

Social Security enables millions of Americans to make ends meet, including retired and disabled workers, and the families of deceased workers. It is a program that working folks have been paying into their entire working lives.

Despite the agency's effectiveness, funding cuts have created a massive, and in some cases life-threatening, backlog.

The national average wait time for a Social Security Disability Insurance benefits hearing is 535 days. And last year, Philadelphia, in my State, had the longest average wait time in the country: 26 months. One West Philadelphia woman with multiple sclerosis waited 878 days before getting a favorable ruling.

Given this reality, I am truly alarmed that, rather than fully funding Social Security, the President's budget is consistently hundreds of millions of dollars less than what Congress enacted the previous year.

This sums up why people are fed up with Washington: powerful politicians keeping everyday Americans from the benefits they have earned. The injustice needs to stop. We must stand with working families and help them obtain their benefits.

PROVIDING FOR CONSIDERATION OF H.R. 7, PAYCHECK FAIRNESS ACT, AND PROVIDING FOR CONSIDERATION OF H.RES. 124, OPPOSING BAN ON TRANSGENDER MEMBERS OF ARMED FORCES

Mrs. TORRES of California. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 252 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 252

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 7) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-8 modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a

substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 124) expressing opposition to banning service in the Armed Forces by openly transgender individuals. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The SPEAKER pro tempore (Ms. WILD). The gentlewoman from California is recognized for 1 hour.

Mrs. TORRES of California. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. BURGESS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mrs. TORRES of California. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

□ 1215

Mrs. TORRES of California. Madam Speaker, on Monday the Rules Committee met and reported a rule, House Resolution 252, providing for consideration of two bills: H.R. 7, the Paycheck Fairness Act; and H. Res. 124, expressing opposition to banning service in the Armed Forces by openly transgender individuals.

The rule provides for consideration of H.R. 7 under a structured rule. The rule provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Committee on Education and Labor. It self-executes a manager's amendment. It also makes in order nine amendments.

The rule provides for consideration of H. Res. 124 under a closed rule, and it provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Committee on Armed Services.

Madam Speaker, 56 years ago, President John F. Kennedy signed the Equal Pay Act. He referred to this law as a "structure basic to democracy"—equal pay for equal work, in essence, equality. But the sad reality is that, over 56 years later, women are still paid less than their male counterparts for the same work. I know, because it happened to me.

One of my first jobs was in a male-dominated industry selling steel. It didn't matter if I performed as well, if not better, than my male colleagues; I was still paid less. I had to leave that job, which I loved, because I wasn't getting my fair share. It was a shame then, and it is a shame now.

In the sixties, women made 60 cents on the dollar. Now the average woman makes 80 cents compared to her male counterpart—80 cents. For women of color, the gender wage gap is even more severe:

For every dollar made by her non-Hispanic White male counterpart, an African American woman makes 61 cents, a Native American woman makes 58 cents, and women who look like me, Latinas, make 53 cents on the dollar for similar work. That is less than the average woman made in the 1960s.

Do I not work just as hard as my male counterparts?

Do I deserve to make 53 cents on the dollar?

Do I not have to support my household as much as a man?

Latinas lose, on the average, \$28,386 every year. That amounts to more than \$1 million over her career.

What would an extra \$1 million mean for the working woman or for her children? That she never has to choose between paying for childcare or buying groceries or not worrying about how to send her kids to college. Maybe she could even fulfill the American Dream of purchasing a home.

Some people brush this off by arguing that women choose different or easier jobs than men, like being a teacher or a nurse. To those people, I ask: Who sets those salaries? When was the last time you were underpaid to teach 40 children in a classroom setting?

Nursing assistants each suffer roughly three times—three times—the rate of back and other injuries as construction workers. Are you going to tell me that the nurse who spends 12 hours on her feet taking care of those most in need doesn't deserve higher pay, or the 911 dispatcher who is working the graveyard shift, fielding call after call after call, coordinating an effective emergency response so that they themselves can save lives or the first responders can save lives?

Don't tell me women's work is easier. We need equality—in practice, not just in law.

H.R. 7, the Paycheck Fairness Act will make equal pay a reality. It addresses the many complicated facets of sex-based discrimination.

Even when it is crystal clear, it is incredibly difficult to win a lawsuit to prove that employers are discriminating on the basis of sex. The Paycheck Fairness Act requires employers to demonstrate that wage disparity is based on a bona fide factor other than sex, such as education, training, or experience.

In workplaces where women are empowered to know how much they are making compared to their male colleagues, the gender gap shrinks by 7 percent; however, some workplaces penalize employees for discussing their salaries. The Paycheck Fairness Act would prevent retaliation against employees for wage transparency.

Sex discrimination causes women to make 6.6 percent less than equally qualified male counterparts on their first job. Over time, as raises and bonuses are decided based on a woman's prior salary history, this gap is made even worse. The Paycheck Fairness Act prevents employers from asking for a salary history.

Another factor that contributes to gender pay disparity is that women are less likely to negotiate for a higher salary. Studies show that men are expected to negotiate, but when women ask for more money, they are penalized and still paid less. The Paycheck Fairness Act creates a grant program to fund negotiation and skills training.

Currently, employees must opt in to class action lawsuits brought under the Equal Pay Act, running contrary to Federal Rules of Civil Procedure. This makes it more difficult for women to use the courts to correct equal pay disparities. The Paycheck Fairness Act allows them to opt out, removing barriers to participate in class action lawsuits and, therefore, addressing systematic gender-based inequality.

I have offered two amendments to the Paycheck Fairness Act bill to highlight the serious effects of the gender pay gap on women of color.

The Paycheck Fairness Act is a step in the right direction. Women who look like me should not make 53 cents on the dollar for the same work as our White male colleagues, and even less than the average woman made 60 years ago. It is wrong, and it is unjust. That is why it is crucial we pass H.R. 7, the Paycheck Fairness Act.

Now, I would like to turn your attention to H. Res. 124, expressing opposition to banning service in the Armed Forces by openly gay transgender individuals.

