

can receive is just 2 years, regardless of how long the discrimination has gone on. Mr. President, 180 days is a very short period of time in terms of filing a complaint—much shorter than any other statute of limitations that is out there for any wrong anyone suffers in our country.

I think people need to remember how Lilly found out about this. The jury found in her favor. The EEOC found in her favor. The law was in her favor—until the Supreme Court overturned it.

How did she find out she was being discriminated against? She had been there all these years. She had started out on an even keel with the colleagues who were men. Someone slipped her an anonymous note. There is not a tote board somewhere she could have checked. Someone slipped her an anonymous note in the workplace and said: Hey, do you realize what is happening to you? You need to start asking some questions about what is happening to your pay.

This is not just about women. This is also about the older workforce. By the way, with the economy the way it is right now, under this administration, people are having to work longer. People who used to think they could retire at 62—forget about that—they are working into their late sixties, into their seventies. In fact, we have many Members in this body who are working hard every day who are well beyond their early seventies who are contributing on a daily basis to this place. Should those people be discriminated against because they are older? Should they have to figure out in 180 days that a younger colleague is making a bigger paycheck?

What about the minorities in this country? This is not just about women. This is about discrimination. We need to send a very clear signal to the rest of the country that we understand we have to fix this and we have to fix it quickly.

This is not a bunch of whining over something that is not important. That 22 cents in Missouri that a woman makes less than a man is important. It is important to pay for the gas. It is important to pay for the daycare. It is important in order to make the bills come out even.

In Missouri, the figure is that women earn 78 cents for every \$1 earned by men. The median annual income for a man with a college degree in Missouri, from the years 2004 to 2006, was \$59,000. For a woman with the same amount of education, it was \$46,000. The American Association of University Women did that study in the State of Missouri.

We need to unite behind this legislation. This is not going to be onerous for employers out there. It is fair. It is just fair. It is what we pledge allegiance to every day in this room: equal justice for all. Let's make sure we fix this. Let's make sure we move and pass this bill and send it to the President. I will tell you what, if this President has the nerve to veto this bill, I know a lot

of women in America who are going to wake up and get busy before November.

Thank you, Mr. President.

I suggest the absence of a quorum.

Mr. DURBIN. Mr. President, I would like to be recognized, if I could. I ask to speak in morning business.

The PRESIDING OFFICER. Will the Senator withhold the suggestion?

Mrs. McCASKILL. Yes.

The PRESIDING OFFICER. The Senator from Illinois.

#### VETERANS' BENEFITS ENHANCEMENT ACT

Mr. DURBIN. Mr. President, this morning on the floor of the Senate is a bill entitled the Veterans' Benefits Enhancement Act of 2007. Nine months ago, this bill came out of committee, and this bill is now on the floor and to be considered.

Back in November of last year, I asked for permission to bring this bill up for consideration in the Senate and have amendments. It is the orderly process of the Senate, a deliberative process: a debate—and one might expect that is what we do around here. But, sadly, at that point the Republican minority objected to bringing up the Veterans' Benefits Enhancement Act, even though it had passed out of the committee with an overwhelmingly positive vote.

What is included in this bill? A long list of important changes in the law, changes which will give to our veterans, especially those returning now disabled from combat, benefits they absolutely need: housing, education.

In addition, there is a provision in here which I support—was happy to join as a cosponsor—related to Filipino World War II veterans. I think it is long overdue that the U.S. Senate recognize the contribution made by so many Filipinos in World War II to the success of our war effort. They fought so gallantly and courageously and stood by our troops at a moment we desperately needed their help. Those who are not students of history may have forgotten or never read that our fight in the Philippines was a bitter, long, and tragic battle that ended well but only after great sacrifice by the Filipino people, by the Filipino soldiers, and by our American soldiers.

This provision in the bill related to veterans:

would deem certain service before July 1, 1946, in the organized military forces of the Philippines and the Philippine Scouts as active military service for purposes of eligibility for veterans benefits.

[It] would provide that the children of deceased or totally-disabled service-connected Filipino veterans who qualify for educational benefits would be paid at the same rate and under the same conditions as the children of other veterans.

Mr. President, this is long overdue.

The PRESIDING OFFICER. Time for morning business is expired.

#### CONCLUSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 10 minutes on the bill.

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

Mr. DURBIN. Mr. President, would the clerk report the motion to proceed to the bill at this point, or should I proceed?

The PRESIDING OFFICER. It is appropriate to close morning business and then report the motion to proceed.

Morning business is closed.

#### VETERANS' BENEFITS ENHANCEMENT ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume the motion to proceed to S. 1315, which the clerk will report.

The bill clerk read as follows:

A motion to proceed to the bill (S. 1315) to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans, and for other purposes.

Mr. DURBIN. Mr. President, I see Senator KLOBUCHAR on the floor. I think she was coming to speak in morning business, and I may have used the minute or two that was remaining for her. I wish to address the motion to proceed to the bill that is pending, but since she is on the floor, I would like to give her a chance to speak at this moment before I do. So I ask—if it meets with the approval of the Senator from North Carolina—unanimous consent that the Senator from Minnesota be recognized for—

Ms. KLOBUCHAR. Five minutes.

Mr. DURBIN. Five minutes, and that following her remarks, I be recognized for 10 minutes to speak on the pending motion to proceed.

Mr. BURR. Mr. President, reserving the right to object, and I do not plan on objecting, if the 5 minutes is to come out of the majority's time for the debate—which the time is split between now and 12 o'clock between the majority and minority—if Senator KLOBUCHAR's time comes out of the majority's time, fine.

Mr. DURBIN. Mr. President, it is my understanding Senator AKAKA wants to speak for up to 10 minutes. So I am trying to figure out—we have 38 minutes remaining before the vote, so that would allow 19 minutes per side. If Senator AKAKA needs 10 minutes, I would ask for 4 minutes and yield 5 minutes to Senator KLOBUCHAR, if that meets with the Senator's approval.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I say to my colleague from Illinois, thank you very much. I appreciate the time. If I go less than 5 minutes, I will give you back the rest of the time.

## EQUAL PAY DAY

Mr. President, I am proud to join with my colleagues today, many of whom were here earlier—Senator MIKULSKI, Senator MURRAY, Senator BOXER, and Senator MCCASKILL—in support of Equal Pay Day.

In 1961, President John F. Kennedy appointed Eleanor Roosevelt as chairwoman of the President's Status on Women Commission.

In 1963, the Commission's findings enumerated rampant discrimination against women in the workplace: in hiring, in accommodations, and in pay. This was part of the larger catalyst to finally pass—that same year—the Equal Pay Act.

It is a sad reality that still, 88 years after the 19th amendment gave women equal voting power and 45 years after the passage of the Equal Pay Act, it takes women 16 months to earn what men can earn in 12 months. In other words, today, Equal Pay Day, marks the day it takes women to finally catch up to where men were back in January.

But Eleanor Roosevelt was a strong, wise woman, and she brought to that first Commission her personal philosophy that "It's better to light a candle than to curse the darkness." That is why it is so important that the Senate take up the Lilly Ledbetter Fair Pay Act on the floor this week. We must light a candle to the pay discrimination women continue to experience across the country.

This important legislation will reverse a 2007 Supreme Court ruling—*Lilly Ledbetter v. Goodyear*—that significantly limited the rights of individuals to sue for gender-based pay discrimination.

The facts that gave rise to Lilly Ledbetter's case are all too common today. Lilly Ledbetter was a hard worker, working at Goodyear Tire as a manager for 20 years. When she started at Goodyear, all the employees at the manager level started at the same pay. She knew she was getting the same pay as the men did. But early in her tenure as manager, the company went to another system. Payment records were kept confidential, and Lilly did not think to ask what her colleagues were making. She did not think to look at her pay raise and ask if men in the department were getting the same. As the years passed by, the pay differential between what she made and what the male managers were making just kept getting bigger. She only found out about it from an anonymous note from a coworker.

At trial, she was able to prove discrimination. But the company appealed the jury's finding, and the Supreme Court, in a five-to-four decision, decided that Lilly filed her charge too late. Essentially, they read the law to say that she would have had to file it within 180 days of Goodyear making its first discriminatory decision.

