Americans available to fill them. And tens of thousands of full-time American jobs rely on the availability of sufficient temporary H–2B visa workers to meet temporary seasonal labor needs.

Today, I rise to thank the Trump administration for its past decisions to release extra temporary H–2B visas. I realize that Congress should have determined the number needed and included that in legislation, but Congress failed, and that is why, Madam Speaker, I rise to ask the administration to continue to support these seasonal businesses and release an adequate number of additional H–2B visas.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 2546, COLORADO WILDERNESS ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.J. RES. 79, REMOVING DEADLINE FOR RATIFICATION OF EQUAL RIGHTS AMENDMENT; AND FOR OTHER PURPOSES

Ms. SCANLON. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 844 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 844

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. 2546) to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, 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 amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. 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 Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–50 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further 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 further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 79) removing the deadline for the ratification of the equal rights amendment. All points of order against consideration of the joint resolution are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the joint resolution shall be considered as adopted. The joint resolution, as amended, shall be considered as read. All points of order against provisions in the joint resolution, as amended, are waived. The previous question shall be considered as ordered on the joint resolution, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 3. House Resolution 842 is hereby adopted.

SEC. 4. On any legislative day during the period from February 14, 2020, through February 24, 2020—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 1 hour.

Ms. SCANLON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Arizona (Mrs. LESKO), 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

Ms. SCANLON. 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 Pennsylvania?

There was no objection.

Ms. SCANLON. Madam Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 844, providing for consideration of two measures, H.R. 2546, Protecting America's Wilderness Act, and H.J. Res. 79, Removing Deadline for Ratification of Equal Rights Amendment.

The rule provides for consideration of H.R. 2546 under a structured rule, with 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Natural Resources. It makes in order 12 amendments and provides one motion to recommit.

The rule provides for consideration of H.J. Res. 79 under a closed rule, with 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on the Judiciary and provides one motion to recommit.

The rule deems as passed H. Res. 842, a resolution to clarify that a simple majority is needed for passage of H.J. Res. 79.

Finally, the rule provides for standard district work period instructions from February 14 through February 24.

Madam Speaker, it has been almost 100 years since the equal rights amendment was first introduced in Congress. It has been 45 years since it was passed by Congress. In this year, as we celebrate the 100th anniversary of women winning the right to vote in this country, it defies logic that we are still in a holding pattern when it comes to recognizing the equal rights of women under the United States Constitution.

Therefore, I am proud to oversee the rule for H.J. Res. 79, which will remove the questionable deadline for the ratification of the equal rights amendment.

When Alice Paul, Crystal Eastman, and other suffragists and women's rights pioneers set out to pass the equal rights amendment, they knew they had a long and fierce battle ahead of them. The first version of the ERA was introduced in 1923, and it took almost 50 years for both the House and the Senate to approve it. When the amendment was finally approved in 1972, the preamble to the amendment contained a 7-year deadline for ratification.

Thirty-five of the 38 required States ratified the ERA in their State legislatures during that initial 7-year timeline. The ERA had broad bipartisan support from Members of Congress and Presidents Nixon, Carter, and Ford but was unable to cross the finish line in the brief time allowed.

Why the ERA did not become a constitutional amendment in the seventies is up for debate, but it was in large part due to vicious, antifeminist rhetoric and actions by conservative activists who sought to trample on the rights of all women to work for an equal wage, to control their own reproductive health, and to participate as equal members of our society, in the name of protecting the traditional values of a privileged few.

In the years that followed, courts have recognized and protected various aspects of women's equality under the law through interpretation of the 14th Amendment's Equal Protection Clause. But as even Justice Antonin Scalia famously recognized, nothing in our Constitution, as currently written, forbids discrimination on the basis of sex.

Therefore, final passage and ratification of the ERA is critical in guaranteeing equal rights to me, to you, to my daughter, and to all women and girls across this country. We will not go back.

The equal rights amendment would permanently and explicitly prohibit discrimination on the basis of sex. Laws change, as do the people interpreting them, but we are a Nation governed by our Constitution. The rights given to us through the Constitution are inalienable, and the protections they provide us with are invaluable.

We hear from the other side of the aisle that discrimination against women is already illegal. This argument might be more persuasive if it was not being presented by a party that is, if anything, less diverse than it was in the 1970s. When a party reflects a predominantly White, male, and conservative voter base, it is easy to see why that party might not understand the need for basic additional constitutional protections.

