

"The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. CASTOR. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. SESSIONS. Mr. 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 question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 2831, LILLY LEDBETTER FAIR PAY ACT OF 2007

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2831) to amend title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, 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. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 2831 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mr. SALAZAR). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to my good friend, the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 579 provides for the consideration of H.R. 2831, the Lilly Ledbetter Fair Pay Act of 2007, under a closed rule.

The rule provides 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor.

The rule waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of rule XXI.

Mr. Speaker, I rise in strong support of this rule and the underlying legislation, the Lilly Ledbetter Fair Pay Act. This legislation can be summed up in one word, "fairness." And what better summarizes the idea of fairness than equal pay for equal work.

We've all heard it; we've all said it in speeches, but right now we have a real opportunity to make it happen. I wish we did not have to be here today, but the shortsighted and unfortunate recent Supreme Court ruling has forced us to revisit this painful issue from our Nation's past.

Lilly Ledbetter spent 19 years of her life working at the Goodyear Tire and

Rubber Company in its Gadsden, Alabama plant. What she did not know for most of that time was that she had been subjected to systematic pay discrimination over the course of 15 years simply because she is a woman. By the time of her retirement, she was earning \$45,000 a year. The lowest paid male supervisor at the plant was making \$6,500 a year more.

As the case of Lilly Ledbetter clearly shows, there is still discrimination in the workplace, and it is our responsibility and it is our duty to ensure that every worker in this Nation receives fair compensation for their work.

We had a bipartisan solution to this problem, known as title VII of the Civil Rights Act of 1964. While this legislation was groundbreaking and certainly was a giant step forward for our workers, there was clearly a hole in the law, and that is what we are filling today.

Lilly Ledbetter proved her case. A jury found that she had been discriminated against and awarded her the back pay she should have received, attempting to fulfill the purpose of title VII, to make her whole and to discourage other employers from discriminating in the future. But those goals were thwarted by a 5-4 Supreme Court decision earlier this year. The Court held that in order to recover the back wages she was owed, Lilly Ledbetter needed to file a complaint at the time the discrimination began, even though she did not become aware of it until more than a decade later. What we are doing is reclaiming the original purpose, the legislative intent of title VII, which unfortunately the Supreme Court, in one fell swoop, completely, outrageously undermined.

Their decision was as if to say that because Lilly Ledbetter didn't know she was being treated unfairly, that therefore she was not being treated unfairly. This was, of course, irrespective of the fact that the Court and those of us here in this Chamber unequivocally know Lilly Ledbetter suffered the consequences of discrimination throughout the course of her life and her career.

Mr. Speaker, Lilly Ledbetter joined the workforce and worked hard, assuming that she would receive fair compensation for her efforts. But her story and the stories of countless others is not one of fairness or justice.

I will not retell her story because I think we have all heard it and we all understand that she was wronged. Instead, I will share with you some of her testimony before the House Education and Labor Committee in June. And although I was not there to hear her speak, you can feel the passion of someone who knows she was wronged. These are the words of Lilly Ledbetter, and I quote: "What happened to me is not only an insult to my dignity, but had real consequences for my ability to care for my family. Every paycheck I received I got less than what I was entitled to under the law. The Supreme Court said that this didn't count as illegal discrimination, but it sure feels

like illegal discrimination when you are on the receiving end of that smaller paycheck and trying to support your family with less money than the men are getting for doing the same job."

Mr. Speaker, what happened to Lilly Ledbetter should not have happened, and today we have an opportunity to make sure it will never happen again.

You know, Mr. Speaker, Lilly Ledbetter could be bitter and angry, and most certainly she has every right to be. But instead, her concern is about what will happen in the future.

And let me quote her again: "My case is over, and it is too bad that the Supreme Court decided the way it did. I hope, though, that Congress won't let this happen to anyone else. I would feel that this long fight was worthwhile if at least at the end of it I knew that I played a part in getting the law fixed so that it could provide real protection to real people in the real world."

Lilly Ledbetter's concern is with those workers who come after her who, just like her, will work hard at their jobs and assume that they are receiving equal pay for equal work. This is not something that they should have to hope for; it is something they deserve and are owed under the law. And this Congress owes these workers and their families, because last November they voted for change because they were tired of the economic injustices that people like Lilly Ledbetter had suffered.

Mr. Speaker, the American people expect their government to stand up for fairness and justice. And for this reason, let me say how disappointed I am in our President, who has said he will veto this legislation if it comes to his desk. This is a President who, time and time again, stands up before audiences and claims that he is against discrimination in all forms, yet now we get this threat.

If this Congress is truly committed to ending discrimination in this Nation, we cannot let this President have the final word. If he vetoes this bill for fairness and justice, I hope that this Congress will stand up and overturn his pen stroke that strikes at the heart of what makes this Nation great.

Mr. Speaker, the Lilly Ledbetter Fair Pay Act is not only about changing the way we treat our working men and women; it's about paying rent, putting food on the table, and paying for our children to go to college. For this to happen, we must return to the roots of a Nation and what has made us great and moved us forward in times of strife. Fairness has been at the heart of all that makes America strong, and this Congress cannot turn away from that.

For Lilly Ledbetter and all the workers who simply want to earn a fair wage for the hard work that they do do for their families and for justice, let's pass this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to begin by thanking my good friend from Worcester for yielding me the customary 30 minutes. And I rise in strong opposition to the rule and the underlying legislation.

Mr. Speaker, discrimination is wrong. And I, and my colleagues on both sides of the aisle, are horrified, absolutely horrified at the thought of discrimination taking place. And like Lilly Ledbetter, we want to ensure, as she very selflessly said, that as we look to future instances of potential discrimination, that no one is ever treated as she was.

□ 1815

But I will say that this rule and the underlying legislation are a very, very bad signal in our attempt to address this question.

