I wonder if the gentleman would indulge me in yielding the remaining 5 minutes to our colleague who has not had a chance to speak. If the gentleman will stand by, we may have a chance for a concluding colloquy.

Mr. Speaker, I now yield to the distinguished gentlewoman from Washington [Ms. DUNN], a member of the Committee on Ways and Means who made invaluable contributions on this trip.

Ms. DUNN of Washington. Mr. Speaker, I must say it has been with great interest that I have listened to my colleagues' discussion about our very important trip to Asia and how proud I am to have traveled with them on this trip and to have watched in action some very powerful Members of the U.S. Congress who care a lot about our relationships with those nations over there, but who are not willing to make a trip such as this, with the rights of our constituents in our hearts, without being very, very candid in all of our conversations about some of the problems that we must deal with over in that part of the world.

My responsibility as a member of the Subcommittee on Trade of the Committee on Ways and Means dealt with trade issues in the Asian nations, and I would say that thanks to the Speaker and to other members of the delegation, I was able to inquire about specific policies that deal with our relationship with Asia. Certainly I come from a State, the State of Washington, that is very, very export-oriented.

One out of four jobs in my State are related to trade. As constituents in my State and as you know, Mr. Speaker, Boeing, the aircraft company that is the largest exporter in this Nation that does great business now with the nation of China, and we will see that nation as probably 20 percent of its future market.

There were questions about market access that we brought up over and over again. For example, in Japan, what about access, as the gentleman from Michigan [Mr. DINGELL] was interested in, in American autos? How about apples that come from our orchard, Mr. Speaker, in your part of our great State of Washington, that we are not allowed to export to Japan, the apples they want to eat, not just the Red and Golden Delicious, but the Fuji and the Gala apples, and why not provide to them the items that will be useful to the people that live in their country and also will help our export industry.

So we did not get good answers on some of those issues, Mr. Speaker, but we continued to try. In China we have serious problems having to do with intellectual property piracy, a rate that someone said is as high as 98 percent, market access to wheat for one thing in the State of Washington. We have terrible human rights violations. We have very serious problems there, but we were given a very warm welcome by the people in Beijing and Shanghai, because they want to do business with us and they want to work with us.

I believe that there is an openness there to a great degree that will allow us to expand on our trade relationships, that will allow the debate to begin on whether they should be able to accede to the WTO if they follow the road map that has already been laid out by our very effective ambassador-to-be of the USTR.

Taiwan, we had candid conversations in that nation as we did in all of the nations. It was a very effective trip. We were treated with great welcome, and I think that we were able to contribute a great deal to the work of the U.S. foreign policy, certainly reflected that, and I am very grateful, Mr. Speaker, to have been a colleague of yours on this important trip.

Mr. BEREUTER. Mr. Speaker, I thank the gentlewoman for her excellent contributions on the trip and her comments, and I thank the gentlewoman from the District of Columbia [Ms. NORTON] for allowing us this time.

TIME TO PUT PAY EQUITY FOR WOMEN BACK ON THE AMERICAN AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 50 minutes.

Ms. NORTON. Mr. Speaker, all over the country today, women are preparing for tomorrow, for they have been alerted by women's organizations and others that tomorrow is a day for commemoration, it can hardly be for celebration, because it is pay inequity day, the day on which women earn what a man earned during the previous year.

I want to devote my time this afternoon to discussing some issues which I think will astonish many. I want to acknowledge that the gentlewoman from Texas [Ms. JACTION-LEE] wished to participate in this Special Order and was unable to do so.

Interestingly, pay equity was one of the great issues of the 1960's and 1970's. What has happened to the issue? Why do we not hear it discussed as much? Have we in fact finally remedied pay inequality between men and women?

One of the things that happened, Mr. Speaker, I think, is that women represent such a broad and diversified group that women have in fact balkanized and diversified their agenda so that in a very real sense it is very difficult to indicate what matters most to women.