Women continue to face obstacles to full equality, including unequal pay, pregnancy discrimination, sexual and domestic violence, and inadequate healthcare access. One in three women experience sexual violence in their lifetimes; one in five women are sexually assaulted on college campuses; and 56 percent of girls in grades 7 through 12 are sexually harassed in any given school year. Moreover, 60 to 70 percent of women face sexual harassment during their careers, with Black and Brown women disproportionately impacted.

Women are paid less than their male counterparts for equal work. Women are treated differently in job interviews and can be determined a burden for a company if they are pregnant or planning on becoming pregnant. These indiscretions are only compounded when we look at women of color and women with disabilities.

Women in general in this country make 80 cents to a man's dollar. Women with disabilities make about 65 cents to a man's dollar and 7 cents less than a man with disabilities. Black women make about 63 cents on a White man's dollar; Native women make about 57 cents; and Hispanic women make approximately 54 cents on a White man's dollar. The wages for trans women fall by nearly one-third after transitioning.

A woman who works full-time year-round typically loses $430,480 in a 40-year work-life period. That means this woman would have to work nearly 11 years longer to make up this lifetime wage gap.

This also has a serious financial impact on retirement. The average Social Security benefit for women 65 and older is about $13,867 per year, compared to $18,039 for men of the same age.

So, I ask my colleagues on the other side of the aisle: If paying women less than men is already illegal, if treating women differently in the workplace and other professional settings is already prohibited by existing law, why does it still happen?

The answer is simple: because it is relatively easy to navigate around existing laws to protect women. It is easy to treat women differently in a way that is legal and in line with the law.

That is unacceptable, and that is why we need the equal rights amendment.

When women earn less for equal work, families earn less for equal work. If you choose to deliberately short-change the American family and deny them financial security, then, clearly, we have different values.

Although the ERA was passed with bipartisan support, and strong support from Republican women, we saw in the Rules Committee last night and in debate about this rule and bill that the spirit of the late Phyllis Schlafly has overtaken today's Republican Party, which now seeks to cloak deep-seated misogyny in anti-choice rhetoric.

Passing the equal rights amendment is long overdue. I am excited to be part of a Democratic majority that will remove this arbitrary deadline for ratification and finally allow States to exercise their constitutional authority to pass this critical and fundamentally American amendment.

This rule will also provide for consideration of H.R. 2546, the Protecting America's Wilderness Act. This is a package of public lands bills from the Natural Resources Committee that will designate more than 1.3 million acres as wilderness or potential wilderness areas, preserving those public lands for generations to come.

Few things in the United States are as universally cherished by Americans as public lands. Our country is home to more than 111 million acres of designated wilderness, and these lands help us to combat climate change, provide for an array of ecological diversity, and offer recreational activity to Americans, young and old.

As we continue to endure devastating and worsening effects of climate change, providing for millions of additional acres of wilderness allows for these areas to continue to serve as critical carbon sinks to capture and mitigate carbon dioxide in our atmosphere.

Additionally, wilderness areas are some of our most naturally resilient landscapes. This allows them to endure periodic wildfires and other disturbances, like floods, with relatively little human impact or intervention. This helps save the government money, as opposed to a more active style of forest management.

□ 1230

This legislation not only helps to combat climate change, it also supports access to clean water, protects pristine wildlife habitats, and bolsters the outdoor recreation economies of Colorado, California, Washington, and more.

The Protecting America's Wilderness Act was crafted in direct coordination with the stakeholders and local voices that it will impact. I thank Chairman GRIJALVA, Congresswoman DEGETTE, and the members of the Natural Resources Committee for the lengths they went to in order to make this bill a success and one that will preserve and protect pristine wildlife habitats, clean water, and access to outdoor recreational opportunities.

Madam Speaker, I reserve the balance of my time.

Mrs. LESKO. Madam Speaker, I thank Representative SCANLON for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Before I get to the points, I know that we differ on policy, but I have to tell you that I was offended by what I thought were racist and sexist comments made by my Democratic colleague about the Republican party makeup, and I totally disagree with her.

Madam Speaker, to begin, I would like to clarify what H.J. Res 79 is. It is not the equal rights amendment. It is a date change. The legislation is a joint resolution removing the deadline for ratification of the equal rights amendment in States that the amendment shall be valid and adopted as part of the Constitution whenever ratified by the legislatures of three-quarters of the States.