For me, this issue hits close to home. I am a proud mother of an Air Force veteran.

It wasn't a decision they made lightly. It was one made with great personal sacrifice, and the U.S. Government made a promise to them that they would be safe to be themselves.

Imagine how their mothers and fathers must feel knowing that our Na-

tion has broken a promise to their children. This doesn't make us safer.

We should welcome every qualified person who is willing to stand up to deploy and enlist in our Armed Forces to serve alongside people like my son.

Madam Speaker, I reserve the balance of my time.

Mr. BURGESS. Madam Speaker, I yield myself such time as I may consume and thank the gentlewoman from California (Mrs. TORRES) for yielding me the customary 30 minutes.

Madam Speaker, today we are considering H.R. 7, the Paycheck Fairness Act. This legislation seeks to prevent wage discrimination on the basis of sex, but this is already prohibited under current law.

The Paycheck Fairness Act is a false promise made by the majority that would not provide the outcomes that we all seek as Americans. This legislation will empower trial lawyers and offers no new protections against pay discrimination.

According to the Equal Pay Act of 1963, Federal law currently prohibits all discrimination in pay or other employment practices based upon sex or any other nonjob-performance-related issue.

In 1964, Congress enacted comprehensive antidiscrimination civil rights protection based on race, color, national origin, religion, and sex under title 7 of the Civil Rights Act.

Together, these laws protect against sex discrimination and provide a range of remedies for victims. As a result, sex-based wage disparity is in direct violation of not one, but two current Federal laws.

It is important to acknowledge that there are bad actors. A small number of managers may practice pay discrimination, but their actions are illegal, and this opens their businesses to lawsuits and to heavy fines.

I could not agree more that such discrimination has no place in those businesses or in society in general. However, those who perpetuate these illegal acts are the exception and not the rule.

Congress must not ignore the positive trends our Nation has seen in the last 26 months:

Since 2017, the Trump administration has made significant strides in reining in Federal overreach, improving opportunities and results for Americans in the past 2 years;

The Tax Cut and Jobs Act has given all Americans greater opportunity, regardless of sex, leading to an improved economy;

Unemployment is at its lowest level in nearly half a century;

Median wages across all demographic groups are rising faster now than at any time in recent history.

According to a recent Wall Street Journal article, the United States economy added jobs for 100 consecutive months. The current labor market is not only benefiting the low-skilled services, but also high-skilled workers and those with advanced degrees.

In both low-skill and high-skill sectors, there remains a short supply of willing or qualified workers, driving up wages for both. Across the spectrum, all workers are benefiting from the current economy.

Our former colleague Jack Kemp used to describe a situation where "a rising tide lifts all boats." We may very well be in that "rising tide" period.

But despite the good news, the majority has crafted legislation that would place a greater burden on employers and reduce the privacy of employees and increase Federal spending.

H.R. 7 does little to protect the wages of American workers. In fact, it makes it harder for employers to defend legitimate differentials in pay.

Currently, employers may pay different wages due to factors other than sex, such as education, training, or experience.

Let's say that again. Under current law, you must pay equal wages for equal work. That means all other things being equal, a woman cannot be paid differently than a man.

When an employee brings different qualifications to the job, such as an advanced degree or more years of experience, the factors used to evaluate employee pay are no longer equal. This preserves the flexibility for employers to make the best decision for their business, including hiring the most qualified employees, regardless of their gender.

□ 1230

H.R. 7 would now require that non-sex reasons for any wage disparity would have what is termed a "business necessity." Now, "business necessity," this is a term that goes undefined in the legislation. Proving a gender-based business necessity that accounts for the entire differential in pay is sometimes a nearly impossible standard to defend.

Employers would no longer be able to hire or pay employees based on qualifications, unless that qualification is being one sex or the other, a standard that is defined in very few jobs. In addition, employers would not be able to consider market or economic factors of their particular business sector that might account for a wage disparity.

This change to what is called a "bona fide factor defense" does not take into account the reality of the labor market. Employees are often willing to accept lower pay for greater control over their work location, their schedule, or how they aggregate their leave. Studies have shown this is particularly true for women, but it is also true for men.

With the threat of a lawsuit hanging over the heads of employers, they are less likely to allow for flexibility in the workplace. Instead of allowing employees to negotiate their own pay and their work arrangements, employers will be incentivized to transform jobs that were once negotiable and flexible into jobs where one size must fit all.

H.R. 7 also limits an employer's ability to pay its employees based on performance. If a woman were to earn a performance-based bonus or salary that her male coworker did not receive, that man could file a suit against the employer on the basis that the bonus is not a business necessity, due to the vagueness of the term in H.R. 7.

With this threat in mind, employers may be less likely to use performance-based pay and bonuses, despite studies showing such pay models actually increase employee pay. As approximately 40 percent of employers now use performance-based compensation, this bill and the vague definitions in this bill could potentially lead to a stagnation or a decrease in wages.

Under current law, employers are prohibited from pay discrimination whether it is intentional or not. If such pay discrimination is intentional, employees can sue the employer in a class action suit for up to \$300,000 in compensatory and punitive damages.

The Paycheck Fairness Act would remove the threshold to this liability and would require that workers be included in class action lawsuits. It would require that they be included in class action lawsuits unless they opt out, but many people may not be aware of that requirement that they must opt out. Otherwise, they are automatically included.

In addition, there are no limits on the fees charged by trial lawyers. There were amendments offered at the Rules Committee hearing to do just that, but they were not accepted as part of this rule.

One of those amendments, in fact, limited the compensation for litigation attorneys to \$2,000 per hour. That was the cap placed on attorneys' fees, \$2,000 an hour. That is a phenomenal sum of money. It was rejected by the Rules Committee. Apparently, they felt that their litigation attorneys were worth more than \$2,000 an hour or are required to earn more than \$2,000 an hour in order to put food on the table for their families. It just doesn't make sense. There should be reasonable limitations on those fees.