This afternoon I want to bring us back to basics, because what we are certain of is that a most dramatic structural change has occurred in the United States and in the American family. The housewife has virtually disappeared from the American landscape, and I am going to say to you, Mr. Speaker, that is not because there are not millions of women who would prefer to stay at home with their children, and I think frankly would be better off staying at home with their children, as would their children be better off, but during the past couple of decades, the fact is that the American standard of living has been going down, wages have stagnated and in fact decreased, so women are out there because they have to be out there, and this quite apart from the millions of women who want to be out there in order to reach their full potential in the workplace.

It is time that we put pay equity back on the American agenda if we mean what we say about the American family. The very reason that these women have gone to work in the first place is the American family and the pressures to keep the American standard of living where it was. Even so the average tow-parent family is not where that family was in the 1950's and 1960's, even with two people working. We have not been able to keep family income at the level we experienced in the post-World War II period.

I have a special interest in this issue because I am a former chair of the Equal Employment Opportunity Commission, where I raised the issue of pay equity for the first time during the Carter administration. But, Mr. Speaker, this is not an issue for government officials and expert lawyers; it has now become a grassroots issue as American women struggle out to work every day and, working year-round, have only been able to bring themselves to the point where they are worth 72 cents for every dollar earned by a man.

In case we think that this concern of working women is confined to a small group, let me offer these figures: 40 percent of all working women have children under 18. In two-parent families, 66 percent of women work. The number of female-headed households has doubled since 1970. We are dealing with a structural change in American society. We cannot run from it, but we certainly have hidden from it.

Today I introduced a bill that begins to deal with that part of the problem that may come from discrimination.

□ 1500

I have done so because of my concern about the gap, which is closing, ironically enough. I am very pleased that the gap appears to have gradually closed. We are 72 cents on the man's dollar, but more than a decade before that we were 62 cents on the man's dollar.

But when I looked behind these figures, Mr. Speaker, I found that while there had been some progress, most of it had nothing to do with the average woman. The gap has, indeed, not closed at all for many women because the figures we are using measure women against the decline in men's wages. Therefore, we have been able to catch up to men in large part, in very significant part, because men's wages have declined so dramatically over the last couple of decades.

That is not what we had in mind when we indicated we wanted to close

the gap. Indeed, the Equal Pay Act that it was my great privilege to enforce has a requirement which I think drives home the fact that decline in men's wages simply is not the way to measure progress for women.

When an employer finds in enforcement the Equal Pay Act that women and men doing the same job are not paid equally, the Congress has not left the employer the option to lower the man's wage. The employer must raise the woman's wage. This has not happened in this regard; many men are not in the work force at all, and others have found they could not make the kind of living their fathers did.

We know there are many causes for this decline in male wages, including the export of manufacturing jobs, particularly union manufacturing jobs which afforded a man in the 1950's and 1960's an income even though his educational level might have been low. Those jobs have fled offshore in very significant numbers.

Another significant reason that the gap has closed is because there are a small group of women who in fact have attained higher skills. They tend to be professional women and highly skilled women, and at least at the entry level those women earn the same wages as men. Unfortunately, as they go up the job ladder, the disparities begin to appear again.

This much is clear; that the American family can no longer afford to have the woman wage earner lose $420,000 over a lifetime because of wage inequality. This much is true; that the country cannot afford to have women lose $100 billion in wages each year because of wage discrimination.

Is there nothing we can do about this problem? We can certainly do something about the problem insofar as it results from discrimination. Let me make clear, Mr. Speaker, that not all of this problem results from discrimination, but it is surely the case that some of it does. That is why today I have introduced the Fair Pay Act, a bill which takes up where the Equal Pay Act left off.

The Equal Pay Act says if a man and woman are working side by side or are in the same workplace, you cannot pay the woman one thing and the man something more. That still goes on in America. The Equal Pay Act, the first of the great civil rights statutes of the 1960's to be passed, goes after that kind of discrimination.

The problem is that we need an Equal Pay Act for the 1990's, even as the Equal Pay Act was the great equalizer of the 1960's. The Equal Pay Act of the 1990's, I submit, would be the Fair Pay Act. It would go at what turns out to be the root problem of the disparities between men and women today. Mr. Speaker, that disparity comes from the fact that a man and a woman, doing comparable work, can be paid differently.

