economic decision by requiring a Senate vote of approval related to cost, benefits, burden-sharing, and military implications of NATO enlargement prior to the President depositing the instruments of ratification.