SA 24. Mr. BINGAMAN (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 22, to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; as follows:

AMENDMENTS SUBMITTED AND PROPOSED

SA 23. Mr. BINGAMAN (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 22, to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; as follows:

On page 977, line 5, strike "(6)" and insert "(5)".

On page 977, line 8, strike "scales;" and insert "scales;".

On page 977, strike lines 9 through 17.

On page 1275, strike lines 3 through 6.

On page 976, strike lines 8 through 25.

On page 975, line 4, strike "4(c) or".

On page 975, line 13, strike "section 1a(32)" and inserting "sections 1a(32)" and inserting "under sections 5 through 5c".

On page 975, line 14, strike "Food, Conservation, and Energy Act of 2008 (7 U.S.C. 25(b)(1)(A)) is amend".

(1) The period described in paragraph (1) is the period from January 2, 2009 through February 4, 2009.

On page 974, line 19, insert "the Secretary of the Army, acting through before "the Chief".

On page 1188, line 19, strike "or" and insert "and".

Beginning on page 1271, strike line 3 and all that follows through page 1273, line 22, and insert the following:

On page 977, line 5, strike "(6)" and insert "(5)".

On page 977, line 8, strike "scales;" and insert "scales;".

On page 977, strike lines 9 through 17.

On page 1275, strike lines 3 through 6.

On page 976, strike lines 8 through 25.

On page 975, line 4, strike "4(c) or".

On page 975, line 13, strike "section 1a(32)" and inserting "sections 1a(32)" and inserting "under sections 5 through 5c".

On page 975, line 14, strike "Food, Conservation, and Energy Act of 2008 (7 U.S.C. 25(b)(1)(A)) is amend".

(1) The period described in paragraph (1) is the period from January 2, 2009 through February 4, 2009.

On page 974, line 19, insert "the Secretary of the Army, acting through before "the Chief".

On page 1188, line 19, strike "or" and insert "and".

Beginning on page 1271, strike line 3 and all that follows through page 1273, line 22, and insert the following:

SA 25. Mrs. HUTCHISON (for herself, Mr. MARTINEZ, Mr. GRASSLEY, Mr. CORNYN, Mr. ALEXANDER, Mr. VOINOVICH, Mr. ENZI, Mr. THUNE, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. CORAK) proposed an amendment to the bill S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SA 26. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 181, supra; which was ordered to lie on the table.

SA 27. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 181, supra; which was ordered to lie on the table.

SA 25. Mrs. HUTCHISON (for herself, Mr. MARTINEZ, Mr. GRASSLEY, Mr. CORNYN, Mr. ALEXANDER, Mr. VOINOVICH, Mr. ENZI, Mr. THUNE, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. CORAK) proposed an amendment to the bill S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; as follows:

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AMENDMENTS SUBMITTED AND PROPOSED

SA 24. Mr. BINGAMAN (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 22, to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; as follows:

Beginning on page 305, strike line 9 and all that follows through page 349, line 21.

On page 526, line 2, strike "2" and insert "3".

On page 526, line 7, strike "5" and insert "4".

On page 974, line 19, insert "the Secretary of the Army, acting through before "the Chief".

On page 1188, line 19, strike "or" and insert "and".

Beginning on page 1271, strike line 3 and all that follows through page 1273, line 22, and insert the following:

SA 25. Mrs. HUTCHISON (for herself, Mr. MARTINEZ, Mr. GRASSLEY, Mr. CORNYN, Mr. ALEXANDER, Mr. VOINOVICH, Mr. ENZI, Mr. THUNE, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. CORAK) proposed an amendment to the bill S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

On page 977, line 5, strike "(6)" and insert "(5)".

On page 977, line 8, strike "scales;" and insert "scales;".

On page 977, strike lines 9 through 17.

On page 1275, strike lines 3 through 6.

On page 976, strike lines 8 through 25.

On page 975, line 4, strike "4(c) or".

On page 975, line 13, strike "section 1a(32)" and inserting "sections 1a(32)" and inserting "under sections 5 through 5c".

On page 975, line 14, strike "Food, Conservation, and Energy Act of 2008 (7 U.S.C. 25(b)(1)(A)) is amend".

(1) The period described in paragraph (1) is the period from January 2, 2009 through February 4, 2009.

On page 974, line 19, insert "the Secretary of the Army, acting through before "the Chief".

On page 1188, line 19, strike "or" and insert "and".

Beginning on page 1271, strike line 3 and all that follows through page 1273, line 22, and insert the following:

SA 25. Mrs. HUTCHISON (for herself, Mr. MARTINEZ, Mr. GRASSLEY, Mr. CORNYN, Mr. ALEXANDER, Mr. VOINOVICH, Mr. ENZI, Mr. THUNE, Ms. MURKOWSKI, Mr. BINGAMAN, Mr. CORAK) proposed an amendment to the bill S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

On page 977, line 5, strike "(6)" and insert "(5)".

On page 977, line 8, strike "scales;" and insert "scales;".

On page 977, strike lines 9 through 17.