Although this decision completely ignores the realities of the workplace—that employee records are kept con-

fidential and that there is no way to know when it starts unless we require women to start the embarrassing practice of asking what men make—we can do what Eleanor Roosevelt says. We can bring the realities to the light. We cannot expect women to challenge practices they do not know are happening, and by passing this law we can start to give women those 4 months back—those extra months it takes to allow them to catch up to their male colleagues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the Veterans' Benefits Enhancement Act passed out of the committee 9 months ago, and 6 months ago I came to the floor and asked that we consider it. I could not imagine there would be any delay in wanting to bring critical help to our veterans.

This legislation expands eligibility for traumatic injury insurance under the Servicemembers' Group Life Insurance Program. It extends housing benefits to individuals—veterans—with severe burns. It increases benefits for veterans in apprenticeship or on-job training programs. And it restores veteran status to Filipino veterans.

The bill had a positive vote coming out of committee, and the Republican minority objected, 6 months ago, to bringing it up. Then, last week, when we tried to bring up this bill to help the veterans again, the Republicans initiated a filibuster trying to stop us from bringing this bill forward.

This morning, the Republican leader explained it was because the Republicans need to sit down at noon and talk about the bill so they understand it. The bill has been out of committee for 9 months. It is very clear what is in this bill. There was no need for a filibuster—except for the fact that is the strategy of the Republican minority.

So far, the Republicans have filed, during this legislative session, 66 filibusters—and continue to file them—66 filibusters, including a filibuster against this veterans' benefits enhancement bill. They continue to file these filibusters in an effort to slow down or stop the Senate from considering legislation.

Last week, they wanted to stop a technical corrections bill that made corrections in spelling and grammar and a few references in a bill passed years ago. It took us a full week to pass a bill, which should have taken no time at all, because the Republicans slowed us down.

This week is even worse—that they would force a filibuster on a bill to help veterans. Why? Why in the world would they do that? From the beginning, we said if they had an objection to any provision in this bill, they could offer an amendment. I know the Senator from North Carolina objects to giving Filipino war veterans—who served next to American soldiers, risked their lives and died on behalf of Americans—they

object to the idea of giving \$300 a month to the 18,000 surviving Filipino World War II veterans who would be eligible. They object to it but will not come to the floor and just offer a motion to strike. No. They will filibuster to drag this out for days at a time. This is not fair. It is not fair to the veterans who wait on this important legislation. It certainly is not fair to the Filipino veterans.

You have to understand that during World War II, President Franklin Delano Roosevelt issued a military order calling to service the Commonwealth Army of the Philippines to stand next to American soldiers to fight and die. This entitled—many believe—those who served beside U.S. troops to some recognition from the United States of America. My goodness, how many more years will we wait? Those 470,000 Filipino veterans risked their lives to save American lives and their homeland and to fight for the same values we treasure, and we have put them off that long. A cloture motion was filed, forcing a vote today at noon.

I can tell you that the continued efforts by the Republican minority to stop and stall any efforts for change and progress is being noted by the American people. We only have 51 Democrats. It takes 60 votes to overcome a Republican filibuster, which means we need nine of them to join us. Maybe they will at noon. But the obvious question is, Why did we have to go through this? Why did we have to wait when there was an objection last November? Why did we have to face a filibuster? It is critical to pass the Veterans Benefits Enhancement Act and do what is right for our veterans and the Filipinos who stood beside our troops and fought in World War II.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Mr. President, let me say this. It is disingenuous to come to the floor and suggest that I, or any Member of the minority, have stood in the way. I have stood in the way when the conditions to move forward were such that it diluted the minority's ability to represent its Members but, more importantly, the American people, and to limit us in the time of debate and in the amount of amendments. Yes, sir, it was not offered to have a full and open debate. We are in the process—and, as I said, I urge my Members to vote for cloture. I am sorry we have to have the vote, but that is the only thing that assures us the ability to have the time to debate these issues.

I think what you will find is how much we are all in agreement, which is 98 percent, and there is 2 percent on which we have a difference. I respect the chairman and other Members who believe a special pension should be set up for Filipino veterans who live in the Philippines and have no service-connected injury. But I disagree with that as a priority over our guys.

So I plan to offer an amendment that I have never had an opportunity to

offer which embraces 98 percent of what the chairman has in his bill, but it elects to prioritize our soldiers in enhanced benefits over the \$221 million that is now devoted to Filipino veterans who live in the Philippines and have no service-connected injury.

