

women are not treated fairly. The legislation we are working on enables women to fight against wage discrimination while also preventing retaliation against employees who discuss salary information. Before Lilly Ledbetter and even today if you discuss what someone else makes you can be fired. That is the way it is in most places in America. It would finally give much needed assistance to victims of gender-based pay discrimination.

Simply put, the Paycheck Fairness Act gives American women the fair shot they deserve. Unfortunately, efforts to address this issue have not been well received by Republicans. A similar bill addressing equal pay—despite a Republican filibuster—passed Congress and the Congress before that. Let's hope the third time is a charm for American women. Let's hope Republicans will finally do what is right.

In any other circumstance Republicans would be up in arms with this type of economic discrimination—I would hope. They should be up in arms in terms of equal pay for women also. Why is it that so many Republicans are content to allow women working the same hours in the same job to make less money than their male coworkers? It is hard to comprehend, since women make up nearly half the U.S. labor force and more than half of the people enrolled in college. We are finding that the majority of students enrolled in professional schools, law schools, medical schools are women. Is it reasonable to assume that women should be treated unfairly? Is it reasonable to assume that Republicans in this body have wives, daughters or sisters who are or will be affected by this wage disparity and shouldn't we do something about it?

I urge my colleagues to keep those loved ones—people such as my daughter and my many granddaughters—in their minds and in their thoughts when considering the question of equal pay for women. We will have the first vote the day after tomorrow. We will have this vote. To do otherwise would simply be unfair.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

NCAA CHAMPIONSHIP KUDOS

Mr. MCCONNELL. Mr. President, I wish to take a minute to congratulate the Kentucky Wildcats for an extraordinary season. My home State has held on to the NCAA national championship trophy for the past 2 years, with the Louisville Cardinals claiming it last year and the Kentucky Wildcats winning it in 2012. John Calipari's young Wildcats started five freshmen who played like seasoned veterans and made an incredible run that captivated both our State and the Nation.

While the Commonwealth will now relinquish the trophy to Connecticut, I only ask that my colleagues, Senator MURPHY and Senator BLUMENTHAL, see to it that the trophy remains in pristine condition—pristine condition—as

my State will undoubtedly reclaim it next year.

JOB CREATION SOLUTIONS

Mr. President, America's middle class is struggling. They need serious job creation solutions, but that is not what they have been getting from the President. He seems more intent on staging campaign-style rallies to bemoan an economy he has been presiding over for the last 5½ years, not to offer solutions but more to do what he does best, which is to shift the blame to others.

Meanwhile, yesterday in the Senate Republicans were hoping the majority leader would finally work with us to pass a job creation package that contains ideas from many of our Members—legislation with provisions several key Democrats support as well—but that is not what the majority leader chose to do. Instead of focusing on jobs, he launched into another confusing attack on the left's latest bizarre obsession.

Think about that. The percentage of Americans in the workforce is almost at a four-decade low, and Democrats chose to ignore serious job creation ideas so they could blow a few kisses to their powerful pals on the left.

At a time when so many Americans are desperate—desperate for a good job, at a time of fewer opportunities, people are hurting, college graduates cannot find a job, working families cannot afford to pay their bills—what Americans need right now are real job creation solutions, not some tone-deaf, blame-deflection rally or some daily bout of shadow boxing on the Senate floor.

Some say this is all embarrassing, but there is one positive side to the Washington Democrats' never-ending political road show. It throws the divide between the two parties into stark relief. On the one side we have a Washington Democratic Party that simply has run out of ideas. When it comes to fixing the economy, they have tried just about everything their ideology will allow: taxing, regulating, spending, stimulating, you name it, and none of it has worked. So at this point they have basically dropped any pretense of doing anything serious on the economy. That is why we heard them essentially admit that their governing agenda is actually a political document drafted by campaign staff, that the proposals it contains are basically just show votes designed specifically not to pass. So that is one side of American politics: a party that is out of ideas, campaign-obsessed, and utterly beholden to the far left.