Some of the examples are quite astounding. Today, emergency services operators are mostly women. Fire dispatchers are mostly men. Gender and gender alone has effected the wage disparities. If you are an emergency service operator, a female-dominated occupation, you are going to make less than a fire dispatcher.

Mr. Speaker, there are far fewer fires to dispatch people to than there are emergencies. If you look at the skill, effort, and responsibility of these two jobs, it would be very difficult to make the case that emergency services operators need less in skill or in responsibility or effort than a fire dispatcher. Why are these two groups paid differently? They are paid differently because of gender, I would submit, and not because of differences in the job. These two jobs are not the very same, but they are in fact comparable. They should be paid comparably.

Let me give another example, Mr. Speaker. Two people graduate from junior college at the same time. The man and the woman in the same graduating class get married shortly after their graduation. Each now has a college degree, or at least a two-year associate degree. She goes to be a social worker, he goes to be a probation officer. Guess who gets paid the most money? Probation officers make more than social workers.

I would defy the Members, Mr. Speaker, to show me the difference between these two occupations in skill, effort, and responsibility. I submit that there is none, except that historically social workers have been women and probation officers have been men.

What would I have us do about this problem? Let me first assure the Members that I would not have us interfere with the market system. I would have us extract only the discrimination from the wage, and the way we would do that is the same way we do it under the Equal Pay Act. The Equal Pay Act is where the categories of skill, effort, and responsibility were first laid out. Even if the market allows an employer to in fact hire a woman to do the same job as a man, the Equal Pay Act says you cannot do it.

So if the reason that your cadre of women workers earns less than your cadre of men workers doing the same job is that the women are willing to work for less, the statute says you have violated the law even though the market has provided you with women who are willing to work for less, and you must raise their wage to meet the wage of the men.

Mr. Speaker, how this would work in the case of the Fair Pay Act is very similar. The burden would be on the woman, as it is under the Equal Pay Act, to show that the reason she is paid less as an emergency services operator than her employer pays fire dispatchers is discrimination based on gender, not in fact legitimate market factors. The burden is on her. If she cannot meet that burden, then she would not prevail under the Fair Pay Act.

Mr. KENNEDY of Massachusetts. Mr. Speaker, would the gentlewoman consider yielding to me?

Ms. NORTON. I am pleased to yield to the gentleman from Massachusetts.

CPI ADJUSTMENT

Mr. KENNEDY of Massachusetts. Mr. Speaker, I very much appreciate the gentlewoman yielding.

Mr. Speaker, this is an issue that is actually in a similar subject area, and I know that the gentlewoman would agree with the issue that I would like to bring up.

Mr. Speaker, I rise to address an issue of great concern to the people across the country. That is the issue of the Consumer Price Index. According to a statement today from the White House, a CPI adjustment is apparently back on the bargaining table in today's budget talks. This is of great concern to many Members like myself, and I hope to the gentlewoman from the District of Columbia [Ms. NORTON], who have written letters, filed resolutions, and spoken out against a magic CPI fix to balance the budget.

An artificial and unwarranted CPI fix would lower Social Security benefits for the poor and senior citizens on fixed incomes, many of whom are women, raise taxes on low- and middle-income Americans, and lower the wages of millions of workers whose contracts are tied to the CPI.

Now we learn that after many pronouncements from both sides that the CPI issue is dead, apparently it has come back to life in secret budget negotiations going on between the White House and the Republican leadership. Given the history of the past budget summits, I am fearful that a CPI fix will be agreed on in secret negotiations, buried in several hundred pages of budget, and brought to the floor with only a single vote on the entire package.

That is simply not right. Any provision which affects virtually everyone in this country, that is so significant, deserves a straight up-or-down stand-alone vote. If the CPI fix is a good idea, let it stand on its own.

Therefore, I will be circulating a letter to House leadership on both sides of the aisle demanding that any budget or legislative provision which contains a CPI adjustment be brought up under a procedure in which separate votes up-or-down will take place on the CPI provision alone. The American people deserve to know where everyone stands on this critical issue.

I welcome anyone in the Chamber or in this House who would like to join me in this effort, and I particularly want to thank the gentlewoman from the great city of Washington, DC for yielding to me.

Ms. NORTON. The gentleman is quite welcome.