While legitimate claims do exist, and I hope that all employees who have experienced discrimination seek a legal remedy, the changes in H.R. 7 would significantly increase the size and the profitability of lawsuits, making unnecessary lawsuits even more likely for trial lawyers looking for new cash flows.

The Paycheck Fairness Act would also have a substantial impact on the rights of both employers and employees. The bill would prohibit employers from requesting information regarding an employee's pay history, which is likely an unconstitutional limit on the employer's freedom of speech.

Furthermore, the bill reduces the right to privacy for employers and employees as it removes any recourse should an employee make public the wages of other employees, even with-

out the consent of those employees or their employer.

H.R. 7 also requires employers to provide disaggregated employee information to the Department of Labor without delineating mechanisms to keep that information safe.

We saw just that last week with the Federal Emergency Management Agency data breach. The government is not always the best steward of a citizen's private information, and we should limit the data received by agencies until those capabilities are improved and verified.

Let me be clear: Wage discrimination certainly has no place and is illegal in the United States of America. But I believe this bill places undue and unnecessary restrictions on otherwise lawful business practices and is based upon unsubstantiated findings. Therefore, I cannot support H.R. 7.

The path that Congress must take is not to increase opportunities for trial lawyers but to continue focusing on strong economic policy that expands opportunities for all Americans.

Last year, 2.8 million jobs were added to the United States' economy. Fifty-eight percent of those jobs were taken by women. Nearly 75 million women are participating in the workforce today, more than at any time in our Nation's history. A robust and resilient economy will provide the jobs and wage gains Americans expect and deserve.

Madam Speaker, I urge opposition to the rule, and I reserve the balance of my time.

Mrs. TORRES of California. Madam Speaker, I would like to take this opportunity to inform my colleague from Texas that the women in Texas make \$0.72 to their male counterparts. I think Texas women deserve to have equal pay.

Madam Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, I rise in strong support of H.R. 7, the Paycheck Fairness Act, long overdue legislation to close the gender wage gap and ensure equal pay for equal work.

Too many Americans are not making enough to make ends meet, living paycheck to paycheck. We need to focus on strategies to raise family incomes. H.R. 7 does just that.

H.R. 7 would limit pay secrecy, expand pay data collection, and create more employer accountability for pay differences. This legislation will build upon and improve the work of President Kennedy, who signed the Equal Pay Act, and President Obama, who signed the Lilly Ledbetter Fair Pay Act.

Despite the progress we have made over the last 50 years, women are still earning less than their male counterparts across age, race, and socioeconomic groups. This stubborn wage gap, often exacerbated by employer-imposed pay secrecy policies, makes it

clear that we must be intentional in our efforts to address persistent pay disparity.

On average, women working full time lose a combined total of more than \$900 billion every year due to the wage gap. If the annual gender gap were closed, a working woman would have enough money for an additional 13 months of childcare, a year of college tuition, more than 1 year's worth of food, or an additional 10 months of rent.

Equal pay is not simply a women's issue. It is a family issue. When women bring home less money each day, it means they have less to take care of their family, including for groceries, rent, childcare, and healthcare.

Opponents of this legislation argue—we just heard it—that this is a gift to attorneys representing employees and that their fees should be severely limited. Remember, rights are easily disregarded and violated if you don't have the ability to enforce those rights.

This argument made by opponents is simply an attempt to avoid talking about the pervasiveness of wage discrimination. It is an attempt to decrease enforcement of the Fair Labor Standards Act and to lessen the penalties for employers who engage in discriminatory practices. If nothing else, we should call it out for what it is.

We know that when women succeed, our country thrives. The Paycheck Fairness Act will take us forward to ensuring economic security for working women.

I want to end by acknowledging the extraordinary leadership of ROSA DELAUNO, the Congresswoman from Connecticut who has spent so much of her life dedicated to this issue.

Madam Speaker, I urge my colleagues to vote "yes" on H.R. 7.

Mr. BURGESS. Madam Speaker, I yield myself 2 minutes.

In almost every election cycle in which I have participated since 2002, people on the Democratic side of the aisle have talked about wanting to rebuild the middle class. I will submit to you, over the last 26 months, this administration, this President, has rebuilt the middle class.

Let me just quote to you from an article in *The Wall Street Journal* from March 1 of this year, a very recent article. "All sorts of people who have previously had trouble landing a job are now finding work. Racial minorities, those with less education, and people working in the lowest-paying jobs are getting bigger pay raises and, in many cases, experiencing the lowest unemployment rate ever recorded for their groups."

Continuing to quote here: "They are joining manufacturing workers, women in their prime working years, Americans with disabilities, and those with criminal records, among others, in finding improved job prospects after years of disappointment."

It is incongruous to me that we would want to roll-back those gains that this administration has made in the last 26 months.

Madam Speaker, I reserve the balance of my time.

Mrs. TORRES of California. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. TRAHAN).

Mrs. TRAHAN. Madam Speaker, I rise to offer my strong support for the rule and for H. Res. 124. We should approve both and send a powerful message that Congress will not tolerate such a cruel and self-defeating policy.

Last month, the Armed Services Committee's Military Personnel Subcommittee held a hearing that was the first of its kind. The chairwoman, my colleague from California, invited transgender servicemembers to testify. We heard from an impressive panel of five dedicated servicemembers. They asked for nothing more than to be permitted to continue to serve their Nation honorably.

Before the hearing, I met Staff Sergeant Patricia King. Patricia grew up on Cape Cod. She is a combat-tested and decorated infantry soldier who has served nobly for over 20 years in the Army. Her life was turned upside down by a tweet nearly 2 years ago, one that put her military career in jeopardy.

We should never treat our servicemembers so callously. But if Patricia's story isn't sufficiently convincing, consider how shortsighted this ban is as well.

The DOD's total cost for transition-related care in fiscal year 2017 was \$2.2 million, which is one-tenth of 1 percent of DOD's annual healthcare budget for the Active component. Yet the cost to train a single fifth-generation fighter pilot is \$11 million. The retraining cost of losing just one transgender military pilot would be five times more than the entire transition-related care for the military for a year.

