

## EXTENSIONS OF REMARKS

### INTRODUCTION OF THE FAIR PAY ACT OF 2013

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Ms. NORTON. Mr. Speaker, the 1963 Equal Pay Act (EPA), the first of the great civil rights statutes of the 1960s, was successful for close to 20 years, but it is too creaky with age to be useful today. It is long past time to amend the EPA to reflect the new workforce, which women work almost as much as men. Every Congress, Representative ROSA DELAURO and I, along with scores of other members of Congress, introduce the Paycheck Fairness Act, to amend the EPA to make its basic procedures equal to those used in other anti-discrimination statutes. I was an original co-sponsor of, and attended the signing ceremony at the White House for, the 2009 Lilly Ledbetter Fair Pay Act, which further strengthens the EPA by restoring its original interpretation. However, the Fair Pay Act of 2013 (FPA), which Senator TOM HARKIN, and I have also introduced in prior Congresses, picks up where the EPA and the Lilly Ledbetter Act leave off by taking on workplace gender discrimination in which gender-influenced wages leave the average female worker without any remedy. I have long pressed for passage of the Paycheck Fairness Act and the FPA, based on my own experience as the first female chair of the Equal Employment Opportunity Commission (EEOC), when President Jimmy Carter moved the EPA and other civil rights statutes under the EEOC's jurisdiction as part of a historic reorganization. My colleague Senator HARKIN, who is retiring at the end of this Congress, has also worked tirelessly on the FPA. He has always been a great friend of equality. Senator HARKIN's work on the Americans with Disabilities Act is a landmark of his service and the Senator has brought the same zeal to issues facing women in the workplace.

Along with my indispensable Senate partner, TOM HARKIN, I again introduce the FPA on behalf of the average female worker, who is often first steered to, and then locked into, jobs with wages that are deeply influenced by the gender of those who have traditionally held such jobs. Much of the wage inequality women experience today is because of employer-steering and because of deeply rooted wage stereotypes, which result in wages being paid by gender and not according to the skills and efforts necessary to do the job. I introduce the FPA because the pay disparity most women face today stems mainly from the segregating of women and men in different jobs. Two-thirds of white women and three quarters of African-American women work in just three areas: sales/clerical, service and factories. We need more aggressive strategies to break through the societal habits present throughout history, the world over, as well as employer-steering based on gender, which is as old as paid employment itself.

The FPA requires that if men and women are doing comparable work, they are to be paid comparable wages. If a woman, for example, is an emergency services operator, a female-dominated profession, she should not be paid less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female occupation, she should not earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the EPA, will not tamper with the legal burden. Under the FPA, as under the EPA, the burden will be on the plaintiff to prove discrimination. The plaintiff must show that the reason for the disparate treatment is gender discrimination, not legitimate market factors.

Corrections to achieve comparable pay for men and women are not radical or unprecedented. State governments, in red and blue states alike, have demonstrated with their own employees that they can eliminate the part of the pay gap that is due to discrimination. Twenty states have adjusted wages for female-dominated professions, raising pay for teachers, nurses, clerical workers, librarians, and other female dominated-jobs that paid less than comparable male-dominated jobs. Minnesota, for example, implemented a pay equity plan when it found that traditionally female jobs paid 20 percent less than comparable traditionally male jobs. There may well be some portion of a gender wage gap that is traceable to market factors, but twenty states have shown that you can tackle the gender discrimination-based wage gap without interfering in the market system. The states generally have closed the wage gap over a period of four to five years at a one-time cost of no more than three to four percent of payroll.

In addition, many female workers routinely achieve pay equity through collective bargaining, and countless employers provide it on their own as they see women shifting out of vital female-dominated occupations as a result of the shortage of skilled workers, as well as because of the unfairness to women. Unequal pay has been built into the way women have been treated since Adam and Eve. To dislodge such deep-seated and pervasive treatment, we must go to the source, the traditionally female occupations, where pay is linked with gender and always has been.

The best case for a strong and updated EPA, with at least the Paycheck Fairness Act, occurred here in the Congress in 2003, when female custodians in the House and Senate won an EPA case after showing that female workers were paid a dollar less for doing the same or similar work as men. Had these women not been represented by their union, they would have had an almost impossible task of using the rules for bringing and sustaining an EPA class action suit. The FPA simply modernizes the EPA to bring it in line with subsequent civil rights statutes. From my tenure as EEOC chair, I know all too well the

several ways that this historic legislation needs a 21st century makeover.

Let us start with the Paycheck Fairness Act, so we can be prepared to go further with the FPA, which we introduce today. Let us start now to make the pay worthy of the American women we have asked to go to work.