I believe it is time for us to stand up for our guys versus that select group to whom there was never a promise made.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I again urge my colleagues to vote for cloture and express their support for consideration of S. 1315, the proposed "Veterans' Benefits Enhancement Act of 2007." This comprehensive bill, reported by the Committee on Veterans' Affairs, would improve benefits and services for veterans, both young and old. We should be debating and voting on this bill now. It has been on the calendar since last August.

It is well past time for this body to address and resolve the differences of opinion on provisions in this bill—so active duty service members, veterans, and their survivors can receive improvements to benefits for which they may be entitled without further delay.

Mr. President, I respect the fact that Members have different points of view on parts of this bill, but I do not understand why there is an unwillingness to debate.

As I noted yesterday, for seven months, all I have asked for is debate on this bill. I reached out in October, November, and December of last year, in an effort to come to an agreement to hold that debate. This session, my efforts to reach a time agreement or to negotiate, including in February after the committee's ranking member introduced an alternate bill to S. 1315, have been rejected time and time again.

Mr. President, I am disappointed that members of the minority have continually stood in the way of veterans receiving the enhanced benefits they deserve. I am discouraged that they have not been willing to engage in debate—the business of the Senate. This is not the way that we should be conducting business on behalf of those who have served under the U.S. flag.

A number of things were mentioned yesterday by my colleague, the committee's ranking member, which seem to demonstrate significant confusion about the process that has brought us here.

For example, the ranking member spoke of being asked to agree to no amendments and limited debate time. That is simply not true. What I asked for was an agreement to limit amendments to the bill to only those that relate to the bill. After identifying such amendments, we would then seek to define the time needed to debate these amendments. This represents the way the Senate most often gets its business done and certainly is the process that the Veterans' Affairs Committee fol-

lows on those occasions when there is a need for floor debate.

It may be that my colleague does not believe there should be any limitation on amendments to this bill.

If there is no limitation on what amendments can be offered during debate of this bill, I anticipate that other Senators will bring forward a significant number of amendments. Some will be based on measures considered by the committee and not adopted. Some will be based on measures that were debated by the committee and included in other bills now pending on the calendar. Some will represent issues not yet considered by the committee and thus not subjected to the hearing and debate process. And lastly, I am certain that a number of amendments will represent issues not under this committee's jurisdiction.

That does not appear to me to be a desirable way to get our business done. However, if that is the ranking member's preference, let him say so.

Another misleading statement made by the ranking member was his suggestion that the committee was not willing to talk about changes to the bill. That statement cannot refer to the actual committee process last year—where the provision relating to Filipino veterans was noticed—and an amendment was offered—and debated.

After the bill was reported, I clearly expressed my willingness—on multiple occasions—to reach a compromise on the pension provision. As I noted yesterday, the only debate raised in the committee was on the amount of the pension for Filipino World War II veterans, not on eliminating the pension entirely.

The provision prevailed in committee. Now the ranking member offers one option: to give these elderly Filipino veterans nothing. That is not a compromise.

I am ready to debate the core issue—but I am not prepared to abandon a provision that I believe is right.

I believe it is the moral obligation of this Nation to provide for those Filipino veterans—who fought under the U.S. flag during World War II. We must act to ensure that these veterans are not left to live out their twilight years without acknowledgment that their service during World War II is valued. I am not going to abandon them without a fight.

Mr. President, I ask my colleagues to agree to begin the process of debating this bill. If cloture on the motion to proceed is achieved, I hope that the ranking member will join me and our party leaders to craft a workable agreement that allows for a full debate on this bill—and on his amendment to it—along with any other amendments to provisions in the bill. Once this bill is disposed of, our committee will be in a position to bring forward other bills, including whatever bills we report out of committee later this year.

I look forward to a spirited and in-depth debate on this bill. This is a de-

bate we could have had two months ago or even late last year. Let us not waste any more time. Let us work together to join the issues and have the Senate do its business. I ask my colleagues to join in voting for cloture.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Mr. President, I have a deep respect for my chairman and friend, Senator AKAKA. I think the Senator has suggested that over the course of the last half year we have had some disagreements. I don't expect him to know everything that has been communicated to staff or that my staff communicated to his staff.

The reality is that we are here today, and we each respect each other. We are both honored to serve in the Senate. We both have the same responsibility to the same people—and that is the American taxpayers—to make sure we are fiscally responsible but, more importantly, that we are prudent, that we prioritize things where they are needed the most.