Meanwhile, the Army missed its recruitment goal for the first time in more than a decade last year. Now is certainly not the time to turn away well-qualified and patriotic soldiers.

Let's approve the rule and the resolution and say "no" to discrimination.

Mr. BURGESS. Madam Speaker, I reserve the balance of my time.

Mrs. TORRES of California. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL. Madam Speaker, this is a great day in America. I am so proud to say that as the Congress considers these bills that protect and advance human rights.

I rise today, specifically, to talk about the Paycheck Fairness Act, because men and women should be able to be paid the same for doing the same work.

I thank my colleagues, ROSA DELAURO and the committee chairman, BOBBY SCOTT, for their advancement of this great legislation.

Madam Speaker, I want to tell you a story, the story of a young lawyer who worked in the public defender's office. Her job was to represent people accused of crimes like murder and robbery. She

was a free lawyer for them. It was very high pressure, and it was very grueling, but she loved it.

When she got the job, she was told a rule: Nobody talks about salary in this office.

But one day, she found out that a male colleague was doing the same job, and he had similar credentials, but he made much more money. She was making \$18,000 a year. He was making \$20,000.

When she asked her boss why, she was told that he, the male attorney, had a wife and children to take care of.

Madam Speaker, that was me. That happened to me 40 years ago.

□ 1245

It was then and still today is a very common experience to millions of women who are still earning 80 cents on the dollar that men make, and actually much less for women of color. It still makes me angry to think about my own experience, but I am not complaining about my own life journey. Fortunately, I have a job now that pays me the same as my male colleagues. I am so happy I am in a position to do something about this today.

As a result of lower lifetime earnings and different work patterns, women are hit hard in retirement.

The SPEAKER pro tempore (Ms. JACKSON LEE). The time of the gentlewoman has expired.

Mrs. TORRES of California. Madam Speaker, I yield the gentlewoman from Florida an additional 30 seconds.

Ms. FRANKEL. I am too excited, Madam Speaker.

This is why so many women end up in poverty. I want to just say this over and over: women go to work for the same reason men go to work, and that is to take care of their families. Regardless of the circumstance's agenda, we deserve to be paid equally. This Paycheck Fairness Act is going to allow workers to talk openly about their pay. It is going to prohibit asking about salary histories. It is going to require bosses to prove disparities exist for discrimination.

Madam Speaker, I urge my colleagues to support this bill because when women succeed, America succeeds.

Mr. BURGESS. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I would just like to remind the Speaker and colleagues in the House that when the President came and delivered his State of the Union message, he was significantly proud of the fact that right now more women are working in the workforce than any time in our country's history.

Madam Speaker, I reserve the balance of my time.

Mrs. TORRES of California. Madam Speaker, having more women enter the workforce does not mean that women are earning equal pay for equal work.

Madam Speaker, I yield 2½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise in strong support of the rule and the underlying bill, and I particularly thank my colleague, ROSA DELAURO, for decades of work in support of H.R. 7.

In 1963, Congress passed the Equal Pay for Equal Work Act prohibiting an employer from paying men and women different wages for the same work. It helped, but 56 years later, the typical woman working full-time year-round is still paid only 80 cents for every dollar paid to her male coworker. That amounts to more than \$10,000 each year.

The gap is even worse for women of color. African American women make only 61 percent of a White man's earnings. Native American women make just 58 percent, and Latina women a mere 53 percent.

But let's be clear. Pay discrimination doesn't just hurt women. It hurts entire families and the overall economy. Women are the sole or primary breadwinners in half of U.S. households with children. So passing this bill would not just help women and families, it would help our entire economy. According to some estimates, equal pay could cut poverty among working women and their families by more than half and add over half a trillion dollars to the U.S. economy.

The Paycheck Fairness Act is simple and straightforward. It protects all employees' right to free speech by ending the unfair prohibitions that can make it a firing offense for someone to simply tell a coworker how much they make. It strengthens workers' ability to challenge gender-based wage discrimination.

It is long overdue, and it is fair. When women succeed, America succeeds, and our overall economy succeeds.

Mr. BURGESS. Madam Speaker, may I inquire as to how much time remains on my side?

The SPEAKER pro tempore. The gentleman from Texas has 17½ minutes remaining. The gentlewoman from California has 11 minutes remaining.

Mr. BURGESS. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I appreciate Congresswoman MALONEY, the previous speaker's, comments. She and I served on the Joint Economic Committee together back in 2010. The country just lost a very wise economist, Alan Krueger. I remember Alan Krueger coming in and testifying to our Joint Economic Committee; he testified about—of course, at the time in 2010, the description was that we were in a low-pressure labor market. He contrasted that with the high-pressure labor market of the 1960s. I don't recall if there were specific suggestions how to move from that low-pressure labor market back to a high-pressure labor market, but I don't think there can be any misunderstanding that we are back in a high-pressure labor market. That is a good thing.

I quoted a few minutes ago from an article in *The Wall Street Journal*. Let me just read a little deeper from that article:

One face of the red-hot job market is Cassandra Eaton, 23, a high school graduate who was making \$8.25 an hour at a daycare center near Biloxi, Mississippi, just a few months ago. Now she earns \$19.80—that is almost \$20 an hour—as an apprentice at a shipyard in nearby Pascagoula.

The article continues:

“It’s amazing that I am getting paid almost \$20 an hour to learn how to weld, says Ms. Eaton, the single mother of a young daughter. When she finishes the 2-year apprenticeship, her wage will rise to more than \$27 per hour.”

Madam Speaker, such is the strength of a high-pressure labor market, and I include this article from *The Wall Street Journal* in the RECORD.