Democrats say this is about equal rights for women. Well, I am a woman, and so I, obviously, support equal rights for women. But I oppose H.J. Res 79 for the following reasons:

First: The bill is totally unconstitutional.

When the ERA originally passed on March 22, 1972, Congress explicitly set a deadline for ratification stating that the amendment shall be valid when ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by the Congress. That meant that the final deadline was March 22, 1979, almost 41 years ago.

By the end of this initial deadline, only 35 of the 38 States needed had ratified it, so Congress with a simple majority vote, which is questionable, extended the deadline once to 1982, but no other States joined in ratification. Thus, the equal rights amendment was dead.

It is also imperative to note that five of the 35 States rescinded their ratifications. So then the count was down to only 30 States.

In fact, the U.S. Department of Justice issued a legal opinion just last month reiterating that the ERA ratification timeline is expired.

Ultimately, when the 1972 ERA's deadline passed without ratification by three-fourths of the States, the proposed amendment expired and is, therefore, no longer pending. The 1972 ERA, therefore, can no longer be ratified because it no longer exists.

In one of its works, the nonpartisan Congressional Research Service, which we all turn to, states that the ERA formally died on June 30, 1982. The U.S. Supreme Court also dismissed all cases related to the ERA because it held the cases to be moot, saying that the ERA ratification date had expired.

Regardless of one's view on whether or not the equal rights amendment should be adopted, the fact remains that the equal rights amendment was not ratified by the necessary 38 States by the deadline set forth in the text of the amendment itself.

Just last night, Supreme Court Justice Ruth Bader Ginsburg, certainly not known as a conservative, said Virginia's recent adoption of an ERA resolution was long after the deadline passed. She went on to say, ''I would like to see a new beginning. I'd like it to start over. There's too much controversy about latecomers. Virginia—long after the deadline passed. Plus, a number of States have withdrawn their ratification.'' Remember the five I talked about. ''So if you count a latecomer on the plus side, how can you disregard States that said we've changed our minds?'' And deratified.

In addition, the Democrats' sneaky act to slip into this resolution language that would deem that a mere majority vote instead of the two-thirds vote needed on a constitutional amendment, has significant constitutional and legal ramifications.

Should my Democratic colleagues wish to proceed with seeking to add the ERA to the Constitution, the appropriate method would be to follow the procedure outlined in the Constitution: Passage by a two-thirds majority in both Houses of Congress, followed by ratification by three-quarters of the States. And it seems as recently as last night, Supreme Court Justice Ginsburg agrees.

Secondly: The ERA amendment is not necessary.

Women's equality of rights under the law is already recognized in our Constitution in the Fifth and 14th Amendments.

Women do deserve fairness and equality under the law. Through established law such as Title IX, the Equality Opportunity Act of 1963, Equal Employment Opportunity Commission, Pregnancy Discrimination Act, and Equal Pay Act, plus State and local laws, women have made huge strides against institutional discrimination against women in education, employment, sports, politics, and many other aspects of society.

The U.S. Supreme Court has consistently ruled that both the equal protection clause of the 14th Amendment and the due process clause of the Fifth Amendment guarantee women equal protection under the law.

That is why the ACLU women's rights director Lenora Lapidus wrote in response to what Ms. SCANLON brought up about Justice Scalia, ''it has been clearly understood that the 14th Amendment prohibits discrimination based on sex. In decision after decision, many authored by conservative Supreme Court Justices, this principle has been reaffirmed.''

Third: If ratified, the ERA would be used by pro-abortion groups to undo pro-life legislation and lead to more abortions and taxpayer funding of abortions.

Don't take my word for it. Let's look at what pro-abortion groups have done and what they are saying now.

Abortion activists have already utilized State-level ERAs to require taxpayer-funded abortion.

In 1998, the New Mexico Supreme Court ruled unanimously that the State ERA required the State to fund abortions since procedures sought by men like, prostate surgery, are funded. A lawsuit in Connecticut used similar arguments and achieved the same objective, full taxpayer-funded abortion.

In 2019, Planned Parenthood and Women's Law Center filed a lawsuit in Pennsylvania arguing that the Pennsylvania's ERA means abortion must be included in medical coverage for women because men aren't denied coverage for anything.

In another example, NARAL Pro-Choice America—which is a pro-abortion group—in a March 13, 2019, national alert asserted that the ERA would reinforce the constitutional right to abortion. It would require judges to strike down anti-abortion laws.