On the other side we have a Republican Party that is committed to getting our economy working for the middle class. We believe in the power of ideas, and we know that with the right forward-looking policies we can and will break through the stagnation of the Obama economy. The Republicans' focus is on offering more opportunity to the middle class and those who aspire to it. Our focus is on offering inno-

vative ways to generate the kind of stable, well-paying jobs that Americans actually want. We also know we can get more done as a country if both parties can work together to see these policies through and leave behind the sterile campaign theatrics that have been on daily display in the Senate under the Democratic majority.

I am asking our Democratic colleagues to consider dropping all the show votes, the blame deflecting, and the perpetual campaigning. What I am asking is for them to consider shifting from policies that don't work—in other words, what they have been trying for the last 5½ years—to ones that will. Every Senator was sent here to get things done for our constituents, and we can. We can pass a positive jobs agenda for the American people. All we need is for Washington Democrats to work with us for a change.

I have one other item. This morning IRS Commissioner Koskin will testify before the Finance Committee. I am sure Members will be reminding him of this, and I know several sent a letter yesterday too. But I would like to underline the point. Commissioner Koskin led Congress to believe that his agency will not be imposing anti-free speech rules before this November's election. It is a point he basically reiterated again just the other day, so Congress plans to hold him to what he has been leading the American people to believe.

Honestly, what he really needs to do is to stop the IRS from stepping on the First Amendment all together. He needs to stop this proposed regulation just as the Secretary of the Treasury told us he could do if he wanted. In fact, the House of Representatives recently voted to halt it too.

Remember, tens of thousands of Americans made their opinions known directly to the IRS about this regulation. It was an unprecedented response and nearly all of the comments were opposed. The comments came from straight across the political spectrum.

Commissioner Koskin needs to live up to what we told the Senate when we confirmed him when he led us to believe he would be an independent voice for reform. As I said before, Commissioner Koskin has a choice. He can be a hero—like the IRS commissioner who stood up to President Nixon—or he can be another pawn of this administration. Both Congress and the American people expect him to make the right decision.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to

speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

### PAYCHECK FAIRNESS ACT

Mr. DURBIN. Mr. President, my wife and I are blessed with a son and daughter who are good people, hard workers with good values. We basically believe the following: If they did the same job, they deserve the same pay—my daughter and my son. Most Americans agree with that. People should be judged on what they do, their performance, their productivity, not on their gender. That is at the heart of the issue pending before the Senate at this moment.

Tomorrow we will take a vote. It is a procedural vote, so it takes 60 Senators to vote to move forward on what is known as the Paycheck Fairness Act. We have 55 Democrats. The simple math tells you that unless five Republican Senators join us to move forward on this issue, that is the end of the story. It would be unfortunate if it is the end of the story.

The Paycheck Fairness Act amends the Equal Pay Act to discourage discrimination based on gender and to help narrow the pay gap in America. No. 1, the bill provides women the same remedies for sex-based pay discrimination that are available to people today based on racial or national origin discrimination. No. 2, the bill prohibits retaliation against workers who disclose their wages. Think about that for a second.

Lilly Ledbetter worked in a tire factory in Alabama for years. Toward the end of her work life, she received an anonymous note that said: Lilly, you have been underpaid. You have been making less than the men do in the same job in this plant since you have been here. She was crushed. She thought she was a valued employee. No one ever questioned the quality of her work, and she was being paid less than the men doing the same job at her factory.

She filed a lawsuit, and it made it all the way to the Supreme Court—across the street. Not surprisingly, this conservative, business-oriented, Republican-oriented Supreme Court said: Sorry, Ms. Ledbetter. You should have reported that pay discrimination when it first started. Well, why didn't she? She didn't know. How could she know? Payroll information is not published—except perhaps for government employees. That payroll information was not available to her to file the lawsuit when it first occurred. When she found out about it, she filed the lawsuit across the street, and the learned Supreme Court said: Too late.

So we changed the law. The very first law signed by the President of the United States Barack Obama was the Lilly Ledbetter Fair Pay Act, which said that Lilly Ledbetter and women just like her across America, deserve

an opportunity for equal pay for equal work. What we have before us today—this Paycheck Fairness Act—is an effort to make sure that law is strong and helps women across America.