From a substantive point, this bill is only the most recent salvo in the Democratic majority's assault on entrepreneurship and the competitiveness of the U.S. economy. From a process standpoint, this bill continues their assault on this institution and, by virtue of that, the rights of the American people.

After a campaign last November that was founded on a commitment to openness, deliberativeness and responsible legislating, this bill and the process by which it has been addressed are just another example, another addition to the ever-growing list of broken promises that have been made to the American people.

In crafting the underlying bill, the Democratic leadership all but abandoned the committee process itself. It shunned the input of experts, raced to bring their shoddy, sloppy work to the House floor, and shut down, by virtue of what we are doing, any possibility of meaningful debate by denying any amendments whatsoever.

Mr. Speaker, the most unfortunate part is that far from being an anomaly, this process, as was evidenced by the last rule that we just debated, is emblematic of what this Democratic majority has been doing.

Now, as my friend, the gentleman from Dallas (Mr. SESSIONS), said in management of the last rule that was just before us, the Democratic majority has considered twice as many measures under closed rules as the Republican had by this point, July 30, in the last Congress.

I say that because we, as Republicans, were constantly maligned and berated because we had closed rules. Yes, we did have closed rules. Some were warranted. Do you know what, Mr. Speaker? We may have overreached in some of the closed rules that we had. But I find it very interesting that as we saw that level of criticism leveled at the Republican majority, a promise was made to the American people that there would be greater openness and opportunity for more deliberation and a degree of accountability the likes of which did not exist when Republicans were in charge.

What is it that has happened, Mr. Speaker? We now have twice as many closed rules as we had at this point, July 30, at the beginning of the last Congress.

This rule seems to keep up that new philosophy that the Democratic majority has articulated more than once last week in the Rules Committee. The statement was as follows: if you don't support the bill, you shouldn't be given the opportunity to amend it. If you don't support the bill, you shouldn't be given an opportunity to amend it. That is what has regularly been propounded by our colleagues upstairs in the Rules Committee.

Apparently, you have to be a "yes man" if you want to have an opportunity to be heard or participate in the legislative process. You have to make an absolute commitment that you are going to support the legislation if you want to have a chance to improve it. That is exactly what happened in an exchange with the distinguished former chairman of the Education and Labor Committee, the now ranking member, my California colleague, Mr. McKEON.

Of course, they tried to conceal their bad policy and sloppy work by claiming this bill is about ending discrimination in the workplace. As I said, we all want to ensure that we end discrimination in the workplace. We are all horrified by any instance of discrimination in the workplace. They claim that it is about righting wrongs, that the Supreme Court overturned long-settled protections in the Ledbetter case and that this bill simply restores the proper legal precedent.

Well, Mr. Speaker, those claims are patently false. This bill would introduce utter chaos into the courts. Utter chaos. It is so vaguely and so poorly constructed that it would open the floodgates of dubious, dubious claims and frivolous lawsuits.

The distinguished ranking member of the Education and Labor Committee simply tried again to offer an amendment that would have dealt with this vagueness and that would have addressed the sloppy assembly of this legislation. And because he didn't make a commitment that he would support the legislation at the end of the day, he was denied, as was every other Member who wanted to have an opportunity to amend the legislation, they were denied a chance to do that.

The result of what it is that they are doing would be to obfuscate real cases of discrimination. Again, we want to ensure that any instance of discrimination is addressed. But what they are doing here, Mr. Speaker, would obfuscate real cases of discrimination and cripple business owners, who are the job creators in our economy.

Now, this may be a trial lawyer's dream, but it would be a nightmare for any small business owner, not to mention anyone with a legitimate case of workplace discrimination.

Again, we want anyone who has a legitimate case of workplace discrimination to be able to come forward and to

address that grievance. Obviously, preventing discrimination and punishing it when it happens are critical goals of our labor laws. We all share a commitment to combating discriminatory treatment of any worker. It is precisely with this goal in mind that our laws have been designed to deal with discrimination in a timely and expeditious way. No one benefits when we allow violations to continue on indefinitely with a completely open-ended potential for years or decades to go by before the issue is addressed.

Virtually no statute of limitations at all is the potential problem with this legislation. By the same token, Mr. Speaker, we have to guard against an unlimited window for the introduction of those claims. As I said, frivolous, unfounded complaints are already a huge drain and take focus away from the very legitimate and important cases that are out there.

Mr. Speaker, the Equal Employment Opportunity Commission found reasonable cause last year in a mere 5.3 percent of the 75,000 complaints it received. Again, I believe that Lilly Ledbetter was absolutely right when she talked about the need to ensure that those who face discrimination in the future, in fact, do have an opportunity to have their wrong righted.

The EEOC, by its own numbers, receives 20 times as many unreasonable complaints as legitimate claims. Let me say that again: the Equal Employment Opportunity Commission has stated that they receive 20 times as many unreasonable complaints as legitimate claims. Furthermore, it found absolutely no cause whatsoever in over 60 percent of the cases that have been brought forward. This means that a large majority of its work is already wasted in investigating entirely unfounded complaints.

Now, Mr. Speaker, the tragic thing is that with this legislation, the waste and abuse will increase exponentially. We have already seen the impact of frivolous lawsuits on competitiveness of American entrepreneurs and business owners. I am sure we have all read about the District of Columbia, the D.C. "pants suit," the family-owned dry cleaner that faced a \$67 million lawsuit over a pair of pants. That family has been nearly ruined by hundreds of thousands of dollars in legal bills, even though they won their case. This is the ultimate nightmare for any business owner, let alone the small family-run business that bolsters our economy and our communities, as well.