### IN RECOGNITION OF MR. OMER D. SIMMS

#### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Mr. BURGESS. Mr. Speaker, I rise today to honor one of the fallen crewmembers of the Essex-class carrier U.S.S. *Franklin*, Mr. Omer D. Simms, a Seaman First Class.

On March 19, 1945, the U.S.S. *Franklin* was instantly hit by a Japanese bomb that killed, wounded, and trapped many crew members on board. Mr. Simms, one of the confined men, heroically put his comrades' life before his own by creating a hatch for them escape. Letting the twelve other men go before him, Mr. Simms never made it to safety. Instead, he tragically lost his life on the U.S.S. *Franklin* from a second bomb that hit the ship while the other crewmembers' lives were saved.

I am proud to honor Mr. Omer D. Simms' service aboard the U.S.S. *Franklin* and the ultimate sacrifice he made for this country.

### IN HONOR OF JAMES J. SWEENEY

#### HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2013

Mr. MEEHAN. Mr. Speaker, today I rise to honor James J. Sweeney of Havertown, Pennsylvania. Mr. Sweeney entered the United States Navy after graduating from high school in 1943, and served aboard the USS *Hancock*. The *Hancock* took part in some of World War II's most pivotal battles, including the invasions of the Philippines, Iwo Jima, and Okinawa. Mr. Sweeney was honored for his heroic service and awarded the Philippines Liberation Medal, 5 Battles Stars and a Presidential Unit Commendation.

It was during his time in the Navy that Mr. Sweeney befriended his shipmate, John Finn. Lt. Finn received the Medal of Honor for his heroic actions at Pearl Harbor. During the Japanese surprise attack, Lt. Finn manned his machine gun and fought off the Japanese Zeros for 2½ hours even as he took an onslaught of bullets and shrapnel. And for the past 9 years, James Sweeney has tirelessly worked to honor Lt. John Finn, who passed away in 2009. On February 15, 2011, those efforts proved successful as the Navy announced that a new guided missile destroyer will be named the USS *John Finn*.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

For these efforts Mr. Sweeney is being honored by American Legion Post 667 in Havertown. On behalf of a grateful nation, I congratulate Mr. Sweeney on his efforts to ensure that Lt. Finn's name and legacy lives on, and for his service during World War II, reflecting great credit upon himself and the United States Navy.

CONGRATULATING THE NATIONAL ALLIANCE FOR HISPANIC HEALTH ON ITS 40TH ANNIVERSARY

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2013*

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the National Alliance for Hispanic Health on its 40th anniversary of service to the residents of the District of Columbia and the national capital region.

Founded in 1973, the National Alliance for Hispanic Health is the nation's foremost source of information on Hispanic health. Throughout its 40-year history, the National Alliance for Hispanic Health has been committed to improving the health of Hispanic communities throughout the United States. Growing from a small coalition of mental health providers, the National Alliance for Hispanic Health has become the largest network of Hispanic health and human services providers in the country.

We appreciate the National Alliance for Hispanic Health's long presence in the District and its continued service to our city's growing Hispanic population. We are particularly pleased with the National Alliance for Hispanic Health's contributions to health-related research and its continued commitment to building a base of knowledge, increasing public awareness, sponsoring collaborative networks and strengthening community infrastructure not only in the District, but throughout the nation, too.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 40th anniversary of the National Alliance for Hispanic Health.

HONORING LONG-TIME  
COMMUNITY LEADER

**HON. JUDY CHU**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2013*

Ms. CHU. Mr. Speaker, I rise today to recognize a great loss to our community, Mr. Wilbur Kuotung Woo, who passed away on November 12, 2012 at the age of 96. My heart goes out to his wife of 74 years, Beth; his five children; his six grandchildren; his seven great-grandchildren; and the rest of his family and friends.

I had the great pleasure of knowing Mr. Woo. He was an extraordinary citizen, a role model for community activism and a tireless advocate for the Chinese American community.

Mr. Woo's life stands as a living testament to the American Dream. He was born in China

in 1915 and immigrated to the United States at age 5. He went on to study at UCLA and graduated with a degree in business administration. Mr. Woo then went to work at his family's business, the Chungking Produce Company, where he would often begin work around midnight in order to prepare for a full day at the produce market.

In 1962, Mr. Woo became Vice President of Cathay Bank during a time when many local banks refused to lend to Chinese Americans. Thanks in part to his leadership and incredible business acumen, Cathay Bank would go on to become one of the largest independent financial institutions in Los Angeles County.

Mr. Woo also served his community as chairman of the board at The Chinese Times, president of the Chinese Chamber of Commerce and founder of the California-Taiwan Trade & Investment Council.