Further, in a 2019 letter to the House Judiciary Committee, the ACLU stated, ''The equal rights amendment could provide an additional layer of protection against restrictions on abortion, contraception, and other forms of reproductive healthcare.''

And the pro-ERA website itself, EqualRightsAmendment.org, explicitly states that ratifying the ERA into the U.S. Constitution would ''provide a strong legal defense against a rollback of women's rights, including but not limited to Roe v. Wade.''

In conclusion, H.J. Res 79 is unconstitutional. The ERA is unnecessary since constitutional, Federal, State and local laws already guarantee equal protections, and the ERA, if ratified, would be used by pro-abortion groups to undo pro-life laws.

Also included in this rule is H.R. 2546, the Protecting America's Wilderness Act.

My Republican colleagues on the Natural Resources Committee have expressed concern that each of the bills in this package will remove large swaths of land in rural areas from development, threaten the economic base of these regions, and reduce the effectiveness of fire prevention plans.

My Democratic colleagues on the Natural Resources Committee have continued the disappointing trend of moving bills that are not supported by the Members who represent the impacted lands. In fact, all the wilderness designations in H.R. 2546 are located outside the bill sponsor's district. Instead, most are located in Representative SCOTT TIPTON from Colorado's district, who opposes the bill.

One of the greatest concerns about this piece of legislation is that significant opposition from local counties, communities, and stakeholder groups seem to go ignored. The consensus is that these bills will negatively impact individual homeowners, agricultural entities, water providers, first responders, and the recreation tourism industry.

Today, it seems what we simply have before us are examples of:

Legislating in other Members' districts without their support or any attempt to collaborate.

Increased risk of wildfires due to the lack of management and inability to use mechanical means to fight or prevent fire within all newly designated wilderness areas.

Lack of support from local leaders and stakeholders across each of the bills in this legislation.

Concerns about threats to private property rights when the vast majority of land proposed to be added to the Santa Monica Mountains National Recreational Area is nonFederal.

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

Ms. SCANLON. Madam Speaker, certainly we see a laundry list of reasons for opposition to this bill.

We hear that it is unconstitutional. Although, in fact, nothing in the Constitution speaks to deadlines that Congress may set.

We usually hear our colleagues from across the aisle invoking Justice Ginsburg to argue that for some reason we should start over with this century-long process.

Justice Ginsburg has obviously been a champion on these issues, and to the extent that remarks that she has made are being quoted, I understand that they were expressing a personal view about the ideal circumstances in which the ERA could pass, not a legal view about what is required.

It is probably better to remember that Justice Ginsburg has been a champion for the ERA since it was approved by both Houses of Congress in a bipartisan way in the 1970s. And as she reiterated just yesterday, ''The union will be more perfect when that simple statement—that men and women are persons of equal citizenship stature—is part of our fundamental instrument of government.''

Please note, this is a tactic of distracting and dividing. Last night I asked our colleague if he would be willing to vote for the ERA if, in fact, we were to start over, which he said he would not. And we certainly do not see members of the Republican party saying that they would vote for the ERA if it would be reintroduced.

What we are seeing here is simply an effort to quash the ERA, to end it, to put it to rest, to not have it be made part of our Constitution.

Madam Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Madam Speaker, I thank the gentlewoman for yielding.

I rise today in order to form a more perfect union, and I do that by supporting today's rule and the underlying

resolution which will finally allow for the 28th Amendment to the Constitution, the equal rights amendment.

The equal rights amendment will enshrine the fundamental principle that every American be afforded equal rights under the law, including women.

In 1971 and 1972, Congress overwhelmingly passed the equal rights amendment. And just a few weeks ago Virginia became the 38th State to ratify it and the last State needed to amend our Constitution.

□ 1245

H.J. Res. 79 would remove the deadline for States to ratify the equal rights amendment, clearing the path for full equality of rights for women.

Because women are still subject to significant pay disparities and sexual harassment, our work is far from over.

Madam Speaker, I urge all of my colleagues to support today's rule and the underlying resolution and join me in voting for a more perfect union.

Mrs. LESKO. Madam Speaker, I yield 2½ minutes to the gentlewoman from Missouri (Mrs. WAGNER), my good friend.

Mrs. WAGNER. Madam Speaker, I rise today to urge my colleagues to oppose H.J. Res. 79. This resolution seeks to unconstitutionally remove the deadline for ratification of the equal rights amendment.