[From the *Wall Street Journal*, Mar. 1, 2019]

INSIDE THE HOTTEST JOB MARKET IN HALF A CENTURY

A LOOK AT WHO’S GETTING AHEAD, WHO COULD BE LEFT BEHIND AND HOW LONG THE BOOM CAN LAST

(By Erie Morath and Lauren Weber)

The job market doesn’t get much better than this. The U.S. economy has added jobs for 100 consecutive months. Unemployment recently touched its lowest level in 49 years. Workers are so scarce that, in many parts of the country, low-skill jobs are being handed out to pretty much anyone willing to take them—and high-skilled workers are in even shorter supply.

All sorts of people who have previously had trouble landing a job are now finding work. Racial minorities, those with less education and people working in the lowest-paying jobs are getting bigger pay raises and, in many cases, experiencing the lowest unemployment rate ever recorded for their groups. They are joining manufacturing workers, women in their prime working years, Americans with disabilities and those with criminal records, among others, in finding improved job prospects after years of disappointment.

There are still fault lines. Jobs are still scarce for people living in rural areas of the country. Regions that rely on industries like coal mining or textiles are still struggling. And the tight labor market of the moment may be masking some fundamental shifts in the way we work that will hurt the job prospects of many people later on, especially those who lack advanced degrees and skills.

But for now, at least, many U.S. workers are catching up after years of slow growth and underwhelming wage gains.

One face of the red-hot job market is Cassandra Eaton, 23, a high-school graduate who was making \$8.25 an hour at a daycare center near Biloxi, Miss., just a few months ago. Now she earns \$19.80 an hour as an apprentice at a Huntington Ingalls Industries Inc. shipyard in nearby Pascagoula, where she is learning to weld warships.

The unemployment rate in Mississippi, where Huntington employs 11,500 people, has been below 5 percent since September 2017. Prior to that month, the rate had never been below 5 percent on records dating back to the mid-1970s. In other parts of the country, the rate is even lower. In Iowa and New Hampshire, the December jobless rate was 2.4 percent, tied for the lowest in the country. That’s helped shift power toward job seekers and caused employers to expand their job searches and become more willing to train applicants that don’t meet all qualifications.

“It’s amazing that I’m getting paid almost \$20 an hour to learn how to weld,” says Ms. Eaton, the single mother of a young daughter. When she finishes the two-year apprenticeship, her wage will rise to more than \$27 per hour.

It’s no surprise to economists that many people who were previously left behind are now able to catch up. It’s something policymakers have been working toward for years. Obama administration economists debated how to sustain an unemployment below 5 percent. Now Trump administration officials are considering how to pull those not looking for jobs back into the labor force.

“If you can hold unemployment at a low level for a long time there are substantial benefits,” Janet Yellen, the former chairwoman of the Federal Reserve, said in an interview. “Real wage growth will be faster in a tight labor market. So disadvantaged workers gain on the employment and the wage side, and to my mind, that’s clearly a good thing.”

This was one of Ms. Yellen’s hopes when she was running the Fed from 2014 to 2018; keep interest rates low and let the economy run strong enough to keep driving hiring. In the process, the theory went, disadvantaged workers could be drawn from the fringes of the economy. With luck, inflation wouldn’t take off in the process. Her successor, Jerome Powell, has generally followed the strategy, moving cautiously on rates.

“This is a good time to be patient,” Mr. Powell told members of Congress Tuesday.

The plan seems to be paying big dividends now, but will it yield long-term results for American workers?

Two risks loom. The first is that the low-skill workers who benefit most from a high-pressure job market are often hit hardest when the job market turns south. Consider what happened to high-school dropouts a little more than a decade ago. Their unemployment rate dropped below 6% in 2006 near the end of a historic housing boom, then shot up to more than 15% when the economy crumbled. Many construction, manufacturing and retail jobs disappeared.

The unemployment rate for high-school dropouts fell to 5 percent last year. In the past year, median weekly wages for the group rose more than 6 percent, outpacing all other groups. But if the economy turns toward recession, such improvement could again reverse quickly. “The periods of high unemployment are really terrible,” Ms. Yellen said.

The second risk is that this opportune moment in a long business cycle might be masking long-running trends that still disadvantage many workers. A long line of academic research shows that automation and competition from overseas threaten the work of manufacturing workers and others in mid-skill jobs, such as clerical work, that can be replaced by machines or low-cost workers elsewhere.

The number of receptionists in America, at 1.015 million in 2017, was 86,000 less than a decade earlier, according to the Labor Department. Their annual wage, at \$29,640, was down 5 percent when adjusted for inflation.

Tougher trade deals being pushed by the Trump Administration might help to claw some manufacturing jobs back, but economists note that automation has many of the same effects on jobs in manufacturing and the service section as globalization, replacing tasks that tend to be repeated over and over again.

Andrew McAfee, co-director of the MIT Initiative on the Digital Economy, said the next recession could be the moment when businesses deploy artificial intelligence, machine learning and other emerging technologies in new ways that further threaten mid-skill work.

“Recessions are a prime opportunity for companies to reexamine what they’re doing, trim headcount and search for ways to automate,” he said. “The pressure to do that is less when a long, long expansion is going on.”

With these forces in play, many economists predict a barbell job market will take hold, playing to the favor of low- and high-skill workers and still disadvantaging many in the middle.

The U.S. is adding jobs in low-skilled services sectors. Four of the six occupations the Labor Department expects to add the most jobs through 2026 require, at most, a high-school diploma. Personal-care aide, a job that pays about \$11 an hour to help the elderly and disabled, is projected to add 778,000 jobs in the decade ended in 2026, the most of 819 occupations tracked. The department expects the economy to add more than half a million food-prep workers and more than a quarter million janitors.

Those low-skill workers are reaping pay gains in part because there aren’t a lot of people eager to fill low-skill jobs anymore. Only about 6 percent of U.S. workers don’t hold a high school diploma, down from above 40 percent in the 1960s, according to research by MIT economist David Autor.