Mr. Speaker, this bill protects neither those who suffer from discrimination nor the innocent who are wrongly accused. Furthermore, the claim that long-held and long-settled legal precedent was reversed by the Ledbetter ruling is utterly spurious. The very plaintiff, the alleged victim in this case, Mrs. Ledbetter, asserted her case based in part on the wildly disparate rulings on the legal matter at issue in her lawsuit. Her attorneys argued to the Su-

preme Court that there was "considerable conflict and confusion." Again, in arguing on her behalf before the United States Supreme Court, her attorney said that there was "considerable conflict and confusion."

Mr. Speaker, what is more, this legislation goes far beyond the limited scope of the Ledbetter case, far beyond that case. While that case dealt solely with the issue of intentional discrimination, the underlying bill expressly removes this distinction and in fact opens the floodgates on nonintentional disparate impact discrimination cases as well. The bill's authors admit as much in their own committee report.

So, Mr. Speaker, when the Democratic majority claims this bill simply restores the precedent that was reversed by the Supreme Court, they are wrong. When they claim this bill will give greater protection to those who suffer from workplace discrimination, they are wrong.

This bill is wildly ill conceived, based on specious claims. It would turn discrimination litigation into the Wild West of jurisprudence. It would inflict irreparable harm on countless businesses and take precious resources away from real cases of discrimination.

I will say again, Mr. Speaker, we want to do everything that we can to ensure that everyone who is victimized has their opportunity to be heard. But this legislation would take the resources to allow that to happen away from those who really face discrimination.

Unfortunately, but predictably, this is the kind of bad policy that inevitably comes from bad process. By irresponsibly and hastily throwing this legislation together, the Democratic majority has concocted a bill that would accomplish none of what they claim it will. Instead, it would unleash a flood of unintended consequences that will hurt the very people they purport to help. They will be hurting the workers of this country. They will be hurting the people that they purport to help. Once again, that sloppy work has produced very, very dangerous policy.

Mr. Speaker, I am going to urge my colleagues to oppose this rule, and, just as was the case in the last measure, I am going to, as Mr. SESSIONS did, encourage a "no" vote on the previous question. Why? So that we will be able to do something that I know they will argue, as Ms. CASTOR did when we were debating the last rule, is completely unrelated.

What it is we are going to offer if we are able to defeat the previous question is a chance for us to take steps to ensure that terrorists do not have the tools to kill Americans. By that, I mean we are hoping, if we can defeat the previous question, to ensure that the very thoughtful legislation that has been introduced by our colleague from New Mexico (Mrs. WILSON) will be able to be considered.

What does that do? It finally gives us a chance to modernize the nearly

three-decade-old, very antiquated Foreign Intelligence Surveillance Act. We have seen such tremendous, tremendous changes in technology. On a daily basis we see that. We all know about those changes. Moore's Law made it very clear that you see in a 6-month period all kinds of equipment being outdated and antiquated.

Well, Mr. Speaker, we have seen terrorists have the ability to take advantage of the tremendous changes, and all we are asking is that the recommendations that have been put forward by the Director of National Intelligence, Mike McConnell, by the Director of the CIA, Mike Hayden, by the Secretary of Homeland Security, Michael Chertoff, that we see a chance for the concerns that they have understandably raised on the inability to make sure that we can monitor the actions of foreigners in foreign countries, that we have the ability to do that. That is all we are asking.

I am going to urge my colleagues to defeat the previous question, Mr. Speaker, so we will be able to make that in order, and to ensure that as we look at this legislative process and move forward, that we don't continue with this very, very dangerous pattern that we have had.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, let me just say in response to the gentleman from California's remarks, that obviously we disagree on the importance of this legislation. Many of us on this side, I hope all of us on this side, and a good number of Members on that side, believe this is serious, a serious bill and a very important bill, and that the issue of discrimination is something we cannot tolerate under any circumstances.

The gentleman mentions the promises that the Democrats made when they campaigned in the last election. One of those promises was that we would combat discrimination wherever it existed. That is what we are doing here today.

We think it is wrong that women get paid less than men for doing the same job.

□ 1830

The gentleman says this bill is an assault on entrepreneurship. Equal pay for equal work is an assault on entrepreneurship?

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I never said that equal pay for equal work is an assault on entrepreneurship. What I said is that this legislation would create an open-ended prospect for frivolous lawsuits and undermines the ability of entrepreneurs to be able to succeed and create jobs and ensure the future of our economy.

I thank the gentleman for yielding.

Mr. MCGOVERN. I thank the gentleman for his clarification, but the underlying point of this bill is to make sure that there are no more cases like Lilly Ledbetter's case. With almost every piece of legislation that deals with civil rights, the other side always trots out this litigation argument. There will be more lawsuits and more lawsuits and more lawsuits.

We hear the lawsuit in D.C. brought up about this man who is suing a dry cleaners for losing his pants. To the best of my knowledge, that has nothing to do with discrimination. I agree with the gentleman that that is a frivolous lawsuit, but to bring that case up in the context of what we are debating here, which is the civil rights and the equal rights and the equal pay protections for women in this country, I don't think is appropriate, quite frankly.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. I thank my friend. I am really confused with the argument that has just been propounded because the gentleman says every time there is a concern, we bring up the issue of frivolous lawsuits, and the gentleman has just talked about one of the worst cases of a frivolous lawsuit, the \$57 million case that was brought against a small business owner. That is a problem.

Mr. MCGOVERN. Reclaiming my time, I guess my confusion was you are bringing up that case in the context of the debate we are having here today with regard to equal pay for equal work.

I should also point out to the gentleman that the CBO expects that this bill would not significantly affect the number of filings with the Equal Employment Opportunity Commission. That appears in the report on the bill.

Again, I say to my colleagues that this issue is very simple. This is about combating discrimination. This is about fairness, and this is the way to do it, and this is the opportunity to do it.

Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding and agree with his sentiments.