No. 1, it says that women cannot be discriminated against in the workplace simply because they are women. No. 2, you can't threaten retaliation if one worker tells another what the pay is at that particular place of work. No. 3, it adds programs for training, research, technical assistance, and awards to recognize pay equity employers.

The Equal Pay Act was signed into law almost 50 years ago, but the pay gap between men and women in America is just about the same today as it was then. According to the U.S. Census Bureau—as we heard over and over—women earn 77 cents for every dollar earned by men. African-American women make 70 cents on the dollar, and Hispanic women make about 60 cents on the dollar.

In my State of Illinois, 37 percent of married employed mothers are their family's primary wage earners. Yet they face the same income disparity. It turns out to be a yearly gap of \$11,596 on average between men and women who work full time in my State. That is what the disparity in pay between men and women means in the State of Illinois. It is not just less take-home pay for women doing the same job, it means fewer Social Security benefits when they retire. They are not earning at the same level as men. They pay for this discrimination for a lifetime.

The National Partnership for Women and Families found that ending this wage gap would provide women in my State with additional earnings that would be the equivalent of 97 weeks of food, 13 months of rent, 7 months of mortgage payments or 3,000 gallons of gas. It is a big deal for a struggling family—particularly for a woman who is a struggling wage earner in Illinois.

Regardless of occupation, education, industry or marital status, pay for women in my State lags behind their male counterparts. Women in Illinois who work in business and financial management earn 72 percent of their male counterpart's salary. That is what is before the Senate.

Is it wrong? Yes, it is. Are we prepared to say so in legislation? Tune in tomorrow and find out whether five Republicans will join us to raise this issue of pay fairness for women across America.

I am not encouraged by the statement that was just made on the floor by the Senate Republican leader. He referred to this whole conversation about paycheck fairness and minimum wage increases—so that people who go to work every single day do not live in poverty—as “the left's latest bizarre obsession.” He said that we were blowing a few kisses to our powerful pals on the left with this legislative agenda. He called it tone deaf, blame deflection, and shadow boxing on the Senate floor.

The Senate Republican leader said the divide between the two parties is in

stark relief. He is right. He went on to say: We should drop any pretense of doing anything serious in this Chamber if this is what we are going to discuss.

How serious is equal pay for equal work to working people across America? I think it is critical. It is one thing for the Senate Republican leader to talk about job creation. We all want it. We are desperate for it. We are moving toward it in many different ways, but let's talk to those who are working and have jobs and whether they are paid fairly. Is that important to them? Of course.

Simply having a job may be important, but when you get to the heart of it, people want to be rewarded for good work. They don't want to work 40 hours a week, get up every morning, get on the bus in the dark, put their kids in their neighbor's house for daycare, head to their job, and at the end of the week realize they are still living in poverty. And that is what today's minimum wage does.

The women on those buses and the CTA trains that we see every morning in Chicago, with their shopping bags full of the basics so they can go to work and leaving their kids behind, want to believe they will be paid fairly for what they do. That is not much to ask.

According to the Republican leader, it shows the stark contrast between the two parties. It is a stark contrast. The Republican leader says that we want to work for a commitment to jobs and focus on the power of ideas. I want to focus on the power of an idea too. It is the idea of fairness and fair play. It is as basic as being an American, to believe that people ought to be treated fairly, and that when they do the same work they are entitled to the same pay. That is not too much to ask. In fact, we should demand it.

I suppose we are going to have a critical, historic vote tomorrow. I am hoping five—just five—Republicans will step up on behalf of working women across America and join us on this Paycheck Fairness Act. Without them, this idea will die for now, but it is not going to die forever. The American people have the last word. They will have it in the election. They can decide if this is important. They can decide whether—as the Republican leader said—this is just a bizarre obsession on the part of the left to think of fair pay for the same work. I think it is pretty basic to America.

This is our chance. Paycheck fairness and a minimum wage to keep people who get up and go to work every day out of poverty are fundamental to a good workplace and a workforce across America which is respected by the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Texas.