Mr. Speaker, may I add that my Fair Pay Act is an amendment to the Equal Pay Act, and not a separate act. One of the things it does is to add race and national origin to the Equal Pay Act.

Mr. Speaker, I can see that there may be fewer jobs were the stereotyping about race and national origin happens to the extent that it happens to women, because low-paid jobs tend to be passed on from one ethnic group to another. But there certainly are some jobs, and those jobs should be reached under the Equal Pay Act, and they would be reached under the Fair Pay Act.

I would like to address any concern about the way the Fair Pay Act might affect the market system. Not only are the safeguards I mentioned before there, that the burden is on the woman, the plaintiff, that she must show that the cause of the disparity is in fact gender and not some legitimate cause inherent in the market.

But there is another reason to believe that comparable pay would not have a disruptive effect on our economy. A number of States, more than half a dozen, have done comparable-pay studies that affected their own State work forces, and some of them have indeed used those studies in order to raise the pay of women doing comparable jobs with men. So once again, the States have experienced and have shown that comparable pay can work. This remedy should be applied to others, as well.

Mr. Speaker, I am also associated with the Families First Fair Pay Initiative, which involves some additions that are perhaps less clear cut than my own but which I fully embrace. On Pay Inequity Day tomorrow, I think we would do well to take notice of these smaller steps, which I believe need to be taken at the earliest time.

□ 1515

One is simply better enforcement of the Equal Pay Act itself. The Equal Pay Act was transferred to the EEOC when I chaired that agency. In the beginning we brought many equal pay cases. I am concerned, as a prior chair of the agency, that during the 1980's there were very few equal pay cases brought at all and that even now there are too few relative to the amount of discrimination we know is out there.

Mr. Speaker, I call upon the Equal Employment Opportunity Commission to concentrate far more on Equal Pay Act cases, and I believe that this body needs to facilitate that effort by adding stronger penalties for violation of the Equal Pay Act.

The EEOC and the Office of Federal Contract Compliance in the Labor Department need additional resources. One of the reasons I believe that there has been less enforcement of the Equal Pay Act is because the EEOC now has very complicated additional responsibilities, including the ADA, the Americans with Disabilities Act, a very important recent addition to our law, relatively recent addition, and because of the Civil Rights Act of 1991, where we restored the strength of some of the equal opportunity laws after a Supreme Court decision. When all of this is piled onto an agency that has suffered as the EEOC has in the last several years, you may get some neglect of important statutes. There has been neglect of the Equal Pay Act. We must, in fact, at a time when the American family cannot do without the woman's wage, get our bearings and get back to basics with the Equal Pay Act.

In addition, while the Fair Pay Act is pending, there is something that employers can do right now without this body moving. As an interim and transition step, I believe that there should be voluntary employer guidelines drawn up by the Secretary of Labor so an employer can know without having to go through a process itself, whether, in fact, he is doing women a disservice by paying women less than the job should require.

An employer has a right to say, is the wage here what one might expect for the skill and effort and responsibility required in this job? The employer may not mean to discriminate. The Labor Department could do women and employers a service by, in fact, drawing voluntary guidelines, absolutely no sanctions attached to them, that would act to inform employers, that would act as an educational device so that employers who wanted to do the right thing would have some guidance as to what the right thing to do in fact was.

The Families First fair pay initiative cannot stop with women in the work force. The average woman out here is building a bad pension portfolio for herself. She is doing so in part because she is earning so little. The average woman makes less than $14,000 a year.

For a moment, by the way, Mr. Speaker, stop and think what that means for her children. What it means, if she is to have any money left over for having worked at all, is that she is probably leaving her children catch as catch can, and we certainly are doing nothing about that.

There needs to be a special order, and I will initiate one in the future, on child care. With so little money, the agony and the frustration that women face as they go to work every day is one of the great untold stories of America.

In a real sense I wonder why women are not insisting that their story be told. I have my own theory. Mr. Speaker, my theory is that women are raised to do the best that they can, to work night and day, not to respect any hours, to hustle from one part of their responsibilities to another. They think it is simply natural to get up in the morning and put your kids on the school bus and get out yourself and keep dialing home after school to make sure that your kids are there and run home and put the food on and read to the kids. They think this is natural. It is not natural, and it is not healthy for families or for women or for children. But at the very least we ought to make sure that this frustration does not come to rest in a woman's retirement years, with a pension that is too little to support her.