Mr. Speaker, I am rising now in full support of the rule and of the underlying bill, H.R. 2831. As chairman of the Democratic Women's Working Group, I am proud of how quickly this Congress is responding to a clear misinterpretation of a law designed to protect individuals from gender discrimination.

It has taken us many years to reach a point where Congress now no longer wastes time in correcting an inequity when discrimination against women occurs. This is a real achievement.

The bill before us rightly recognizes that victims of pay discrimination should not be punished because they were not aware of the discrimination

against them at the outset. The Civil Rights Act exists to protect individuals precisely when they find themselves in the situation Lilly Ledbetter found herself in. It was never meant to be interpreted in a way that provides a loophole for employers to discriminate, but just to make sure that their employees are kept in the dark for 6 months.

The Supreme Court ruling, if left to its own, signals to employers that it's, that is why it is so important that we now carry out our responsibility here in the Congress to provide a check and a balance against the Court's ruling.

I want to thank Lilly Ledbetter for her courageous zeal in carrying out her efforts to get this injustice corrected. I was impressed when I met her. She came to testify on Capitol Hill, testify before the committee. She knows that this law that we are about to pass will not necessarily rectify her situation. But she knows also, having experienced this inequity over so many years and carrying out her job so faithfully, she got nothing but excellent reports and discovered, as she went to retire, that she had been getting unequal pay all these years. So I commend my colleague from California, Chairman MILLER. I think it is so important that we carry out her determination on behalf of her workplace and the women that she represents who are so often sitting in the same situation as she did, finding themselves at their retirement, the fact that they were given unequal pay over all the years. They just didn't know what their colleagues were receiving.

So I support Chairman MILLER and the committee as a whole for being such strong protectors of workers' rights, regardless of race, gender or disability. I urge my colleagues to vote "yes" for the rule and the bill, the Lilly Ledbetter Fair Pay Act.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume. I would like to join with my colleague from Santa Barbara in saying that we are absolutely committed to doing every that we possibly can to ensure that there is no case of discrimination when it comes to the issue of equal pay for equal work. Obviously we want to do everything possible to make sure that someone like Ms. Ledbetter, who I believe was wronged, does not face this kind of difficulty in the future. That is exactly what Ms. Ledbetter said she wants to happen.

The problem is this bill has been so poorly put together it creates the potential to actually impinge on the ability of people to bring cases forward. While my friend from Worcester talked about the issue of the Congressional Budget Office's analysis and the lack of an increase in cases, if you look at the mere fact that the Equal Employment Opportunity Commission has said that 60 percent of their cases do not warrant even moving forward, and that is why this creates the potential for even more of these horrible cases, based on the arguments that have been brought forward.

Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Dallas (Mr. SESSIONS), my hardworking colleague on the Rules Committee.

Mr. SESSIONS. Mr. Speaker, as I was preparing to come down here just a minute ago, I was met by one of my colleagues, the gentleman from Florida who said: Another closed rule? My gosh, I thought they said this was going to be an open Congress. I thought they said we are going to have closed rules only to get their political agenda, 6 in '06 done, and then we will quit that.

Well, to the gentleman from Florida (Mr. KELLER), another closed rule. However, this closed rule is just another manifestation of the new Democratic majority's philosophy. Just another one. And that is, if you can't support the bill in its current form, you shouldn't be given an amendment. That is the new philosophy at the Rules Committee. Democrats on the Rules Committee said at least twice last week that Members who are not willing to vote for the bill should not be allowed to offer amendments.

I would like to quote one of my colleagues. This took place this last week, and it says, the gentleman from Florida (Mr. HASTINGS), "I will argue for a closed rule. It makes no sense to have the minority presenting anything they might improve, that they might have agreed upon, and at the end not vote for the bill."

Hello? What's the Rules Committee for? The Rules Committee is there to perfect bills, to make them better, to listen to input from Members of Congress. Yes, that does include the minority in my opinion, but that is only upon 9 years of service to the Rules Committee, where the Rules Committee, for the 9 years prior to this, we were very careful to make sure that minority members had a say, could come before the Rules Committee. This is yet another example of the circular logic used by the majority. And it is only when you support a bill should you have the opportunity to amend it.

You know, this is tortured logic and it makes no sense, and it prevents good ideas from being considered by the House. But this is the way they are going to run the House, it seems like. New logic, move the goalposts. And make sure, if you are in the minority and if you don't completely agree with the Democrat majority, you have no need to come to the Rules Committee. We don't care, and you are not going to have a chance to even be heard or understood. It's a sad day.

Mr. MCGOVERN. Mr. Speaker, we hear a lot from the other side about how nobody supports what happened to Lilly Ledbetter, yet it was this Republican President's Solicitor General who argued against Lilly Ledbetter in the Supreme Court. For all of the years I can remember that the Republicans were in the majority in Congress, I don't remember any groundbreaking equal pay for equal work legislation

being brought to the floor to deal with these kinds of issues.

So we can talk all we want about the need to eliminate discrimination in the workforce against women, but unless we back those statements up with our votes on legislation that will change that, then those words ring hollow.

Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. KENNEDY) 3 minutes.

Mr. KENNEDY. Mr. Speaker, I thank the gentleman from Massachusetts.

I think it is interesting to hear all these protestations from my colleagues on the Republican side about this issue of civil rights and how they are so concerned about equal rights for women. They are so concerned about equal pay for equal work, that if it were up to them, they would do something about it, that they care just as much as Democrats.

Yet it was the Republican President who nominated the Supreme Court, who stacked the Supreme Court of the United States with conservative, right-wing Republican ideological judges that handed down not only the Ledbetter decision, but has handed down decision after decision that has gone against working people and civil rights every step of the way. This is no mistake. This is just the agenda that the Republicans wanted.