James O. Wilson dropped out of high school in the 10th grade and started selling drugs, which eventually led to a lengthy incarceration. When Mr. Wilson, 59, was released in 2013 he sought out training at Goodwill, where he learned to drive a forklift. Those skills led him to a part-time job at a FedEx Corp. facility at an Indianapolis airport. He was promoted to a full-time job in 2017 and is now earning more than \$16 an hour. He has a house with his wife and enjoys taking care of his cars, including a prized Cadillac.

“I wanted to show FedEx you can take a person, and he can change,” he said. “I want FedEx to say, ‘Do you have any more people like him?’”

Skilled workers in high-tech and managerial positions are also benefiting from the high-pressure labor market, particularly in thriving cities. Of 166 sectors that employ at least 100,000 Americans, software publishing pays the highest average wages, \$59.81 an hour in the fourth quarter of 2018. Wages in the field grew 5.5 percent from a year earlier, well outpacing 3.3 percent overall growth in hourly pay. The average full-time employee in the sector already earns more than \$100,000 a year.

Other technical industries, scientific research and computer systems design, were also among the five best paying fields. Some of the hottest labor markets in the U.S.—including Austin, Texas; San Jose, Calif.; and Seattle—have more than twice the concentration of technical jobs as the country on average.

A Wall Street Journal analysis of Moody’s Analytics data found Austin to be the hottest labor market in the country among large metros. It ranked second in job growth, third for share of adults working and had the sixth-lowest unemployment rate last year, among 53 regions with a population of more than a million. San Jose, the second-hottest labor market, had the lowest average unemployment rate last year and the second-best wage growth.

While a strong economy is conveying benefits to a broad swath of Americans, those in rural areas aren’t experiencing the same lift from the rising tide.

In metro areas with fewer than 100,000 people and in rural America, the average unemployment last year was half a percentage point higher compared to metro areas with more than a million people, according to an analysis by job search site Indeed.com.

"Finding work can be challenging for rural job-seekers because rural workers and employers both have fewer options," said Indeed economist Jed Kolko. "Many rural areas have slow-growing or shrinking populations."

Bradley Cox lives in Vevay, Ind., a rural community of fewer than 2,000 people. The 23-year-old graduated with a bachelor's degree in business administration and liberal arts from Indiana University East in December, but said he had found opportunities limited in his region.

After years working in hourly positions at a casino, he took a job last summer as a cashier at a CVS Health Corp. drug store, making about \$12 an hour. He hoped to work at a bank, or perhaps in a traveling sales role, making use of his business degree. "But to be honest, for me to do that, I would have to move to one of the cities or commute to one of the cities, at least," he says. "I don't have the opportunity around where I live."

Other workers are employed—but need to string together two or more jobs to make ends meet.

Michelle Blandy, 48, had a full-time digital marketing job in Phoenix but hasn't been able to find steady work since moving to Harrisburg, Pa., to be closer to her family. Instead she's pieced together some freelance projects, occasionally drives for Lyft and sells refurbished jewelry boxes on Etsy. "I have applied for full-time jobs, I just didn't have any luck," she said. "Harrisburg is tiny compared to Phoenix. There's not as many tech companies or big companies here that are hiring."

The good news is this long run of low unemployment could last for a while. Economic theory holds that when unemployment is very low, it stirs inflation, which causes the Federal Reserve to raise short-term interest rates and short-circuit growth and hiring. That kind of cycle ended the 1960s period of low unemployment, but inflation in this period remains below the Fed's target of 2 percent.

That has allowed the Fed to keep rates low. By January 1970, when the unemployment rate was 3.9 percent, the Fed had raised its target short-term interest rate to more than 8 percent to fight inflation. By contrast, when the jobless rate fell below 4 percent last year, the Fed kept its target rate below 2.5 percent thanks to low inflation.

"It may turn out that lower unemployment proves to be more sustainable than it was in the 1960s," says Ms. Yellen. "I think we don't know yet."

Mr. BURGESS. Again, I would point out that since the inauguration of Donald Trump, our labor market has, in fact, experienced a resurgence that a rising tide is indeed lifting all boats. It is incumbent upon us not to damage the economy that has brought the benefit to so many people—so many of those forgotten Americans—who were denied that benefit before, those very Americans to whom President Trump committed at the time of his inauguration in January 2017.

Madam Speaker, I reserve the balance of my time.

Mrs. TORRES of California. Madam Speaker, I have no additional speakers, and I reserve the balance of my time to close.

Mr. BURGESS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, if the previous question is defeated, I will offer an amendment to the resolution.

Madam Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Madam Speaker, I yield 5 minutes to the gentlewoman from Arizona (Mrs. LESKO) to explain the amendment.

Mrs. LESKO. Madam Speaker, I thank my good friend from Texas, Representative BURGESS, for yielding me time on this most important issue.

First, I would like to talk about the underlying bill. Equal work does deserve equal pay, regardless of the sex of the employee. In America, this is already the law of the land, and it has been since 1963 when Congress passed the Equal Pay Act. However, we stand here today debating a rule for a partisan Democrat bill that offers no protections against pay discrimination in the workplace. Instead, the bill makes it easier for trial lawyers to score unlimited paydays while dragging working women through never-ending legal dramas.

This bill also prevents women from utilizing their expertise, skills, talents, and education to their advantage. It effectively ties employers' hands from considering factors that would allow them to potentially give employees better working environments or for employees to negotiate a higher salary.

According to Camille Olson, who testified as a witness in the House Subcommittee on Civil Rights and Human Services and on the House Subcommittee on Workforce Protections, there can indeed be unintended negative consequences from this bill.

Let me read an example from her written testimony. This is her statement, and she gave an example.

It basically says: In this example an employer has chosen to pay a higher salary to a female law firm office administrator who has a J.D. degree. The job duties for that position do not include legal work. Nevertheless, in the employer's judgment, the performance of those job duties will be enhanced by the additional qualifications of a J.D., justifying the higher salary.

In this example, the male employee had a lesser degree. So in this example—because in this bill it requires business necessity—the male could sue. Even though he doesn't have as high a degree as the woman, he could say: I want equal pay.