Mr. Speaker, most of the poor aged by far are women. They live on Social Security. One might think that, now that we have women in the work force in a more systematic fashion, perhaps that would no longer be the case. With the baby boom generation hitting us and with salaries still at such a low level, that expectation will not turn out to be the case, and there are some things we can do about that. We can expand the access of women workers to pensions and to the retirement vehicles that are out there. These include 401(k) plans and small business retirement plans and IRA's.

We can require that equitable survivor benefit options be available. So, for example, that either surviving spouse would in fact be entitled with two-thirds of the benefit received while both were alive. That is equity, Mr. Speaker. We could provide that divorcing spouses share equally in each other's pensions. Remember, both are working and they ought to share equally in each other's pensions unless a court decides that that should not be the case.

We could enact legislation that prevented one spouse's participation in a pension plan. I am sorry. We could prevent one spouse's participation in a pension plan from limiting the other spouse's ability to make deductible IRA contributions.

The pension area has received even less focus than the employment problems I spoke of because women who have too little voice as they work find that that voice grows softer and softer in its impact the older they get.

As we approach Pay Inequity Day, Mr. Speaker, we should take note of the fact that this body to its credit moved in a way that helped women in particular in the last session, the 104th Congress, even without a remedy addressed to women.

Some of our best remedies, dare I say most of our best remedies, are gender neutral. They include the Earned Income Tax Credit and the minimum wage, even though both assist women far more than men. For the minimum wage, 60 percent of the workers are women. When we passed the minimum wage last session, 300,000 people were immediately lifted out of poverty; 100,000 of them were children. We finally got over the false data that was used to show that somehow, if you increased minimum wage, you would basically help teenagers and do nothing for adults.

Only one-third of those affected by the increase were teenagers. Almost 70 percent of the minimum wage workers are 20 years or older. And, as I indicated, the majority of them are women. These are adults who go out here to earn a poverty wage every day. And this issue becomes more and more important as we look at the new welfare work force. We are still trying to figure out how these people on a minimum wage are going to be able to earn

a living. Imagine what would have occurred if we had not passed the minimum wage last year.

Mr. Speaker, I want to take special note of the fact that among those in our society already excluded, particularly people of color, the minimum wage has had the most important effect. Seventeen percent of all hourly paid African-American workers are minimum wage workers, and of course most of these low wage workers are female. Now, that is 17 percent, even though African-Americans are something like 12 percent of the population.

Twenty-one percent of all hourly paid Latino workers are minimum wage workers, and 25 percent of paid Latino women earn the minimum wage.

Therefore, if our concern is with eliminating disparities among people of color and white people, we should be aware that remedies like simply raising the minimum wage in an orderly and systematic fashion is one of the most effective things we could do.

There is a lot of concern and interest in getting women to go back home and in fact not work. Let me be clear. The women's movement of which I consider myself a part does not now and never has had the position that women should go out to work. Remember when the women's movement started. That was at a time when it was considered heretical for women to work. Therefore, women stepped up to the plate and said, wait a minute, is that not a choice I should make—because that was the background and the backdrop of women's work.

There are some who claim that we do not want women to stay at home. What we want is what women did not have when we said women should be able to go to work and what they should have now. And that is the right to make the choice with or without sacrifice as to what to do with their lives, a choice to be made by them and their families.

Mr. Speaker, if we really mean that choice to be a real choice, of course, we would do what every industrialized country in the world does. And that is at least provide some aid through some sort of child care system for women who want to go out and work, but we do not do that. That has not kept women from going to work. What it has meant is women have gone to work with some sacrifice to their children.

□ 1530

There is a reason women are working. You can bet your bottom dollar that there is a reason why half of all married women with children under 3 are in the labor force, and that is not because all of them have gone to law school and decided that they want to try out their law degrees. These are the minimum-wage women I was talking about or women just above them. These are the $14,000-a-year women that have no other choice and would not leave their children if they had any other choice.

