

most challenging and rewarding experiences of their lives.

Jackie brings an enormous amount of leadership, service, and dedication to the incoming class of midshipmen. During Jackie's high school career, she received honors in chemistry and chose to enroll and excel in Advanced Placement courses.

Outside the classroom, Jackie demonstrated her dedication and service to her community and peers by being active in the Race for the Cure, the Diabetes Research Walk, Meals on Wheels, and other fund raising and relief efforts to assist those less fortunate. Jackie utilized her leadership skills during her participation in Anthony Wayne High School's FCCLA, track, choir, theater, softball and as captain of the cheerleading squad.

Madam Speaker, I ask my colleagues to join me in congratulating Jacqueline Crawford on her acceptance of appointment to the United States Naval Preparatory School. Our service academies offer the finest military training and education available. I am positive that Jackie will excel during her career at the Naval Academy and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the Nation.

ON THE INTRODUCTION OF THE
FAIR PAY ACT OF 2009

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 2009

Ms. NORTON. Madam Speaker, the first bill that President Barack Obama signed was H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009 to restore the Equal Pay Act (EPA) to its interpretation since it was enacted in 1963. That bill could not wait until today, Equal Pay Day. Equal Pay Day marks the day nearly four months into a new year—that women must work to earn as much as men did last year. However, although the EPA was highly successful for close to 20 years, the EPA had grown so creaky with age that the Ledbetter Act could do no more than resuscitate the old EPA. However, it is long past the time to amend the EPA to meet the changed economy, where women work as much as men, and in today's troubled economy women are increasingly supporting husbands, sons and families. My House colleague ROSA DELAULO and I, and scores of other Members got the House to pass the Paycheck Fairness Act and on Equal Pay Day, we urge the Senate to pass the Paycheck Fairness Act. Congresswoman ROSA DELAULO and I have long pressed for the passage of the Paycheck Fairness Act and both of us testified at its first hearing before the Committee on Education and Labor during the 110th Congress. My own experience as chair of the Equal Employment Opportunity Commission (EEOC), when President Jimmy Carter moved the EPA and other civil rights statutes to the EEOC as parts of a historic reorganization, demonstrated to me both the strengths and the weakness of the EPA.

As important as the Ledbetter Act, was it is only a gate opener to the EPA. The Paycheck Fairness Act, passed in the House this session is also an important update of the EPA's basic procedures, giving them "the same mus-

cle" as other anti-discrimination statutes, including Title VII of the 1964 Civil Rights Act and the age Discrimination in Employment Act, both of which I administered along with the Equal Pay Act. However, the Fair Pay Act (FPA) goes the next step, putting an end to wage discrimination against women and others by establishing equal pay for equal work. This bill recognizes that women earn significantly less than men for work, and amends the Fair Labor Standards Act of 1938, known as the Equal Pay Act, to provide more effective remedies to victims of wage discrimination on the basis of sex. The Paycheck Fairness Act instructs the Equal Employment Opportunity Commission (EEOC) and the Office of Federal Contract Compliance Programs to train EEOC employees and affected individuals and entities on matters involving wage discrimination and authorizes the Secretary of Labor to fund skills training programs for girls and women. The bill further directs the Secretary to provide studies, information, summits, guidelines, awards and assistance for employer evaluations of job categories based on objective criteria.

Therefore, with Senator TOM HARKIN, I am pleased again to introduce the FPA to pick up where the EPA leaves off, by bringing the EPA into the 21st century by taking on sex segregated jobs where gender influenced wages leave the average woman worker without any remedy.

The FPA sends a message to the average woman worker, who is often steered to and then locked into a job with wages that are deeply influenced by the gender of those who have traditionally held those jobs. Women often are used inconsistent with their qualifications today because of employer steering, and because of deeply rooted wage stereotypes that result in pay according to gender and not according to the skills, effort, responsibility and working conditions necessary to do the job. We introduce the FPA because the pay problems of many women today stem from sex segregation between the jobs that women and men traditionally do. Two-thirds of white women, and three quarters of African American women, work in just three areas: sales and clerical, service, and factory jobs despite women's superior education to men for several decades. Only a combination of more aggressive strategies, including the Paycheck Fairness Act and the Fair Pay Act can break through the ancient societal habits present throughout human time the world over, as well as employers steering women into "women's jobs" which is as old as paid employment for women itself.

The FPA recognizes that, if men and women are doing comparable work, they should be paid a comparable wage. For example, if a woman is an emergency services operator, a female-dominated profession, why is she often paid considerably less than a fire dispatcher, a male-dominated profession? Is this because each of these jobs has been dominated by one sex? The Fair Pay Act does not decide this issue, but the bill does allow women to show that some or all of the wage disparity is gender based. The burden is on the female plaintiff, a difficult case to make in a market economy, but women deserve the right to carry that burden in appropriate cases.

The FPA, no more than the EPA, tampers with our market system. As with the EPA, the burden will be on the plaintiff to prove discrimi-

nation. As with the EPA, she must show that the reason for the disparity is sex discrimination, not legitimate market factors.

Corrections to achieve comparable pay for men and women are not radical or unprecedented. State employees in almost half of the state governments, in red and blue states alike, have already demonstrated that the pay gap that is due to discrimination can be eliminated. Twenty states have adjusted wages for women state employees, raising pay for teachers, nurses, clerical workers, librarians, and other female-dominated jobs that paid less than men with comparable jobs. Minnesota, for example, implemented a pay equity plan when they found that similarly skilled female jobs paid 20% less than male jobs. There often will be some portion of the gap that is traceable to market conditions, but twenty states have shown that you can tackle the discrimination gap without interfering with the free market system. The states generally have closed the discrimination gap over a period of four or five years at a one-time cost no more than three to four percent of payroll.

In addition, routinely, many women workers achieve pay equity through collective bargaining. In addition countless employers on their own, as they see women shifting out of vital female-dominated occupations, the effects of the shortage of workers in vital occupations, and the unfairness to women, are raising women's wages with pay equity adjustments. The best case for a strong and updated EPA with at least the Paycheck Fairness Act occurred here in the Congress in 2003, when women custodians in the House and Senate won an EPA case after showing that women workers were paid a dollar less for doing the same and similar work as men. Had they not been represented by their skillful and dedicated union, they would have had an almost impossible task using the rules for bringing and sustaining an EPA class action suit today. The FPA simply modernizes the EPA to make such a suit more possible by women acting alone.

Start where we like, but Congress should be ashamed to let another year go by while working families lose more than \$200 billion annually—more than \$4,000 per family—even considering education, age and hours of works and location. Unequal pay has been built into the way women have been treated since shortly after Adam and Eve. To dislodge such deep seated and pervasive treatment, we must update old vehicles like the EPA with the Paycheck Fairness Act and create new laws, such as the Fair Pay Act I introduce today.

HONORING CHARLES WILSON
ANDREWS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Charles Wilson Andrews a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 205, and in earning the most prestigious award of Eagle Scout.

Charles has been very active with his troop participating in many scout activities. Over the