You voted for President Bush, so don't come on down here and say but we didn't mean to. And by the way, you also cut the Equal Employment Opportunity Commission when you were in charge of this place, so don't come over here and now say you protest women not getting paid equally.

And for a fact, if there were a flood of lawsuits, there would be every reason for there to be a flood of lawsuits, Mr. DREIER.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. KENNEDY. The facts being what they are, the Department of Labor says, as a fact today, 76 cents on the dollar today is paid for the same hourly work for a woman as for a dollar that a man works. For every dollar a man earns, 76 cents is what a woman earns. That is a fact. If you don't believe that, go to the Census Bureau, go to the Department of Labor and ask for yourself.

For my sake, I don't want to go home and tell my mother that she is only worth 76 cents for a dollar a man is worth. I don't want to go back to my sister and tell her she is only worth 76 cents what my brother and I are worth. I don't want to go to my daughters some day and say they are only worth 76 cents versus a dollar what a man is worth when they go to work for equal time served.

If you are happy being opposed to this bill, H.R. 2831, and you are happy living with yourselves and living in the same home as your female family members, knowing that and living with

yourselves, God bless you. I'm not happy with it. I couldn't live with myself.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. DREIER. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 11½ minutes. The gentleman from Massachusetts has 13½ minutes.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, might I put this in the present context so that our colleagues can recognize why this bill is so crucial?

Just about a week ago, many of us took to our communities to announce the first time in 10 years the increase in the minimum wage. In fact, it was July 24, 2007. The last time the minimum wage was increased for American workers, and by the way, we gave tax relief to our small businesses, was 1997 under the Democratic administration. It took a Democratic Congress to raise the minimum wage. For 10 years, we could not get our friends on the other side of the aisle to raise the minimum wage. It took a majority Democratic Congress to raise that wage.

□ 1845

Now, understand, suppose 23 years later you found out that the minimum wage was raised in 2007, but your employer had never told you. The question becomes, is it not fair for you to be able to have retroactively what is due you as a hardworking American?

That is what happened to Lilly Ledbetter, who worked for Goodyear year after year after year after year after year, and tragically, the Supreme Court, unevenly divided, appointed by this administration, believed that Lilly Ledbetter had no rights.

This legislation wants to put this system on the right track, and I thank the distinguished member of the Rules Committee; I thank Mr. MILLER. I'm proud to be one of the cosponsors of this legislation. We are giving Lilly Ledbetter and all those who may be under her particular discrimination relief, and that is because she did not know of her rights to be able to pursue the discriminatory practices when they were happening. The Supreme Court threw her out of court.

This is an appropriate fix. My colleagues fixed a problem with the Border Patrol agents. I happen to agree with them. Mandatory sentences are really a challenge, but we're trying to fix something for a hardworking American, a woman who was discriminated against.

Under our labor practices, we have provisions for individuals to challenge unfair labor practices. We have an Equal Employment Opportunity Commission that is for our own Americans to address unfair and discriminatory practices. We do not own up to the values of this Nation if we do not correct an injustice. It was an injustice for Lilly Ledbetter not to be allowed to pursue her discrimination charge.

I ask my colleagues to make it right and help women get equal pay for equal work.

Mr. DREIER. Mr. Speaker, I'm happy to yield 3½ minutes to my very thoughtful colleague from Orlando (Mr. KELLER).

Mr. KELLER of Florida. Mr. Speaker, I thank the gentleman for yielding, and I will begin by yielding to the gentleman from New York (Mr. WALSH).

Mr. WALSH of New York. Mr. Speaker, I thank the gentleman for yielding. I'd just like to sort of maybe refresh.

There's a lot of demagoguery going on here today. I'd like to refresh my colleagues' memory in that the Civil Rights Act was passed in 1964. The Republicans became the majority party in this country in 1994. Where were you for 30 years? There's plenty of blame to be passed around, but please take responsibility for your own.

Mr. KELLER of Florida. Mr. Speaker, I thank the gentleman for yielding, and, Mr. Speaker, I rise to oppose this closed rule and the underlying legislation.

When the Democrats went through their 6 for '06 agenda and gave us closed rule after closed rule, they told us it would be temporary; we would then have a fair process to amend bills and clarify them. It hasn't happened.

Today is the 28th time the Democrats have given us a closed rule, literally twice as many as Republicans during the same time period. We had two amendments that we wanted to offer that would improve and clarify the bill. We had no chance to do so.

Next, let me talk about the substance of the bill. This legislation has the practical effect of doing away with statutes of limitations in employment cases. On May 29, 2007, the U.S. Supreme Court ruled that Ms. Ledbetter's claim was barred by the statute of limitations. This legislation attempts to specifically reverse that decision and, in fact, makes it retroactive to the day before the decision on May 28, 2007.

Make no mistake, there is a strong public policy reason for having a statute of limitations in the employment context. Witness memories fade, documents are lost and employees die. We want these disputes to be resolved when witness memories are fresh, documents are available and employees are alive.

The Ledbetter case is a perfect example. Ms. Ledbetter alleged sexual harassment misconduct by a single Goodyear supervisor. Yet she waited 19 years after the supervisor passed away from cancer to file suit. She said at the

hearing, "I didn't say anything at first because I wanted to try to work it out and fit in without making waves."

Now, she seemed like a nice lady to me. I had the chance to meet her, but I wonder what her supervisor would have said had she brought this suit when it was fresh so we could hear both sides.

The Supreme Court wondered the same thing. The Supreme Court wrote in its Ledbetter opinion: "The passage of time may seriously diminish the ability of the parties and the fact-finder to reconstruct what actually happened. This case illustrates the problems created by tardy lawsuits."

We hear about equal pay for equal work. We're all for that, Mr. Speaker. The fact is those folks haven't read this opinion because she had an Equal Pay Act that was thrown out on the merits.