Even if they have husband, and remember that the number of women who are raising children by themselves has doubled since 1970, remember that these women are working because this work simply must be done to earn a living.

In 1970, a quarter of all women worked. Now we are up to half. I am sorry, that figure was not correct. It was a quarter of all married women were working. And now it is half of all married women.

What we, I think, have been reluctant to face, Mr. Speaker, is that women have become to the service economy what the men of the 19th and early 20th century were to the industrial economy. Like the male industrial workers, women are the low-paid workers with no benefits of the 20th century.

If you look at who does not have pensions, if you look at who does not have health insurance, it is full-time women workers, and it is the plethora of women, the majority of women, who are part time workers or the majority of part-time workers who are women; and many of the part-time workers in this country tend to be women. The temporary workers tend to be women. And I don't think I need to say to this body what their benefit and wage levels are. Indeed, increasingly we see employers breaking jobs up to make them part-time and temporary precisely to avoid paying benefits.

There is going to come a time, Mr. Speaker, when women come upon this body and the other body to rectify this matter. It is time that we moved on our own to address this tragic frustration of the American family, because remember what these women are doing.

I have spoken of low-pay jobs for women. I have spoken of minimum-wage jobs for women. What kind of jobs do I mean? I mean the fast-food jobs; I mean the health aide jobs; I mean the insurance clerk jobs; I mean the residential day-care jobs; I mean the beautician jobs; I mean the hospital worker jobs. Women predominate in these low-paid occupations, and yet they have families, they live the same kinds of lives, have the same kinds of needs that other families have.

So on tomorrow, Pay Equity Day, we need to return to the equal pay and comparable pay issues. There is a reason why our focus is scattered, but we have got to be able to walk and chew gum at the same time.

Women have many, many concerns. It is perfectly appropriate for women to reach to those many concerns. None is more important today, Mr. Speaker, than assuring that when a woman goes out to work, she at least brings home what she is worth. That is what the Fair Pay Act is trying to achieve.

The frustration of having to go to work, for many women with small children is great enough, but having to go to work and then hardly bringing home enough to pay the baby-sitter or the child care center, which may or may not be accredited, that is a frustration we should ask no American family to endure. At the very least, we should be moving to begin to rectify a problem that is going to take years to remedy.

There was a time, Mr. Speaker, when pay equity issues were classic women issues. Times have changed, Mr. Speaker. The pay equity issue has become one of the paramount family issues. This, I submit, is not only because of the growth, the alarming growth, if you will, of female-headed families; this is because in America today it takes two to tango in the workplace to bring home enough money for the family. It is wrong to send women out in order to help with family income and then not to make sure that the woman brings home what her skill effort and responsibility on the job would indicate she deserves.

Mr. Speaker, some of us have been very vocal to young women, saying to them that what they must do is to get the requisite education. I am very blunt about it to my own constituents. I have a program called D.C. Students in the Capitol so I get to talk with them every legislative day. I ask their teachers and parents to bring them in classes to the Capitol, telling them that 20 million people come to visit the Capitol or visit Washington every year, and if you are born here and raised here, surely you ought to come.

And then I ask them, as I talk with them, to give me a promise, and I ask them that each raise her hand if she or he can promise me that she will stay in school at least until they have finished high school, and invariably they raise their hands. And I am very blunt with the boys, and I am very blunt with the girls. I talk to the boys about crime, and I talk to the girls about pregnancy, and I say I am going to check up on you to make sure that you do what you promise to do.

I do not want to be put in the position of sounding like a hypocrite of saying stay in school to the young girls so that you can come out here and make whatever an employer wants to pay you. I want to be able to say stay in school so you can come out and earn what you are worth.

For that reason, I ask that on tomorrow everybody think about pay and equity, because that is the day on which, remember, we are only in April, on which women earn as much as men have earned the entire prior year. I ask my colleagues to sign on to the Fair Pay Act. We had 52 cosponsors last year. Senator HARKIN has introduced the bill in the Senate already. I have over 20 cosponsors. I invite the cosponsorship of all of my colleagues.

HOW BIG SHOULD GOVERNMENT BE?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan, [Mr. SMITH] is recognized for 60 minutes.