INTRODUCTION OF THE FAIR PAY ACT OF 2001

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Ms. NORTON. Mr. Speaker, today Senator TOM HARKIN and I are introducing the Fair Pay Act of 2001, a bill that would require employers to pay equal wages to women and men performing equivalent work but not the same work in an effort to remedy the pay inequities that women continue to endure. We introduce this bill simultaneously in both Houses as an indication of the preeminent importance many American families attach to equal pay today.

A recent Labor Department study, requested by Senator HARKIN and voted by Congress last term bolsters the goals of the Fair Pay Act (FPA). The Labor Department studied wage trends among federal contractors. Its conclusions are far more important than the perhaps predictable finding that the gender gap for federal contractors is about the same as it is for U.S. employers as a whole. The most important Labor Department finding is that the major cause of the pay gap is the segregation of women into female-gender occupations. The Department makes the startling finding that, ''Since 1979, the contribution of occupational segregation to the pay gap has jumped from explaining 18 to 46 percent of the gap.'' This finding virtually demonstrates our Fair Pay Act claim that the only way to combat pay discrimination today is to attack directly the practice of paying women less because they are doing ''women's work.'' We cannot come to grips with the pay problems of the average American family without confronting the reality that the average woman works in an occupation that is 70 percent female, while the average man works in an occupation that is 29 percent female. Pay tracks gender.

Today, many more women have equivalent pay problems than traditional equal pay problems, thanks to the 1963 Equal Pay Act. Important as it is to update the EPA, it has been clear, at least since I chaired the EEOC in the Carter Administration, that the EPA needs major revision to cope with the stubborn pay problems that trap most women and their families. The Fair Pay Act accomplishes the necessary revision without tampering with the market system. A woman would file a discrimination claim but, as in all discrimination cases, she would have to prove that the reason for the gap between herself and a male co-worker doing equivalent work in the same workplace is discrimination and not other reasons, such as legitimate market factors. Gender, of course, is not a legitimate market factor.

The good news from the Labor Department study is that gender segregation has fallen since 1970 because women with greater opportunities have moved into traditionally male occupations. The bad news is that there is a limit to how much we want to encourage teachers, nurses, factory workers, librarians, and other indispensable workers to abandon these vital occupations in order to be paid a decent wage. The frightening flight of women from vital work and occupations has left children without teachers, hospitals without nurses, and communities and employers without other vital workers.

The Fair Pay Act recognizes that if men and women are doing comparable work, they should be paid a comparable wage. If a woman is an emergency services operator, a female-dominated profession, she should be paid no less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female occupation, she should not earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the Equal Pay Act (EPA), will not tamper with the market system. As with the EPA, the burden will be on the plaintiff to prove discrimination. She must show that the reason for the disparity is sex or race discrimination, not legitimate market factors.

As women's employment has become an increasingly significant factor in the real dollar income of American families, fair pay between the sexes has escalated in importance. There are remaining Equal Pay Act problems in our society, but the greatest barrier to pay fairness for women and their families today is a line drawn in the workplace between men and women doing work of comparable value. I ask for your support of the Fair Pay Act to pay women what they are worth so that their families may get what they need and deserve.

INTRODUCTION OF THE COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

HON. MARK UDALL

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 3, 2001

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Colorado Northern Front Range Mountain Backdrop Protection Study Act.

The bill intended to help local communities identify ways to protect the Front Range Mountain Backdrop in the northern sections of the Denver-metro area, especially the region just west of the Rocky Flats Environmental Technology site. The Arapaho-Roosevelt National Forest includes much of the land in this backdrop area, but there are other lands involved as well.

Rising dramatically from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. The portion of the range within and adjacent to the Arapaho-Roosevelt National Forest also includes a diverse array of wildlife habitats and provides many opportunities for outdoor recreation.