In 1972, Madam Speaker, when I was 10 years old, Congress originally set the deadline for ratification at 7 years by two-thirds vote. Before the original time period expired, Congress then passed a 3-year extension, which also passed before the necessary number of States ratified the amendment.

Today, 37 years after the constitutional time has expired, it is quite clear that, because of a new focus on a so-called right to taxpayer-funded abortion, the equal rights amendment does not have support from a two-thirds majority of Congress or, likely, from two-thirds of the States, certainly, as we have seen at least five States have already rescinded.

Instead of following the guidance of Supreme Court Justice Ruth Bader Ginsberg and starting the amendment process over again as the Founders intended—and this is, let me just say, Madam Speaker, Justice Ruth Bader Ginsberg's legal view as a member of the U.S. Supreme Court. It is her legal view. It is her constitutional view. Instead, Democrats are attempting, today, to retroactively and unconstitutionally remove this deadline by a simple majority vote.

For decades, Congress has expressed the will of the American people and not used taxpayer dollars for abortion. Whether they were Democrat or Republican Presidents, split Chambers of Congress or one party in control of both branches of government, there has been bipartisan agreement on appropriations language to limit taxpayer-funded abortions and support basic pro-life protections across our country.

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

Mrs. LESKO. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Missouri.

Mrs. WAGNER. Madam Speaker, if the Democrat majority wants to test that bipartisan agreement and upend decades of precedent, they are welcome to use the simple, clear process laid out in Article V of the Constitution to propose and adopt a new and legal ERA amendment.

Let me be clear, Madam Speaker. I support equal rights for women, as does the U.S. Constitution, but skirting that process for partisan gain sets a dangerous and un-American precedent.

Madam Speaker, I urge my colleagues to protect our democracy and to vote ''no.''

Ms. SCANLON. Madam Speaker, I yield myself such time as I may consume.

I include in the RECORD a January 15 New York Times article, entitled: ''Why the Equal Rights Amendment is Back.''

[From the New York Times, Jan. 15, 2020]

WHY THE EQUAL RIGHTS AMENDMENT IS BACK

(By Patrick J. Lyons, Maggie Astor and Maya Salam)

Of all the laws the Virginia legislature may pass now that Democrats have won control of it, none have been so long in the making as the Equal Rights Amendment. First proposed almost a century ago and passed by Congress in 1972, the E.R.A., which would add a provision to the Constitution guaranteeing equal rights to men and women, could have sweeping implications if it takes effect.

Both houses of the Virginia Legislature approved the ratification resolution on Wednesday. Supporters hope that will lift the amendment over the threshold to become part of the federal Constitution. But there is considerable dispute over whether the state's action will have any legal effect or merely be symbolic.

Here's what it is all about.

What does the amendment say?

The E.R.A. is three sentences long, and the key one is the first: ''Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.'' The other two are about putting it into effect.

By some estimates, 80 percent of Americans mistakenly believe that women and men are already explicitly guaranteed equal rights by the Constitution. But it currently does so only for the right to vote. The amendment is intended to remedy that omission.

Supporters say adopting the E.R.A. would, among other things, sweep away discrimination in the workplace; help women to achieve pay equality and allow men to get paid paternity leave; require states to intervene in cases of domestic violence and sexual harassment; and guard against discrimination based on pregnancy and motherhood. It may bolster protections for gay and transgender people as well.

Opponents have argued that the amendment would, among other things, undermine family structure; intrude on religious practice; and lead to the outlawing of separate men's and women's bathrooms, single-sex college dormitories and other accommodations. Some also argue that the E.R.A. is unnecessary because the 14th Amendment already guarantees everyone the ''equal protection of the laws.'' The Supreme Court has indeed read the 14th Amendment to ban many forms of sex discrimination. But supporters of the E.R.A. say there are still gaps in existing laws, both at the federal and state level, that need to be addressed comprehensively.

How did the amendment stall, and come back to life?

Amendments to the Constitution require the assent of three-quarters of the states—these days, 38 out of 50—to take effect. When Congress passed the amendment in 1972, it set a deadline for reaching that goal—originally 1979, later extended to 1982. But only 35 states ratified the amendment in time, in large part because of an opposition campaign led by Phyllis Schlafly, a proudly anti-feminist Republican.

There the issue lay until 2017, when a Democratic state senator in Nevada, Pat Spearman, persuaded the Legislature to ratify the amendment, even though the deadline had long passed. That move revived interest across the country, and Illinois followed suit in 2018. An effort in Virginia fell short a year ago, but after Democrats won in November, they promised to try again.

