

reached the Supreme Court which held that Ledbetter had waited too long to sue for pay discrimination, despite the fact that she filed a charge with the U.S. Equal Employment Opportunity Commission as soon as she received the anonymous note. The Supreme Court said that under Federal fair pay laws a person must file a discrimination claim within 180 days of the first violation.

Today our opponents will say that this bill is a trial lawyer's dream and that it will bring unnecessary litigation. This is simply not true. The Lilly Ledbetter Fair Pay Act restores the law as it was prior to the Supreme Court's decision. Prior law was fair and worked. Before the Court's ruling, the law was clear—every discriminatory paycheck was a new violation of the law that restarted the clock for filing a claim. Under the Supreme Court's ruling, the Ledbetter decision allows employers to escape responsibility by keeping their discrimination hidden and running out the clock.

The Lilly Ledbetter Fair Pay Act clarifies that each new paycheck resulting from a discriminatory pay decision constitutes a new violation of employment nondiscrimination law. As long as a worker files a charge within 180 days of a discriminatory paycheck, the charge would be considered timely.

This is what the law was and what it should be going forward. I'm very proud to support this bill and I urge a "yes" vote on the underlying legislation.

Mr. STARK. Madam Speaker, I rise in strong support of pay equity.

The Supreme Court's ruling in Ledbetter v. Goodyear was absurd. If I broke the law for nearly two decades—as the Goodyear Tire and Rubber Company did when they stiffed Lilly Ledbetter out of the pay she deserved for 19 years—I couldn't turn around and say that I didn't owe anything because no one caught me during the first 6 months. Yet that's exactly what the Supreme Court allowed Goodyear to say to Ms. Ledbetter.

The existing law is unfair. Many workers don't even discover that they're being discriminated against until the existing 180-day statute of limitations has passed. In every other area of American tort law, the clock restarts with every new violation. The Lilly Ledbetter Fair Pay Act simply fixes existing law so that sex discrimination is treated the same way.

My Republican colleagues love to call up the "frivolous lawsuits" bogeyman to scare hard-working Americans out of their rights, but there's nothing frivolous about equality and justice. The wage gap in the United States has remained stagnant over the last 7 years. Women in the United States still make less than 78 cents for every dollar a man makes. Women of color have it even worse: African-American women earn only 68.7 cents and Latin American women 59 cents for every dollar an American man makes.

That's why I'm a co-sponsor of the Lilly Ledbetter Fair Pay Act, and why I encourage all of my colleagues to join me in passing this important legislation. American workers deserve better. They deserve equal pay for equal work, regardless of gender, race, ethnicity, religion, and sexual and gender orientation. When they don't get it, they deserve their day in court.

Mr. TIAHRT. Madam Speaker, I rise today in opposition to H.R. 11, the Lilly Ledbetter Fair Pay Act. Although I join my colleagues in steadfast opposition to pay discrimination, this

ill-advised, over-reaching, and disingenuous overhaul of civil rights law is the wrong approach.

Pay discrimination is not a partisan issue. Pay discrimination strikes at the heart of the American Dream. For more than 40 years, the 1963 Equal Pay Act and Title VII of the 1964 Civil Rights Act has made it illegal for employers to determine an employee's pay scale based on his or her gender. I wholeheartedly agree and support these laws. Every American should be able to work hard, and make a living for his or her family. We can not tolerate gender discrimination in the workplace.

This legislation, however, is about bad politics rather than good policy. H.R. 11 was supposedly written to remedy a sad situation for one person—Lilly Ledbetter. She was apparently paid significantly less than her counterparts at Goodyear Tire Company during her tenure there. Decades later Ms. Ledbetter filed a claim of discrimination. Taking her claim through the courts, the U.S. Supreme Court ruled on May 29, 2007 that the statute of limitations had unfortunately run out.

Instead of simply restoring prior law, by overturning a Supreme Court ruling against Ms. Ledbetter, in reality, Democrats will gut a decades-old statute of limitations that prevents the filing of "stale" claims and protects against abuse of the legal system. Current law rightly provides a statute of limitations to file a discrimination claim, up to 300 days after the alleged workplace discrimination occurred. Under this bill, however, employees or retirees could sue for pay discrimination years, even decades, after the alleged discrimination.

How can a company defend itself when the accused offenders left the company decades before? The answer is—they can't. And that is exactly the answer desired by the trial lawyers who support this legislation. This legislation will not end pay discrimination, but it will certainly encourage frivolous claims and lawsuits. It is inevitable that under this legislation employees will sue companies for reasons that have little if anything to do with the accused discrimination.

Madam Speaker, the issue of pay discrimination is too important to consider this poorly crafted, politically motivated piece of legislation. As much as we sympathize with Ms. Ledbetter, H.R. 11 is bad legislation. Let us instead join together, work in a bipartisan manner, to address pay discrimination while not destroying decades-worth of solid employment discrimination law. Until then, I ask my colleagues to join with me in opposing this legislation.

Mr. HOLT. Madam Speaker, I rise in strong support of the H.R. 11, the Lilly Ledbetter Fair Pay Act of 2009.

For nearly 20 years, Lilly Ledbetter worked at a Goodyear Tire facility in Alabama. After learning that she was the lowest paid supervisor—earning 20 percent less than the lowest paid, least experienced man in the same position at Goodyear—she sued the company for pay discrimination. On May 29, 2007, after a series of cases and appeals, the Supreme Court handed down a disturbing 5–4 ruling that fundamentally rewrote protections that American workers have enjoyed for more than 40 years when they were codified in the Civil Rights Act of 1964.

According to Justice Samuel Alito, who wrote the flawed decision, when Ms. Ledbetter failed to file a discrimination case within the

statutorily provided 180 days from the initial decision to pay her less than her male colleagues, she was barred from filing a complaint and no relief was available. Despite documenting the sex based evaluation system Goodyear managers used, Lilly Ledbetter was denied justice and the rights afforded to her under the Civil Rights Act.

Justice Alito's opinion runs contrary to decades of civil rights law, and the Lilly Ledbetter Fair Act would restore the law as it was prior to the Court's ill considered decision. This bill would make it clear that when it comes to discriminatory pay, the protections of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and the Rehabilitation Act extend not only to these discriminatory pay decisions and practices but to every paycheck that results from those pay decisions and practices.

As an original cosponsor of the Lilly Ledbetter Fair Pay Act, I urge my colleagues to support its passage, and I encourage the Senate to work quickly to send it to the President.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 5(a) of House Resolution 5, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. GEORGE MILLER of California. 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 bill will be postponed.

PAYCHECK FAIRNESS ACT

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to section 5(b) of House Resolution 5, I call up the bill (H.R. 12) 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 12

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 "Paycheck Fairness Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Women have entered the workforce in record numbers over the past 50 years.

(2) Despite the enactment of the Equal Pay Act in 1963, many women continue to earn significantly lower pay than men for equal work. These pay disparities exist in both the private and governmental sectors. In many instances, the pay disparities can only be