Mr. MCGOVERN. Mr. Speaker, I just want to respond to the gentleman from New York (Mr. WALSH) who spoke before and wanted to know where the Democrats were on this issue. We didn't know we had a problem until George Bush's Supreme Court made this awful decision on this case, and now what we're trying to do today is fix it. We thought, quite frankly, that reasonable judges, rational judges, would interpret the law accordingly and believe that the discrimination against women who were being paid less than men was, in fact, wrong. And so here we are today to try to fix this mess.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, it's my privilege and honor to speak on behalf of this bill.

The New York Times and many of the other leading publications of this country has said this is something that this Congress needs to do to correct an inequity, a wrong. When there's a wrong in law, there's always a right; and when it's not one that the courts have righted, it's the duty of the legislative body to right it if it's something that's in the public good.

Indeed, when there's discrimination in the workplace in pay and disparity, as there has been for years with women, for years we've known 69 cents is what a woman earns for every dollar, and when women are discriminated against doing the same job as a male, it's wrong and it needs to be changed.

And so I think this legislation is appropriately brought before us to correct a wrong when the courts didn't, and I'm pleased to speak on behalf of it. I will be pleased to vote for it, and I am thankful that Mr. MILLER and Mr. MCGOVERN brought this and thank them for bringing it to the House of Representatives.

Mr. DREIER. Mr. Speaker, I'm very happy to yield 3 minutes to my very good friend from Santa Clarita, California, the former chairman, the distinguished ranking minority member

of the Committee on Education and Labor (Mr. MCKEON).

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this rule.

Last Thursday night, Members received notice of an emergency meeting of the Rules Committee on the following morning, with no deadline given for Members on either side of the aisle to submit amendments to this badly flawed legislation. Even though I was able to file two of them because they had already been drafted for an Education and Labor Committee markup last month, this extremely short notice and lack of amendment instructions effectively shut both Democrat and Republican colleagues out of the Rules Committee's increasingly undemocratic process.

I say increasingly undemocratic because last Thursday night and Friday morning's turn of events was just one of several occasions this year in which I've found the Rules Committee acted in a wholly unfair manner.

For example, in my first appearance before the committee this year, before the House considered the minimum wage legislation, I was told by the panel's Chair that the Democrat leadership had already decided the rule would be closed. Again, this was announced before I had even testified before the committee on my substitute for that bill.

There was also an occasion several months later, prior to consideration of student aid legislation through the budget reconciliation process, when the Rules Committee announced the bill's amendment filing deadline would fall during the Independence Day district work period. In other words, this deadline fell when Members were absent and staff was scattered, making amendments extremely difficult to file.

So last Thursday and Friday's "emergency" was hardly surprising, yet still very disappointing. It rendered nearly 400 Members of this House, meaning those who do not sit on the Education and Labor Committee, powerless to change or even consider a change to this bill. And by doing so, the Democrat leadership of the Rules Committee, and yes the Democrat leadership of the Education and Labor Committee and the House, has done a disservice to this institution and to the voters who sent us here.

That's because the measure before us is not a minor tweak of labor law meant to reverse a single Supreme Court decision. Rather, it guts the statute of limitations and Equal Employment Opportunity Commission charging requirements contained in current law. And it effectively would allow an employee to bring a claim against an employer decades after an alleged initial act of discrimination occurred. Such a wholesale change should be made only after close, appropriate and deliberative examination.

But H.R. 2831 has been exposed to none of that. Rather, it was poorly

drafted, rushed through committee with practically no input from outside stakeholders or from committee Republicans and, now, sent to the floor under an airtight, closed rule.

Because of this, Mr. Speaker, I have no choice but to continue my opposition to it, both for policy and process reasons. Shortly, I will be proud to manage time in opposition to it, but before then, I will vote against this undemocratic rule, and I urge my colleagues to do the same.

Mr. MCGOVERN. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Massachusetts has 8 minutes. The gentleman from California has 5½ minutes.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his outstanding work on this issue and many others. I rise in strong support of the rule for H.R. 2831.

In the Ledbetter case, the Supreme Court has outdone itself. Against reason, against logic, against fairness, they ruled that women must file their claim a scant 180 days from the date on which their salary first became unequal. In a world where most workers do not know what their colleagues are earning, the 180-day rule is an insurmountable barrier with terrible consequences. Miss the deadline and you're stuck with discrimination for the rest of your career.

What's more, since raises are often based on a percentage of pay, small differences magnify over time. Under the Supreme Court's twisted reasoning, employees cannot contest this growing disparity if they don't protest at the beginning.

This bill restores reason, logic and fairness to the process. Every unequal paycheck ought to be recognized for what it is, a new act of discrimination.

I urge my colleagues to support this rule and to support the fair underlying bill. I congratulate the Democratic leadership for coming forward with it, and I urge my colleagues to vote for this rule.

Mr. DREIER. Mr. Speaker, may I inquire of my colleague how many speakers he has remaining on his side.

Mr. MCGOVERN. I have the gentlewoman from California (Ms. ZOE LOFGREN) and then myself.

Mr. DREIER. I have just one more speaker, and actually with that, then I'll just plan to wrap up.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge adoption of this enormously important amendment.

Others have spoken eloquently about the need for women to have equal rights in their paychecks, but this is a right that extends far beyond female Americans. It extends to families, because in this day and age we all know that working families require the incomes not just of the husband but also of the wife, Dad and Mom together, and if Mom's salary is decreased unfairly and illegally, that hurts everybody in that family.

So I urge my colleagues to support this measure, not just for the women of America but for the men and women and families of America.

I thank the gentleman for yielding.

□ 1900

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by saying that, obviously, we feel very strongly about the issue of discrimination, and we feel that cases like this need to be addressed in the future.