Is Virginia's assent enough to get to 38 states?

That's a bit cloudy. Virginia is the 38th state to approve the Equal Rights Amendment, but over the years, five of those states—Idaho, Kentucky, Nebraska, South Dakota and Tennessee—have voted to rescind their ratifications, and it is possible that opponents would challenge the amendment on that basis.

They would not have precedent on their side. After the Civil War, several states tried to take back their ratifications of either the 14th or 15th Amendments, but they were counted in the Yes column anyway, and all of those states later re-ratified the amendments.

What about the deadline?

That is the big question now. It could be repealed, or challenged in court, or both.

Most amendments to the Constitution have not had explicit ratification deadlines. The most recent one, the 27th, had been pending for more than 200 years before it was finally ratified in 1992.

Supporters argue that the deadline for the E.R.A. is unenforceable because it is stated only in the preamble to the amendment, and not in the amendment itself.

The Supreme Court said in 1921 that amendments had to be ratified within a reasonable time after passage, and that Congress had the authority to set a deadline, as it has almost always done since then. But in 1939, the court ruled that the question of whether ratification of an amendment was timely and valid was ''non-justiciable''—in other words, it was up to Congress, and none of the courts' business.

Congress extended the deadline for the Equal Rights Amendment once—by three years—and supporters say it could do so again, or repeal the deadline entirely. A bill to do that was introduced in the Democratic-controlled House in April and attracted broad support. It would also have to pass the Republican-controlled Senate, where its prospects are less clear, though it has sponsors there from both parties.

Legal experts disagree, however, on whether Congress has the power to remove the deadline retroactively, and that issue could land in court.

Ms. SCANLON. Madam Speaker, for nearly a century, advocates have tried to add a provision to the Constitution guaranteeing equal rights to men and

women. By some estimates, 80 percent of Americans mistakenly believe that women and men are already explicitly guaranteed equal rights by our Constitution, but it currently does so only for the right to vote. The equal rights amendment will help remedy that omission.

It is necessary that Congress consider this amendment to the Constitution to help women achieve pay equality, require States to intervene in cases of domestic violence and sexual harassment, and guard against discrimination based on pregnancy and motherhood.

Contrary to the arguments we are hearing today, this is not an abortion amendment; this is equal rights for women.

Madam Speaker, I reserve the balance of my time.

Mrs. LESKO. Madam Speaker, I am waiting for another speaker, but I will yield myself such time as I may consume.

Madam Speaker, there are a couple of things that my colleague from the Rules Committee, Ms. SCANLON, said. She said something to the effect of nothing in the Constitution sets a deadline. Well, I have to disagree with that. Actually, it is not just me; it is the Supreme Court. A 1921 Supreme Court decision, Dillon v. Gloss, affirmed that:

> Congress has the power to fix the definite time limit for ratification of a proposed constitutional amendment under its authority to determine the mode of ratification for an amendment under Article V of the Constitution.

As I said before, this expired back in 1979. I mean, that is 41 years ago. Then, of course, back then, Congress came forward, and my understanding is they just did a majority vote instead of the two-thirds that I believe is needed to deal with a constitutional amendment.

But no other States had ratified. In fact, by the 1979 deadline, five States had withdrawn their ratification. So you were at 35, then it went down to 30, and it is dead.

When my colleague says Justice Ginsberg supports the ERA, I know that. That is my point. She does support the ERA. But even she said we need to start all over again because the deadline has passed.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order a resolution to prevent any moratorium on the use of hydraulic fracking on Federal lands unless authorized by Congress.

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 gentlewoman from Arizona?

There was no objection.

Mrs. LESKO. Madam Speaker, this amendment would affirm that States should maintain primacy for the regulation of hydraulic fracturing and prevent any President from imposing a ban on hydraulic fracturing.

Many of the Democratic candidates for President have pledged to ban hydraulic fracturing in the United States, a campaign promise straight out of the ''keep it in the ground'' playbook.

While this widely used practice is often vilified by proponents of the Green New Deal, in fact, hydraulic fracturing is heavily regulated by the States and governed by stringent industry standards throughout the country.

Thanks to hydraulic fracturing, U.S. gas bills have fallen by $13 billion collectively every year from 2007 to 2013. The U.S. is leading the way in emissions reductions through innovation in the energy sector. In 2017, U.S. carbon emissions reached the lowest level ever since 1992, and per capita emissions reached the lowest level since 1950.

