Mr. ALEXANDER. I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

COMMERCE-JUSTICE APPROPRIATIONS

Mr. ALEXANDER. Madam President, I regret to report that the conference committee for the Commerce-Justice-Science appropriations bill has been indefinitely postponed. I wanted to take just a few minutes and say from my point of view why it has been postponed and to express my hope that it can be put back on track soon, in the regular order, and that we can move ahead and deal with it.

The Commerce-Justice appropriations bill includes funding for the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives. It includes appropriations for NASA, for the National Science Foundation, and the U.S. Commission on Civil Rights.

Here is what has happened. It is important for my colleagues to know this. The reason the Appropriations Committee conference has been postponed is because the Speaker of the House objects to an amendment which I offered in the Appropriations Committee, which was adopted by the committee, adopted by the full Senate, and which the House of Representatives instructed its conferees to approve. I have been told that unless I agree not to bring the amendment up in conference, the conference will not meet.

Let me describe the amendment. I believe most Americans will be surprised to learn what its subject is. The amendment I offered in the Senate Appropriations Committee is an amendment to make clear that it is not against the Federal law for an employer to require an employee to speak English on the job. Let me say that again. My amendment, which was adopted by this Senate, was to make it clear that it is not against the Federal law for an employer to require an employee to speak English on the job. That was adopted by the Appropriations Committee. Among those voting for it were the chairman of the Appropriations Committee, Senator *Byrd*, and the ranking Republican member, Senator *Cochran*. When it went to the House, there were two votes on it, but the second vote had the House, as a majority, instructing its conferees to agree with the Senate position and make it the Federal law.

Why did I offer such an amendment? I offered the amendment because the Equal Employment Opportunity Commission, a Federal agency, has determined that it is illegal for an employer in this country to require employees to speak in English while working. As a result, the EEOC has sued the Salvation Army, for example, for damages because one of the Salvation Army thrift stores in Boston required its employees to speak English on the

job. The EEOC says this is a discrimination in violation of the Civil Rights Act of 1964. It says, in effect, that unless the Salvation Army can prove this is a business necessity, it can't require its employees to speak English.

In plain English, this means that thousands of small businesses across America--the shoe shop, the drugstore, the gas station--any company would have to be prepared to make their case to the Federal agency--and perhaps hire a lawyer--to show there is some special reason to justify requiring their employees to speak our country's common language on the job. I believe this is a gross distortion of the Civil Rights Act, and it is a complete misunderstanding of what it means to be an American.

I do not say this lightly. Since the 1960s, in Tennessee, at a time when it was not popular, I have supported, I believe, and voted for, when I have been in a position to do it, every major piece of civil rights legislation that has come down the road from the early days. I believe in that passionately. I remember the 1964 Civil Rights Act and the Voting Rights Act and all those important pieces of Federal and State legislation which have made a difference to equal rights in our country. But I cannot imagine that the framers of the 1964 Civil Rights Act intended to say that it is discrimination for a shoe shop owner to say to his or her employee: I want you to be able to speak America's common language on the job. That is why I put forward an amendment to stop the EEOC from filing these lawsuits.

That is why the Senate Appropriations Committee agreed on June 28 to approve my amendment. That is why the full Senate on October 16 passed a bill including my amendment. That is why the full House of Representatives voted to instruct its conferees to agree with the Senate on November 8. That is why, I believe, that the Senate-House conference on this appropriations bill should include the amendment in the conference report so it can become law.

Let me step back for a minute and try to put this small amendment in a larger perspective. Our country's greatest accomplishment is not our diversity. Our diversity is magnificent. It is a source of great strength. Our country's greatest accomplishment is that we have turned all that magnificent diversity into one country. It is no accident that on the wall above the Presiding Officer are a few words that were our original national motto: E Pluribus Unum, one from many, not many from one.

Looking around the world, it is worth remembering that it is virtually impossible to become Chinese, or to become Japanese, or to become German, or to become French. But if you want to be a citizen of the United States of America, you must become an American. Becoming an American is not based on race. It cannot be based upon where your grandparents came from. It cannot be based upon your native religion or your native language. Our Constitution makes those things clear. In our country, becoming an American begins with swearing allegiance to this country. It is based upon

learning American history so one can know the principles in the Constitution and the Declaration of Independence.

The late Albert Shanker, the head of the American Federation of Teachers, was once asked what is the rationale for a public school in America? He answered: The rationale for public schools is that they were created in the late part of the 19th century to help mostly immigrant children learn the three Rs and what it means to be an

American, with the hope that they would go home and teach their parents the principles in the Constitution and the Declaration that unite us.

Our unity is based upon learning our common language, English, so we can speak to one another, live together more easily, and do business with one another. We have spent the last 40 years in our country celebrating diversity at the expense of unity. It is easy to do that. We need to spend the next several years working hard to build more unity from our magnificent diversity. That is much harder to do. One way to create that unity is to value, not devalue, our common language, English. That is why in this body I have advocated amendments which have been adopted to help new Americans who are legally here have scholarships so they can learn our common language.

I have worked with other Members of this body on the other side of the aisle to take a look at our adult education programs which are the source of funding for programs to help adults learn English. There are lines in Boston and lines in Nashville of people who want to learn English. We should be helping them to learn English. We could not spend too much on such a program.

That is why with No Child Left Behind, one of the major revisions we need to do is related to children who need more help learning English, because that is their chance in their school to learn our common language, to learn our country's principles and then to be even more successful.

Not long ago, before Ken Burns's epic film series on World War II came on television, my wife and I went to the Library of Congress to hear him speak and to see a preview of the film. He was talking, of course, about World War II and that period of time. It was during World War II, he said, that America had more unity than at any other time in our history, which caused me to think, as I think it must have caused millions of Americans to think: What have we done with that unity since World War II? Our pulling together since then, our working as one country has been the foundation of most of our great accomplishments.

That is the reason we have the greatest universities, that is the reason we have the strongest economy, that is the reason we still have the country with

the greatest opportunity. Quoting the late Arthur Schlesinger, in Schlesinger's 1990s book which was called ``The Disuniting of America,'' Ken Burns told us that: Perhaps what we need in America today is a little less pluribus and a little more unum.

I believe Ken Burns's quote of Arthur Schlesinger is right about that. One way to make sure we have a little more unum, a little more of the kind of national unity that is our country's greatest accomplishment, is to make certain we value our common language, that we help children learn it, that we help new Americans learn it, that we help adults who do not know it to learn it, and that we not devalue it by allowing a Federal agency to say it is a violation of Federal law for an employer in America to require an employee to speak English on the job.

I yield the floor, and I suggest the absence of a quorum.