I am going to be exchanging, engaging in a colloquy with my friend from Albuquerque. I was just talking with her about the rule and the underlying legislation. She said to me, as we get ready to talk about our quest to address the previous question issue, that she wanted to offer some thoughts.

And so I would like to at this moment yield such time as she may consume to my colleague from Albuquerque for some remarks.

Mrs. WILSON of New Mexico. Mr. Speaker, I was listening to this debate and my colleagues. I am a big believer in equal pay for equal work, particularly when it comes to women, because that determines what I get in my paycheck at the end of the week.

But I have to say, I don't like this bill. The reason is, I am sitting here thinking, if you can go back 20 years and say I was discriminated against 20 years ago, we are talking about my first job out of college, and how that may have been, or I am a former small business owner as well. There are folks that I probably don't even remember employing who could come back and start suing me for what I did in small business 20 years ago. I just don't think that's the right way to solve the problem.

I am strongly for equal pay for equal work and have fought for it and have given it to employees. I just don't think this is the way to do it, by retroactively allowing people to sue.

Mr. DREIER. Reclaiming my time, I would like to actually say that clearly the gentleman from Santa Clarita (Mr. McKEON) is going to be about talking about this issue, assuming we do move to the bill.

But I will say that we are going to, as we did in the case of the last bill, seek to defeat the previous question so that we will have a chance to deal with an issue that is critically important, critically important to the security of the United States of America and our allies.

We, for literally months, have been saying that we need to take the very antiquated, 1978, Foreign Intelligence Surveillance Act and have a chance, have a chance to improve and update that so that we could bring that three-decade old legislation into the 21st century with the tremendous technological changes that have taken place.

We have been imploring Members of this House to move legislation so that those who are in the intelligence field, the Central Intelligence Agency, the Director of National Intelligence, the Secretary of Homeland Security, will simply have the opportunity, have the opportunity to monitor foreigners on foreign soil without going through the long process of seeking a court order to not, not in any way, engage on the monitoring of telephone conversations of Americans, but of terrorists on foreign soil who want to kill us.

Mr. Speaker, since my colleague from Albuquerque has authored legislation, we will seek, if we can get our colleagues to vote against the previous question, to make this critically important legislation in order, rather than waiting until, rather than waiting until after the August recess.

Tragically, we have just gotten news that the scheduled briefing for the Intelligence Committee that was to be provided at 10 o'clock tomorrow morning by the Director of National Intelligence has just been postponed until after the August recess, more than a month from now. I believe that we have created some very serious problems here.

Mr. Speaker, I yield further to my colleague for some remarks on this.

Mrs. WILSON of New Mexico. If the previous question is defeated, we will bring to the floor immediately a bill to update the Foreign Intelligence Surveillance Act. Director McConnell, the Director for National Intelligence, put it very simply in a letter last week. He said, "Simply put, in a significant number of cases, we are in a position of having to obtain court orders to effectively collect foreign intelligence about foreign targets located overseas."

We are tying ourselves up in red tape here at home not using our intelligence capabilities to protect our country. This is an urgent issue. He has described an intelligence gap that is tying our hands.

If the previous question is defeated, I will offer immediate legislation to close this intelligence gap.

Mr. DREIER. Reclaiming my time, I would like to ask my colleague a couple of questions on this. She is so expert, as a member of the committee, having worked long and hard on this.

I would like to ask if she is aware of any cases where American lives are already at risk because of the fact that we don't have the ability to monitor, in foreign countries foreigners who are engaging in these kinds of conversations.

Mrs. WILSON of New Mexico. I am aware of specific cases, I think all of

us, particularly in the leadership in the House, Democrat and Republican, as well as members of the Intelligence Committee, Democrat and Republican, are aware of the continuing intelligence gap that is putting us at risk in ways that we don't even know about.

But I am aware of specific cases where American lives have been put at risk.

Mr. DREIER. Mr. Speaker, in light of that, it is absolutely imperative that we defeat the previous question on this rule so that we will have an opportunity to deal with this horror that will allow us to have a chance to save American lives, as the gentlewoman has just said.

I urge my colleagues to vote "no" on the previous question.

Mr. MCGOVERN. Mr. Speaker, let me just say that I think it's inconceivable that any Member in this Chamber can stand up and say that they are against discrimination and that they are dedicated to equal pay for equal work and vote against the underlying bill.

My friends on the other side of the aisle have talked about how committed they are to this issue of equal rights; yet when they controlled this Congress, I don't recall a single equal pay for equal work bill being brought to this floor.

My friends say that this is an issue they feel strongly about, yet I don't recall hearing a single voice on the other side of the aisle complain when George Bush's Solicitor General argued against Lilly Ledbetter. My friends say this is an important issue to them, yet I don't recall anybody on their side of the aisle standing up and decrying the Supreme Court when they came down with this awful decision against Lilly Ledbetter.

Today's debate has been about justice and fairness. It is hard to believe this is even an issue that needs to be debated. No one argues that Lilly Ledbetter was denied equal pay for equal work. No one argues against the fact that women in this country still only earn 77 cents for every dollar earned by men.

No one will refute the fact that, unfortunately, discrimination in the workplace towards too many Americans is still rampant. But today we can send a message that this unfairness in the workplace is unacceptable and will no longer be tolerated.

Those who discriminated against Lilly Ledbetter were wrong, and they deserve to be fired. Because of the insult she suffered, Ms. Ledbetter deserved compensation.

What's amazing is that the Supreme Court doesn't deny this. They recognize the problem, yet a bare majority, for some reason, decided that justice was not to be granted. Justice Ginsburg, in her dissent, stated that the opinion did not, and I quote, "comprehend, or was indifferent, to the insidious way in which women can be victims of pay discrimination." Justice Ginsburg also made clear that now it

was up to Congress to act. Today we shall.