So, what I am trying to say is because of the wording of this bill, I believe—and the witness in the committees believes—there are unintended consequences that could actually hurt women.

The employee may have a claim even if the advanced degree does actually improve performance or serve another legitimate business goal where it was

not absolutely required for the job, because of the business necessity requirement in the bill.

This example may not be the exception. As our economy and culture shifts, we are finding ourselves in a world where women are attending and graduating college far more often than men. According to the U.S. Department of Education data, nearly 60 percent of those who graduated with a bachelor's degree were women. So, certainly, we do not want the unintended consequences of an employer not being able to consider the advanced education of a woman under this business necessity language in the bill.

H.R. 7 is more of the same from the new majority: government knows best. It will tie the hands of employers and prevent employees—especially female employees—from negotiating a salary and working environment that works for them and their family. It is already against the law to discriminate, and commonsense approaches to amending the law were summarily rejected by my colleagues from the other side of the aisle.

Madam Speaker, if the previous question is defeated, we would amend this rule to include a simple change. It provides working parents more flexibility so that they can go to baseball games and science fairs; in other words, to be better parents.

I would like to read a portion of that amendment:

Notwithstanding the other provisions of the subsection, an employee and an employer may voluntarily negotiate compensation and benefits to provide flexibility to best meet the needs of such employee and employer consistent with other provisions of this act.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 3 minutes to the gentlewoman from Arizona.

Mrs. LESKO. We all know that the greatest benefit working parents with young children want and value is flexibility. Our concern is that this radical proposal which is called paycheck fairness would actually limit the flexibility employers can give to working parents, so parents can go to their activities.

This amendment is a very simple amendment. It simply restates the law and makes it clear that if you run a dry cleaner with five people in it, you don't have to hire a lawyer to define a job for an employee with a child in such a way that the employee can go to the science fair or a baseball game.

Instead of being about more litigation and trial lawyers, it is about giving more flexibility for working parents. Working Americans should have the freedom to choose what is best for them and their families, not the Federal Government. Hardworking men and women need more flexibility to balance work, life, and family. This amendment seeks to provide additional relief in this area.

Madam Speaker, I urge "no" on the previous question and "no" on the underlying measure.

□ 1300

Mr. BURGESS. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, while this resolution attempts to increase protections against wage discrimination based on sex, it does not significantly improve what already exists in current law.

I agree with my Democratic friends that there should be no tolerance for wage discrimination based on sex or for any other factor protected under the Equal Pay or Civil Rights Act, but this bill is not the way to do so.

So, Madam Speaker, as we conclude, I urge a “no” on the previous question, “no” on the underlying measure, and I yield back the balance of my time.

Mrs. TORRES of California. Madam Speaker, I yield myself the balance of my time.

The smart and innovative women of Arizona’s Eighth Congressional District deserve to have a voice in this debate, and I am going to give it to them.

They earn 80 cents to every dollar that their male counterpart earns. They deserve to have fair wages for the equal work that they are performing.

Before I begin my closing statement, I would like to take a moment to honor a valuable member of my staff: Justin Vogt.

Justin has been my legislative director for 2 years. During that time, he has been a phenomenal member of my team, designing innovative legislative initiatives, providing wise counsel, and serving as a generous mentor to my junior staff.

Now he will move on to be an excellent staff director for the Economic Opportunity Subcommittee of the Veterans’ Affairs Committee. We are sad to see our waffle maker, Justin, leave our office, but we are so proud of all that he has accomplished.

Madam Speaker, 60 years from now, I hope that we have moved forward as a Nation. I hope that our daughters and granddaughters grow up in an America that recognizes their value through the quality of their work and not their gender. Imagine that.

The Paycheck Fairness Act gets us closer to securing a future for them.

A recent McKinsey study found that, if women’s full potential in the labor market was reached, \$4.3 trillion would be added to the labor market in 2025. Our economy would benefit from that woman power.

There has been enough talk about lawyer fees. Women attorneys deserve equal pay for equal work, too. This argument is nothing more than an attempt to avoid talking about the pervasiveness of wage discrimination in this country.

The policies in the Paycheck Fairness Act work. Just look at California. In 2017, Californian women made a median of 89 cents to every dollar made by their male counterparts.

In just a few years, we decreased gender pay disparity by more than any other State.

I have heard it said that addressing wage equity is bad for moms. What is

bad about getting fair pay? Equal pay for equal work.

Mothers make 71 cents for every dollar earned by fathers in similar jobs. If we paid women fairly, maybe they would get a chance to spend more time with their kids.

If my colleagues care about moms spending time with their kids, let’s pass National Paid Family Leave Act standards. Let’s create better working conditions for pregnant women. Let’s fund programs for affordable childcare.

This is just the beginning. The cost for American women, their families, and our economy is much too high to wait any longer.

Madam Speaker, I urge a “yes” vote on the rule and a “yes” vote on the previous question.

The material previously referred to by Mr. BURGESS is as follows:

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order as though printed as the last amendment in part B of the report of the Committee on Rules accompanying this resolution if offered by Representative Lesko of Arizona or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 4. The amendment referred to in section 3 is as follows: after section 3 insert the following:

SEC. 3A. FLEXIBILITY FOR WORKING PARENTS.

Section 6(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) Notwithstanding the other provisions of this subsection, an employee and an employer may voluntarily negotiate compensation and benefits to provide flexibility to best meet the needs of such employee and employer, consistent with other provisions of this Act.”