Mr. Woo was known as a bridge between the halls of power in Washington, DC and the underserved Chinese American community. As President of the Chinese American Citizens Alliance, he lobbied for a shift in U.S. immigration policy and met with Senators Hiram Fong and Edward Kennedy. Woo would see his dream accomplished in 1965, when the United States finally lifted legal barriers limiting immigration from China and Taiwan. This historic act would open the doors for a new wave of immigrants and greatly contribute to our nation's cultural fabric.

I urge all my House colleagues to join me in honoring our community hero, Mr. Wilbur K. Woo, for his remarkable service, indomitable spirit and contributions to his community and to our nation.

IN HONOR OF ELWOOD RUSH

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2013*

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor a man who has made significant contributions to Pennsylvania's 8th District and to our country. Mr. Elwood W. "Woody" Rush passed away on Sunday, January 20, 2013 at the age of eighty-three. While his family, friends, and community members mourn his passing, they find comfort in remembering his legacy. Woody was born and raised in Bucks County, Pennsylvania. He went on to serve in the United States Army in 1951 during the Korean War era. Upon completion of his military service, Woody returned to Pennsylvania's 8th District to begin a lifelong career with Sherwin Williams Paint Company.

Woody was also dedicated to making his community a better place. He was a member of St. Luke's United Church of Christ in Dublin, PA, where he taught Sunday school and served as President of the church consistory. In addition, he served on St. Luke's Union Cemetery Committee for many years. Mr. Rush is an example of a leader and a true patriarch. Over the years, I have had the pleasure of getting to know two of his sons within whom Woody has undoubtedly instilled his strong family values. His service to both his country and his community will always be venerated.

INTRODUCTION OF A BILL TO ENSURE THAT THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY COMPLIES WITH FEDERAL ACQUISITION REGULATION

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 29, 2013*

Ms. NORTON. Mr. Speaker, I rise today to introduce a bill to require the Metropolitan Washington Airports Authority (MWAA) to adopt the Federal Acquisition Regulations, which govern all aspects of the acquisition process for virtually every federal executive branch agency, and to adopt the federal anti-nepotism rules. Significant failures in MWAA's contracting and hiring policies and practices point to a need for substantial reform in MWAA's acquisition and hiring processes. Despite being created by Congress, leasing federally owned land, and benefiting from significant federal taxpayer funds, MWAA is not subject to federal procurement or anti-nepotism laws. This omission has left MWAA without ample guidance for its board members and employees. Many of the problems that have drawn criticism of MWAA could be eliminated if the Federal Acquisition Regulations and federal anti-nepotism regulations were made applicable to MWAA.

MWAA is an independent public body created by Congress under the Metropolitan Washington Airports Act of 1986 (Airports Act). MWAA, with 1,400 employees, leases Ronald Reagan Washington National Airport and Washington Dulles International Airport from the Federal Government. In addition to managing the airports, MWAA is responsible for the Dulles Corridor Metrorail Project, which has an estimated cost of \$5.8 billion, including \$977 million in federal funds.

A recent Department of Transportation (DOT) Inspector General report, "MWAA's Weak Policies and Procedures Have Led to Questionable Procurement Practices, Mismanagement, and a Lack of Overall Accountability" (Report Number: AV-2013-006), or IG Report, found that "MWAA's contracting policies and practices are insufficient to ensure compliance with the Airports Act and the lease agreement between DOT and MWAA." For example, the Airports Act and lease agreement require MWAA to award contracts over \$200,000 competitively to the maximum extent practicable. However, the IG Report found that MWAA recently awarded two-thirds of its contracts exceeding \$200,000 with limited competition. The IG Report also noted that MWAA awarded many contracts with no formal solicitation, and that MWAA's Contracting Manual does not require public notification of sole-source contracts over \$200,000.

A January 15, 2013, Washington Post article reported that at least 10 percent of MWAA employees have family members working there, including spouses, and children. The IG report also noted that MWAA lacks "sufficient controls to detect and prevent nepotism." It is clear that changes are imperative and overdue.

The lack of transparency and competition on MWAA's contracts and hiring are inconsistent with continuing ownership of the airports by the Federal Government, MWAA's creation by Congress, and the significant federal taxpayer

dollars MWAA receives. The IG Report's conclusion that current procurement procedures and hiring policies are inadequate requires a response that definitively fixes these issues. It

makes no sense for MWAA to attempt to reinvent a new set of procurement procedures and ignore the very thorough and tested Federal Acquisition Regulations, which provide

legal guidelines for every aspect of procurement and maximize fairness and transparency of the federal anti-nepotism regulations.

I urge my colleagues to support the bill.