It does not matter if you suffer pay discrimination on the basis of race, sex, color, religion, national origin, disability or age. It is wrong. If it happens, there must be a system in place to ensure that justice is accomplished.

As Lilly Ledbetter said, and I quote, "I wish my story had a happy ending . . . I hope . . . that what happened to me does not happen to other people who suffered discrimination like I did."

Let's fulfill Lilly Ledbetter's hope today and ensure that what happened to her never, ever happens to another worker in this great country.

I urge a "yes" vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. DREIER. Mr. 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 question will be postponed.

REPORT ON H.R. 3222, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008

Mr. MURTHA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110-279) on the bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

IDAHO AGRICULTURAL COLLEGE LAND GRANT

Ms. HERSETH SANDLIN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3006) to improve the use of a grant of a parcel of land to the State of Idaho for use as an agricultural college, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AGRICULTURAL COLLEGE LAND GRANT.

(a) IN GENERAL.—Section 10 of the Act of July 3, 1890 (26 Stat. 215, chapter 656) is amended—

(1) by inserting "(a)" after "SEC. 10."; and

(2) by adding at the end the following:

"(b) Notwithstanding sections 3 through 5 of the Act of July 2, 1862 (commonly known

as the 'First Morrill Act') (7 U.S.C. 303 et seq.), the State of Idaho may—

"(1) invest and manage earnings and proceeds derived from land granted to the State of Idaho pursuant to subsection (a), in accordance with the standards applicable to a trustee under Idaho law;

"(2) deduct from earnings and proceeds generated from granted land any expenses that a trustee is authorized to deduct pursuant to Idaho law; and

"(3) use earnings and proceeds generated by the granted land for any uses and purposes described in that Act (7 U.S.C. 301 et seq.) without regard to the limitations set out in section 5 of that Act (7 U.S.C. 305) that prohibit the State from exceeding 10 per centum on the purchase of land and prohibit the State from purchasing, erecting, preserving, or repairing of any building or buildings."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 27, 1998.

The SPEAKER pro tempore (Ms. ROYBAL-ALLARD). Pursuant to the rule, the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) and the gentleman from Virginia (Mr. GOODLATTE) each will control 20 minutes.

The Chair recognizes the gentlewoman from South Dakota.

Ms. HERSETH SANDLIN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3006, a bill introduced by Congressman SIMPSON of Idaho and cosponsored by Congressman SALI, also of Idaho, that addresses an Idaho-specific problem.

The University of Idaho would like to construct a Center for Livestock and Environmental Studies to research environmental issues facing the dairy industry in central Idaho, but current law prevents the university from using proceeds from endowed lands toward funding for the center.

The dairy industry faces a number of significant EPA regulation, animal health and environmental issues, including nutrient management and odor control. Idaho is now the fourth largest milk-producing State, with 477,475 cows and 686 dairies in 2006.

To support the Idaho dairy industry and help address the challenges facing it, the University of Idaho, in collaboration with the College of Southern Idaho, Idaho Dairymen, Kimberley ARS/USDA and others, is seeking to develop the Center for Livestock and Environmental Studies in the Magic Valley area. The total cost of the center is projected to be \$25-\$35 million. The State of Idaho and the dairy industry have been willing to put forward a large percentage of funding, and the University of Idaho is responsible for the remaining portion.

The university would like to use the proceeds from endowed lands granted to the university by the Morrill Act. In order to do this, the Idaho Admissions Bill must be amended. Currently, lands granted to the University of Idaho through the Morrill Act can be exchanged and managed with the proceeds going only to the operation of buildings, not construction. This bill

will lift that restriction within the Idaho Admissions Bill and will leave the Morrill Act untouched, making it Idaho specific.

Governor Otter and the Idaho Legislature have approved a \$10 million appropriation for the center, contingent upon the passage of H.R. 3006, and additional funding is being raised by the Idaho dairy community.

Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I rise in support of this legislation and yield myself such time as I may consume.

H.R. 3006 is a simple amendment to the act granting statehood to Idaho. The legislation will allow Idaho additional flexibility to invest and manage earnings from the land grant provided under the first Morrill Act.

The purpose of the Morrill Act of 1862 was to provide an amount of public land to be apportioned to each State, the proceeds of which were to be used to establish a college of agriculture. The Morrill Act is the foundation of our land grant college system and one we can continue to build upon with each farm bill.

The purpose of H.R. 3006 is to provide additional flexibility to Idaho in how it manages funds derived from the original land grant. Specifically, this legislation would waive statutory limitations related to facility procurement and maintenance. This, in turn, will allow Idaho to construct a research facility addressing environmental concerns facing the dairy industry.

As stated previously, this is simple legislation for which I know of no opposition.

I am told that any concerns the U.S. Department of Agriculture may have have been subsequently addressed. I, therefore, urge all Members to support this legislation.

Mr. PETERSON of Minnesota. Madam Speaker, I submit the following information for the RECORD on H.R. 3006:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 27, 2007.

Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: I ask your help in scheduling H.R. 3006, a bill to improve the use of a grant of a parcel of land to the State of Idaho, for consideration by the House of Representatives as soon as possible.

H.R. 3006 was referred to the Committee on Agriculture and additionally to your Committee. The purpose of H.R. 3006 is to allow the University of Idaho to construct a Center for Livestock and Environmental Studies to research environmental issues facing the dairy industry in central Idaho.

In the interest of expediency, I ask that you allow the Committee on Natural Resources to be discharged from further consideration of the bill. This action would not be considered as precedent for any future referrals of similar measures or seen as affecting your Committee's jurisdiction over the subject matter of the bill. Moreover, if the bill is conferred with the Senate, I would support naming Natural Resources Committee members to the conference committee.