And, very importantly, the U.S. has become an energy exporter, and we no longer have to rely on OPEC oil like we did in the 1970s. Fracking and U.S. energy independence strengthens our national security.

Madam Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. ARMSTRONG), my good friend.

Mr. ARMSTRONG. Madam Speaker, I thank the chairwoman for yielding, and I join the gentlewoman from Arizona (Mrs. LESKO) in urging my colleagues to defeat the previous question so we can consider H. Res. 659.

Hydraulic fracturing provides enormous benefits to the American people, including energy security, national security, economic growth, and reduced carbon emissions.

The Baaken oil patch, stretching across western North Dakota, is an essential contributor to producing 1.5 million barrels of oil per day and over 2 billion cubic feet of associated gas per day.

The United States is uniquely situated in the world economy. We are one of the very few if not the only country that is both food and energy secure. I am proud that North Dakota is a big part of that energy security.

Let us not forget that a mere 10 years ago, if Iran would have shot down a U.S. drone, seized the British ship in the Strait of Hormuz, conducted a terrorist attack on a Saudi oil facility, and shot rockets at U.S. troops in Iraq, oil would have skyrocketed to over $115 a barrel and stayed there.

Do you know what happened the day after those attacks? Oil went down $1.29.

Fracking directly employs over 2 million Americans, including 35,000 people in my home State.

In 2020, the U.S. is expected to become a net energy exporter.

In 2019, we doubled our natural gas exports.

Fracking offsets other carbon energy sources, which the Intergovernmental Panel on Climate Change has noted was an important reason for reduction in greenhouse gas emissions in the U.S.

With continued technological advancements like carbon capture storage and utilization, we can continue to develop these American energy reserves while decreasing carbon emissions.

Simply put, America is stronger and our enemies are weaker because of fracking. Any attempt to ban or limit fracking makes us less safe and less prosperous.

A fracking ban will do nothing to reduce carbon emissions—in fact, it will do the opposite—but it will destroy my entire State's economy and send us back to the days where we rely on OPEC to fuel our economy.

Ms. SCANLON. Madam Speaker, may I inquire if the gentlewoman from Arizona (Mrs. LESKO) is prepared to close. We are prepared to close.

Mrs. LESKO. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS), my good friend.

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

Part of one of the underlying bills, H.R. 2546, the Protecting America's Wilderness Act, includes language to expand the Santa Monica Mountains National Recreation Area by some 191,000 acres, an area known as the Rim of the Valley Corridor.

In 2008, Congress directed the Secretary of the Interior to study whether to designate all or a portion of the Rim of the Valley Corridor as part of the Santa Monica Mountains National Recreation Area. In 2016, the National Park Service recommended an expansion of 173,000 acres.

The bill today expands the area by more than that to 191,000 acres, including new areas that were not listed in the study. They are completely disconnected from the Rim of the Valley Corridor; yet they are included in the exclusion.

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In addition, the National Park Service testified in June 2019 against the proposed expansion of the Santa Monica Mountains National Recreation Area, citing a need to focus resources on the deferred maintenance backlog.

The proposed land expansion would include Soledad Canyon, a mineral-rich area where the Bureau of Land Management has issued contracts to mine millions of tons of sand and gravel for southern California. Our strong economy has led to an increase in manufacturing and construction. The problem is that the supply of construction materials, like those that can be found in this area, is declining.

This legislation, the underlying legislation, would make it incredibly onerous for contracted companies to move forward with agreed-upon projects. Democrats often talk about the importance of a large infrastructure bill, yet the passage of this bill would increase the costs of essential materials that such projects do require.

The bottom line is that the land under consideration is currently in dispute, and decisions that will significantly change the landscape and activity of an area should not occur without consensus.

Last night, the Rules Committee reported a rule that included consideration of two amendments that may help address these concerns. Representative MCCLINTOCK offered an amendment to allow the Secretary of Agriculture or Secretary of the Interior to exclude from wilderness designations any areas that do not meet the definition of wilderness as defined in the Wilderness Act.

Representative WESTERMAN offered an amendment to strike all designations of potential wilderness under the bill.

Those are commonsense amendments, and when the appropriate time comes, I urge all Members to support the amendments. The underlying bill is flawed, and I will oppose it on passage.

Ms. SCANLON. Madam Speaker, I am prepared to close if the gentlewoman from Arizona is prepared to close. I reserve the balance of my time.