On page 1275, strike lines 3 through 6.

On page 976, strike lines 8 through 25.
due diligence regarding the person's rights but who did not have, and should not have been expected to have, a reasonable suspicion that the person was the object of unlawful employment practice. Such a person should be afforded the full applicable limitation period to commence a claim from the time the person has, or should be expected to have, a reasonable suspicion of discrimination.

SEC. 3. FILING PERIOD FOR CHARGES ALLEGING UNLAWFUL EMPLOYMENT PRACTICES.

Section 706(e) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(e)) is amended by adding at the end of the following:

''(3)(A) This paragraph shall apply to a charge if—
''(i) the charge alleges an unlawful employment practice involving discrimination in violation of this title; and
''(ii) the person aggrieved demonstrates that the person did not have, and should not have been expected to have, enough information to support a reasonable suspicion of such discrimination, on the date on which the alleged unlawful employment practice occurred.

''(B) In the case of such a charge, the applicable 180-day filing period described in paragraph (1) shall commence on the date when the person aggrieved has, or should be expected to have, enough information to support a reasonable suspicion of such discrimination.

''(C) Nothing in this paragraph shall be construed to change or modify any remedial provision of this Act.

''(D) Nothing in this paragraph shall be construed to apply to a charge alleging an unlawful employment practice relating to the provision of a pension or a pension benefit.''

SEC. 4. FILING PERIOD FOR CHARGES ALLEGING UNLAWFUL EMPLOYMENT PRACTICES BASED ON AGE.

Section 7(d) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 626(d)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''(d)'" and inserting ''(d)(1)';

(3) in the third sentence, by striking ''Upon'" and inserting the following:

''(2) Upon'; and

(4) by adding at the end the following:

''(3)(A) This paragraph shall apply to a charge if—
''(i) the charge alleges an unlawful practice involving discrimination in violation of this Act; and
''(ii) the person aggrieved demonstrates that the person did not have, and should not have been expected to have, enough information to support a reasonable suspicion of such discrimination, on the date on which the alleged unlawful practice occurred.

''(B) In the case of such a charge, the applicable 300-day filing period described in paragraph (1) shall commence on the date when the person aggrieved has, or should be expected to have, enough information to support a reasonable suspicion of such discrimination.

''(C) Nothing in this paragraph shall be construed to change or modify any remedial provision of this Act.

''(D) Nothing in this paragraph shall be construed to apply to a charge alleging an unlawful employment practice relating to the provision of a pension or a pension benefit.''

SEC. 5. APPLICATION TO OTHER LAWS.

(a) AMERICANS WITH DISABILITIES ACT OF 1990.—Section 706(e)(3) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(e)(3)) shall apply in the same manner as such section applies to a charge described in subparagraph (A)(i) of such section to claims of discrimination brought under title I and section 503 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq., 12203), pursuant to section 107(a) of such Act (42 U.S.C. 12117(a)), which adopts the powers, remedies, and procedures set forth in section 706 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5).

(b) COMMISSIONER.—(1) CIVIL RIGHTS ACT OF 1961.—Section 717 of the Civil Rights Act of 1961 (42 U.S.C. 2000e–16) is amended by adding at the end the following:

'':''(f)(1) Subject to paragraph (2), section 706(e)(3) shall apply (in the same manner as such section applies to a charge described in subparagraph (A)(ii) of such section) to complaints of discrimination under this section.

'(2) For purposes of applying section 706(e)(3) to a complaint alleging this section, a reference in subsection (e)(3)(B) to a filing period shall be considered to be a reference to the applicable filing period under this section.

(2) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967—''(f)(1) Subject to paragraph (2), section 7(d)(3) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 626(d)(3)) to a complaint under section 15 of such Act (29 U.S.C. 633a), a reference in section 7(d)(3)(B) of that Act to a filing period shall be considered to be a reference to the applicable filing period under section 15 of such Act.

SA 26. Mr. SPECTER submitted an amendment intended to be proposed by him to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision, or when an individual is affected by application of a discriminatory compensation decision, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision.''

(c) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—''(f)(1) Subject to paragraph (2), section 7(d)(3) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 626(d)(3)) to a complaint under section 15 of such Act (29 U.S.C. 633a), a reference in section 7(d)(3)(B) of that Act to a filing period shall be considered to be a reference to the applicable filing period under section 15 of such Act.

SA 27. Mr. SPECTER submitted an amendment intended to be proposed by him to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; which was ordered to lie on the table; as follows: Strike the heading for section 6 and insert the following:

SEC. 6. CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall be construed to prohbit a party from asserting a defense based on waiver of a right, or on an estoppel or laches doctrine.

SEC. 7. EFFECTIVE DATE.

Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 181, to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes; which was ordered to lie on the table; as follows: At the appropriate place, insert the following:

AUTHORITY FOR COMMITTEES TO MEET

MR. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, January 15, 2008, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

MR. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 15, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

MR. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Thursday, January 15, 2009, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

MR. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, January 15, 2009, at 11:15 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.