The open-space character of this mountain backdrop is an important esthetic and economic asset for adjoining communities, making them attractive locations for homes and businesses. But rapid population growth in the northern Front Range area of Colorado is increasing recreational use of the Arapaho-Roosevelt National Forest and is also placing increased pressure for development of other lands within and adjacent to that national forest.

We can see this throughout Colorado and especially along the Front Range. Homes and shopping centers are sprawling up valleys and along highways that feed into the Front Range. This development then spreads out along the ridges and mountain tops that make up the backdrop. We are in danger of losing to development many of the qualities that have helped attract new residents. So, it is important to better understand what steps might be taken to avoid or lessen that risk—and this bill is designed to help us do just that.

Already, local governments and other entities have provided important protection for portions of this mountain backdrop, especially in the northern Denver-metro area. However, some portions of the backdrop in this part of Colorado remain unprotected and are at risk of losing their open-space qualities. This bill acknowledges the good work of the local communities to preserve open spaces along the backdrop and aims to assist further efforts along the same lines.

The bill does not interfere with the authority of local authorities regarding land use planning. It also does not infringe on private property rights. Instead, it will bring the land protection experience of the Forest Service to the table to assist local efforts to protect areas that comprise the backdrop. The bill envisions that to the extent the Forest Service be involved with federal lands, it will work in collaboration with local communities, the state and private parties.

Mr. Speaker, I strongly believe it is in the national interest for the federal government to assist local communities to identify ways to protect the mountain backdrop in this part of Colorado. The backdrop beckoned settlers westward and presented an imposing impediment to their forward progress that suggested similar challenges ahead. This first exposure to the harshness and humbling majesty of the Rocky Mountain West helped define a region. The pioneers' independent spirit and respect for nature still lives with us to this day. We need to work to preserve it by protecting the mountain backdrop as a cultural and natural heritage for ourselves and generations to come. God may forgive us for our failure to do so, but our children won't.

For the information of our colleagues, I am attaching a fact sheet about this bill.

COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP PROTECTION STUDY ACT

Generally: The bill would help local communities preserve the Front Range Mountain Backdrop in the northern sections of the Denver-metro area in a region generally west of the Rocky Flats Environmental Technology site.

Front Range Mountain Backdrop: The backdrop consists of the mountainous foothills, the Continental Divide and the peaks in between that create the striking visual backdrop of the Denver-metro area and throughout Colorado. Development in the Denver-metro area is encroaching in the Front Range backdrop area, and thus adversely affecting the esthetic, wildlife, open space and recreational qualities of this geographic feature. Now is the time to shape the future of this part of the Front Range. There is a real but fleeting opportunity to protect both Rocky Flats—a ''crown jewel'' of open space and wildlife habitat—and to assist local communities to protect the scenic, wildlife, and other values of the mountain backdrop.

WHAT THE BILL DOES

Study and Report: The bill requires the Forest Service to study the ownership patters of the lands comprising the Front Range Mountain Backdrop in a region generally

west of Rocky Flats, identify areas that are open and may be at risk of development, and recommend to Congress how these lands might be protected and how the federal government could help local communities and residents to achieve that goal.

Lands Covered: The bill identifies the lands in southern Boulder, northern Jefferson and eastern Gilpin Counties in the Second Congressional District, specifically, an area west of Rocky Flats and west of Highway 93, south of Boulder Canyon, east of the Peak-to-Peak Highway, and north of the Golden Gate Canyon State Park road.

WHAT THE BILL WOULD NOT DO

Affect Local Planning: The bill is designed to complement existing local efforts to preserve open lands in this region west of Rocky Flats. It will not take the place of—nor disrupt—these existing local efforts.

Affect Private Property Rights: The bill merely authorizes a study. It will not affect any existing private property rights.

Affect the Cleanup of Rocky Flats: The bill would not affect the ongoing cleanup and closure of Rocky Flats nor detract from funding for that effort, and will not affect existing efforts to preserve the options for wildlife and open space protection of Rocky Flats itself.