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

Madam Speaker, in closing, I want to urge my Democratic colleagues to halt their attempts to change the rules and bring back an expired amendment that would rewrite our Constitution. Not only is this unprecedented, but it is wrong, and it is unconstitutional.

I believe Congress should oppose pointless legislation to remove the deadline and focus, instead, on upholding women's rights, dignity, and opportunity.

I urge my colleagues to reject this resolution and work together to promote truly helpful legislation for women.

Madam Speaker, I urge a ''no'' vote on the previous question and ''no'' on the underlying resolution, and I yield back the balance of my time.

Ms. SCANLON. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, H.J. Res. 79 is a long-overdue, bedrock civil rights effort, while the Protecting America's Wilderness Act is an effort that took input from a broad coalition of stakeholders to end up with a bill to positively impact local communities and further our national interest in preventing climate change.

As Members of Congress, we have a duty to uphold and protect the Constitution and the charge of our Founders to continue to form a more perfect Union. Passing the equal rights amendment is truly representative of that oath to ensure that all Americans are treated equally and afforded equal rights under the law.

I would like to recognize some of the women in organizations who have gotten us to this point: Alice Paul, who graduated from college in my district; Crystal Eastman; Elizabeth Cady Stanton and Lucretia Mott, who issued the first public call for women's equality at Seneca Falls in 1848; the National Organization for Women and the League of Women Voters, which organized and activated so many Americans of both parties in support of this movement; and so many of the other countless advocates who have fought tirelessly for women's equality.

This resolution is for all of them and for all the women and girls seeking to further advance equality and fighting for a more just America.

This resolution is a bold step forward in the ongoing fight for equal rights. I recognize that I would not be here without the sacrifices made by the women who came before me. Their passion and strength paved the way for me and for so many of my colleagues to get to where we are today.

But the battle is not yet won. Let's pass this rule, pass this resolution, and show our children that all Americans deserve equal rights and protection under the Constitution.

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

The material previously referred to by Mrs. LESKO is as follows:

AMENDMENT TO HOUSE RESOLUTION 844

At the end of the resolution, add the following:

SEC. 6. That immediately upon adoption of this resolution, the House shall resolve into the Committee of the Whole House on the state of the Union for consideration of the resolution (H. Res. 659) affirming that States should maintain primacy for the regulation of hydraulic fracturing for oil and natural gas production on State and private lands and that the President should not declare a moratorium on the use of hydraulic fracturing on Federal lands (including the Outer Continental Shelf), State lands, private lands, or lands held in trust for an Indian Tribe unless such moratorium is authorized by an Act of Congress. The first reading of the resolution shall be dispensed with. All points of order against consideration of the resolution are waived. General debate shall be confined to the resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the resolution shall be considered for amendment under the five-minute rule. All points of order against provisions in the resolution are waived. When the committee rises and reports the resolution back to the House with a recommendation that the resolution be adopted, the previous question shall be considered as ordered on the resolution and amendments thereto to adoption without intervening motion. If the Committee of the Whole rises and reports that it has come to no resolution on the resolution, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the resolution.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H. Res. 659.

Ms. SCANLON. 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.

Mrs. LESKO. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

SMITHSONIAN WOMEN'S HISTORY MUSEUM ACT

Ms. LOFGREN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1980) to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1980

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Smithsonian Women's History Museum Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Since its founding, the United States has greatly benefitted from the contributions of women.

(2) Historical accounts, monuments, memorials, and museums disproportionately represent men's achievements and contributions and often neglect those of women. For example—

(A) a study of 18 American history textbooks concluded that 10 percent of the material documented contributions of women;

(B) 9 statues out of 91 in the United States Capitol's National Statuary Hall depict women; and

(C) only one of the 44 monuments operated by the National Park Service specifically honors the achievements of women after the 2016 designation of the Belmont-Paul Women's Equality National Monument.

(3) There exists no national museum in the United States that is devoted to the documentation of women's contributions throughout the Nation's history.

(4) Establishing a comprehensive women's history museum representing a diverse range of viewpoints, experience, and backgrounds is necessary to more accurately depict the history of the United States and would add value to the Smithsonian Institution.

SEC. 3. ESTABLISHMENT OF MUSEUM.

(a) ESTABLISHMENT.—There is established within the Smithsonian Institution a comprehensive women's history museum, to be named by the Board of Regents in consultation with the council established under section 4.

(b) PURPOSE.—The purpose of the museum established under this section shall be to provide for—