

EXPRESSING SUPPORT FOR H.R. 11, THE LILLY LEDBETTER FAIR PAY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, today I am here to express my support of the Lilly Ledbetter Fair Pay Act. I would like to commend and indeed applaud my colleagues Congresswoman ROSA DELAURO and Chairman GEORGE MILLER of the Education and Labor Committee for their tireless efforts in support of fair treatment in the workplace. Jobs are on everyone's mind, and I rise in support today of H.R. 11, not only because it is the right thing to do, but also because, for me, it is personal.

When our beloved mother, Anastasia, began work back in the middle of the last century as a counter waitress at a place called Liberty Lunch on Broadway in Toledo, Ohio, she did not even earn the minimum wage. And I will tell you what; she deserved it. That wage was only made possible by the Fair Labor Standards Act in 1938. But even when that act passed, her vile boss would then cash her check and deduct the increase from her and pocket the money for himself. Sadly, stories of pay discrimination and inequity still reside across our country.

The Lilly Ledbetter bill is named after Lilly Ledbetter, who worked for almost 20 years at a Goodyear Tire and Rubber Company plant in Gadsden, Alabama. After finding out that she was the lowest paid supervisor at the plant where she worked, despite the fact that she had more experience than her male counterparts, Lilly sued Goodyear for unlawfully discriminating against her based on gender.

A jury found in her favor, but, of course, Goodyear, which has deep pockets and in fact is a defense contractor of our country, went to court. In fact, they had the money to go all the way to the Supreme Court, and the Supreme Court ruled in favor not of Lilly, but of Goodyear.

The Court cited the reason being that the time limit for her claim had passed as the initial discrimination happened nearly 20 years earlier. However, Lilly Ledbetter filed her charge as soon as she learned of the pay discrimination. It was not her fault that it took almost 20 years to learn of her situation.

The United States Supreme Court's decision changes the law, limiting any action to 180 days after the first incident of discriminatory activity. In such cases as Lilly Ledbetter's, it took nearly 20 years to have the discrimination come to light. This decision limits the ability of any employee to challenge discriminatory pay.

H.R. 11 will restore the law and justice by clarifying that each paycheck resulting from a discriminatory pay decision would constitute a new violation of the employment nondiscrimination law and reset the 180-day clock.

Employees do not go around asking each other how much money they earn

on each paycheck. In fact, many employers even explicitly prohibit such conversations. It is not like working for Congress, where our pay is public record. In addition, who would want to go around when they are at a new job and ask new coworkers their income and level of work experience as well as other data to evaluate if one's own pay is fair, knowing you have 180 days from your first paycheck to file with the U.S. Equal Employment Opportunity Commission? Who would want to start a job like that?

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Most new employees are more focused on doing their job and working hard and performing well so that he or she can keep their new position and continue to earn paychecks. In today's climate, an income is more critical than worrying about pay discrimination, but that too should not allow this practice to continue.

We cannot allow employers to hide behind a mere 180 days and potentially successfully carry out pay discrimination day after day.

Madam Speaker, that is why I'm an original cosponsor of the Lilly Ledbetter Fair Pay Act. It's in memory of our own mother. This bill is not only about pay discrimination on the basis of gender, but also race, religion, national origin, disability or age. This bill is about doing the right thing to protect the hardworking people of this Nation.

I urge my colleagues to support this important bill as we begin the 111th Congress, and I want to thank Lilly Ledbetter for her life and for the life of working-class women and men across this country.

Madam Speaker, thank you very much for the opportunity today to support the Lilly Ledbetter Act of 2009, H.R. 11.

FEDERAL BUDGET DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Madam Speaker, we saw yesterday the CBO projection that the Federal budget deficit for this fiscal year, which started in October, will balloon to \$1.2 trillion. A member of the Senate Budget Committee, KENT CONRAD, called it "jaw-dropping." And our budget chairman, JOHN SPRATT, said he got "sticker shock."

President-elect Obama has predicted that "potentially we've got trillion dollar deficits for years to come." President-elect Obama then said, "if we do nothing, then we will continue to see red ink as far as the eye can see."

Most Members know that our country is facing a critical crisis, and if we fail to find solutions that will halt a mortgaging of our children and grandchildren's future, I seriously consider and believe the 111th Congress will really go down as a failed Congress.

We have an opportunity at hand to deal with this issue, and we need to do it in a bipartisan way. There's a bipartisan plan on the table that Congressman COOPER of Tennessee and I have, called the Cooper-Wolf SAFE Commission, that sets up a bipartisan panel to put every spending program and tax policy on the table and require this institution that has avoided its responsibility to vote it on up or down.

Today's Washington Post, in this editorial which I will submit for the RECORD, talked about our effort and the tough decisions that Congress faces. The editorial said, "Ideally, Congress could make the necessary hard choices through the normal legislative process. Its repeated failure to do so, however, may necessitate a commission to recommend reforms for the House and Senate to accept or reject."

Amen. The Post is right. Unless we do the Cooper-Wolf concept of a commission, this Congress will not deal with the issue. And if we don't do it now, both parties, the Democratic Party and the Republican Party, will have failed the American people, and both parties will have to explain to the American people their failure to act in the best interest of future generations.

Others have spoken out. Ben Bernanke, Fed Chairman said, "The quality of the future that we will endow to our children and our grandchildren will depend in important measure on how we rise to the occasion."

David Broder, a respected columnist for The Washington Post said, "The need for such a bipartisan approach (to examine the future of entitlement programs) is evident."

Robert Samuelson, Washington Post columnist, Newsweek said, "What would distinguish this commission from its many predecessors is that Congress would have to vote on its recommendations."

David Brooks, from the New York Times, said "The Commission would come up with a plan to restore fiscal balance, and the plan would immediately go to Congress for an up-or-down vote."

John Snow, the 73rd Treasury Secretary, said, "I agree that because of the huge debt overhang we face a looming financial crisis and I know of no better approach than the SAFE Commission idea."

Editorials from the Richmond Times Dispatch said, "The Cooper-Wolf bill would give the commission some teeth by requiring Congress to take an up-or-down vote on the recommendations of the 16-member bipartisan panel."

The Washington Times said, "Two rays of bipartisan sunlight appear to be trying to shine through the clouds casting dark shadows on the Nation's long-term fiscal horizon. The two rays of bipartisanship sunshine take the form of legislative proposals working their way through the House and the Senate."

And there were many others. Policy groups across the political spectrum,