

PROVIDING FOR CONSIDERATION OF 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

JANUARY 26, 2009.—Referred to the House Calendar and ordered to be printed

Ms. PINGREE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 87]

The Committee on Rules, having had under consideration House Resolution 87, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of S. 181, the “Lilly Ledbetter Fair Pay Act of 2009”, under a closed rule. The resolution provides for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor.

The resolution waives all points of order against consideration of the bill except those arising under clause 10 of rule XXI. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against the bill. The resolution provides one motion to commit the bill.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of the bill (except for those arising under clause 10 of rule XXI), and all points of order against the bill, the Committee is not aware of any points of order against the bill or its consideration. The waivers are prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 9

Date: January 26, 2009.

Measure: S. 181.

Motion By: Mr. Dreier.

Summary of motion: To make in order, and provide appropriate waivers for en bloc, separately debatable consideration of an amendment by Rep. McKeon, #1, which clarifies that the bill repeals the statute of limitations with respect to claims of intentional discriminations only, and another amendment by Rep. McKeon, #2, which clarifies that the bill repeals the statute of limitations with respect to claims of pay discrimination only, and not "any other practices."

Results: Defeated 3–8.

Vote by Members: McGovern—nay; Hastings—nay; Matsui—nay; Arcuri—nay; Perlmutter—nay; Pingree—nay; Polis—nay; Dreier—yea; Diaz-Balart—yea; Foxx—yea; Slaughter—nay.