Mrs. TORRES of California. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 231, nays 192, not voting 8, as follows:

[Roll No. 130]

YEAS—231

Adams	Beatty	Bonamici
Aguilar	Bera	Boyle, Brendan
Allred	Beyer	F.
Axne	Bishop (GA)	Brindisi
Barragán	Blumenauer	Brown (MD)
Bass	Blunt Rochester	Brownley (CA)

Bustos	Higgins (NY)	Pascarell
Butterfield	Hill (CA)	Payne
Carbajal	Himes	Perlmutter
Cárdenas	Horn, Kendra S.	Peters
Carson (IN)	Horsford	Peterson
Cartwright	Houlihan	Phillips
Case	Hoyer	Pingree
Casten (IL)	Huffman	Pocan
Castor (FL)	Jackson Lee	Porter
Castro (TX)	Jayapal	Pressley
Chu, Judy	Jeffries	Price (NC)
Cicilline	Johnson (GA)	Quigley
Cisneros	Johnson (TX)	Raskin
Clark (MA)	Kaptur	Rice (NY)
Clarke (NY)	Keating	Richmond
Clay	Kelly (IL)	Rose (NY)
Cleaver	Kennedy	Rouda
Clyburn	Khanna	Roybal-Allard
Cohen	Kildee	Ruiz
Connolly	Kilmer	Ruppersberger
Cooper	Kim	Rush
Correa	Kind	Ryan
Costa	Kirkpatrick	Sánchez
Courtney	Krishnamoorthi	Sarbanes
Cox (CA)	Kuster (NH)	Scanlon
Craig	Lamb	Schakowsky
Crist	Langevin	Schiff
Crow	Larsen (WA)	Schneider
Cuellar	Larson (CT)	Schrader
Cummings	Lawrence	Schrier
Cunningham	Lawson (FL)	Scott (VA)
Davids (KS)	Lee (CA)	Scott, David
Davis (CA)	Lee (NV)	Sewell (AL)
Davis, Danny K.	Levin (CA)	Shalala
Dean	Levin (MI)	Sherman
DeFazio	Lewis	Sherrill
DeGette	Lieu, Ted	Sires
DeLauro	Lipinski	Slotkin
DelBene	Loebach	Smith (WA)
Delgado	Lofgren	Soto
Demings	Lowenthal	Spanberger
DeSaulnier	Lowe	Speier
Deutch	Lujan	Stanton
Dingell	Luria	Stevens
Doggett	Lynch	Suozi
Doyle, Michael	Malinowski	Swalwell (CA)
F.	Maloney	Takano
Engel	Carolyn B.	Thompson (CA)
Escobar	Maloney, Sean	Thompson (MS)
Eshoo	Matsui	Titus
Espallat	McAdams	Tlaib
Evans	McBath	Tonko
Finkenauer	McCollum	Torres (CA)
Fletcher	McEachin	Trahan
Foster	McGovern	Trone
Frankel	McNerney	Underwood
Fudge	Meeks	Van Drew
Gabbard	Moore	Vargas
Gallo	Morelle	Veasey
Garamendi	Moulton	Vela
Garcia (IL)	Mucarsel-Powell	Velázquez
Garcia (TX)	Murphy	Visclosky
Golden	Nadler	Wasserman
Gomez	Napolitano	Schultz
Gonzalez (TX)	Neal	Waters
Gottheimer	Neguse	Watson Coleman
Green (TX)	Norcross	Welch
Grijalva	O’Halloran	Wexton
Haaland	Ocasio-Cortez	Wild
Harder (CA)	Omar	Wilson (FL)
Hastings	Pallone	Yarmuth
Hayes	Panetta	
Heck	Pappas	

NAYS—192

Abraham	Burchett	Dunn
Aderholt	Burgess	Emmer
Allen	Byrne	Estes
Amash	Calvert	Ferguson
Armstrong	Carter (GA)	Fitzpatrick
Arrington	Carter (TX)	Fleischmann
Babin	Chabot	Flores
Bacon	Cheney	Fortenberry
Baird	Cline	Fox (NC)
Balderson	Cloud	Fulcher
Banks	Cole	Gaetz
Barr	Collins (GA)	Gallagher
Bergman	Collins (NY)	Gianforte
Biggs	Comer	Gibbs
Bilirakis	Conaway	Gohmert
Bishop (UT)	Cook	Gonzalez (OH)
Bost	Crawford	Gooden
Brady	Crenshaw	Gosar
Brooks (AL)	Curtis	Graves (GA)
Brooks (IN)	Davidson (OH)	Graves (LA)
Buchanan	Davis, Rodney	Graves (MO)
Buck	Diaz-Balart	Green (TN)
Bucshon	Duffy	Griffith
Budd	Duncan	Grothman

Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall

Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert

Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Staubert
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—8

Amodei
DesJarlais
Granger
Meng

Serrano
Torres Small (NM)
Wilson (SC)

Wittman

□ 1331

Messrs. SMITH of Nebraska, STIVERS, MCCAUL, JOHN W. ROSE of Tennessee, and Ms. HERRERA BEUTLER changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 190, not voting 9, as follows:

[Roll No. 131]

YEAS—232

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos

Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly

Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene

Delgado
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Español
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Horn, Kendra S.
Horsford
Houlihan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin

Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin

Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schroder
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—190

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)

Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest

Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie

Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman

Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Staubert
Stefanik
Steil
Steube
Stewart
Stivers

Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—9

DesJarlais
Granger
Himes
Hollingsworth

Johnson (LA)
Kinzinger
Torres Small (NM)

Wilson (SC)
Wittman

□ 1340

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HIMES. Madam Speaker, on March 27, 2019, I was unable to be present for the vote on the motion to agree to H. Res. 252, offered by Rep. TORRES of California. Had I been present for rollcall No. 131, I would have voted “yea.”

Stated against:

Mr. JOHNSON of Louisiana. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 131.

Mr. KINZINGER. Madam Speaker, earlier today I was not present to cast a vote on the Combined Rule. Had I been present, I would have voted “nay” on rollcall No. 131.

PERSONAL EXPLANATION

Mr. WITTMAN. Madam Speaker, I was not present for Roll Call Vote No. 130 on ordering the previous question of H. Res. 252 and Roll Call No. 131 on adoption of the rule, H. Res. 252. Had I been present, I would have voted NAY on Roll Call No. 130 and No 131.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. GOODEN. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, a bill which has the full support of the Republican Conference and the majority of the American people, as it would save the lives of liveborn infants that have survived late-term abortions, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been