At noon today we will have a cloture vote on the motion to proceed to S. 1315. For one, I have mixed feelings about where we are in the process. I share the frustrations of Chairman AKAKA. The proud tradition of the Senate committee on Veterans' Affairs has been to write laws that improve benefits and services for our veterans. Those laws typically enjoy bipartisan support. As a result, the committee's bills have almost always passed by unanimous consent. In fact, I asked the Senate Library to confirm that for me.

Since 1990, there have been only two rollcall votes on bills reported from the Committee on Veterans' Affairs: the first in the 102d Congress which cleared by a vote of 99 to 0; the second was in the 105th Congress and cleared by a vote of 98 to 0. There were no amendments that received rollcall votes on either of those bills.

This tells me that Republicans and Democrats have always been able to reach a compromise on committee bills out of the Veterans' Affairs Committee. There has been no need for floor debate or rollcall votes when it comes to the veterans bills. The norm is to find a common agreement before moving forward, even on policy issues with which one side or the other may not agree.

This has changed during this Congress with the unprecedented vote on cloture that we will have today. The chairman, in the spirit of our relationship, sent me a letter on, I believe, the 10th of the month requesting that we work on this. The next day, the majority leader of the Senate filed cloture. I am not sure how quickly I am supposed to jump through the hoop for him, but I didn't do it fast enough. I say that with the knowledge that the chairman and I both have that we are not in charge. We don't always make the decisions on the course the Senate will follow.

Let me briefly outline for my colleagues the key disagreement that has held up this bill for so long; namely, the provision that seeks to use \$221 million over the next 10 years to create a special pension for Filipino veterans who have no war injuries, are not U.S. citizens, and who reside in the Philippines.

There are four groups of Filipino veterans. Here is a chart. There are the old scouts, who enlisted in the U.S. Army. They are veterans of the U.S. Army through and through. You see in the benefits that is exactly what is displayed. We have the Commonwealth Army of the Philippines, Recognized Guerilla Forces, and new Filipino Scouts, individuals committed to the Armed Forces of the Philippines and, yes, at times were under U.S. command.

The important thing to notice is our disagreement is with the pension for nonservice-connected disability and the death pension for survivors. It is the \$221 million that is suggested to create a special pension for 13,000 individuals whom I do not dislike. I do not want any Member of this Congress to think in any way that I devalue what they did. But I have researched this in history, which we will get into over this debate, that Congress never intended for something such as this to be extended.

I, again, have profound respect for the World War II service of Filipino veterans. Their contribution to victory in the Pacific is a matter of historical record. We honor them—I honor them—their service, their sacrifice. We have good friends in the Philippines. But the issue at hand is not the merit of the service rendered by Filipino veterans. The issue is whether creating a special pension for them in the Philippines is responsive to the following questions:

Is it the right priority in time of war when the needs of our men and women serving in Iraq and Afghanistan are so great?

Two, is it appropriate policy, given the purpose of VA pensions and the vast differences in the United States and Filipino economies?

And last, is it fair to U.S. pension recipients from whom this money is taken to pay for this special pension in the Philippines?

Let me ask that another chart be put up because I think it is absolutely crucial that we understand exactly what we are talking about in a \$300, or \$221 million, special pension.

For a U.S. veteran, if they qualify for a special pension, we are going to get their annual stipend to \$11,181, which is 17 percent of U.S. median income. We are going to take American veterans slightly above the poverty level. If it is a married veteran couple, we are going to get them to \$14,643, which is 22 percent of the median income in the United States and slightly above the level of poverty. Special pensions were designed to make sure a veteran was out of poverty. We were not putting

them into the middle class in the United States, but we were getting them out of poverty because that was the right thing to do. If it is a surviving spouse in the United States, they get a payment of \$7,498, which is 11 percent of the median income in the United States.

Today in the Philippines, the Filipino Government provides \$120 a month pension for these 13,000 individuals Senator AKAKA is targeting. I am not taking into account the \$120 a month that the Philippine Government is providing for each one of these 13,000. But if they are a single veteran in the Philippines with the stipend that Senator AKAKA's bill has, we will provide \$3,600 a year, which will be 87 percent of the median income of the Philippine economy. If you add in to that number the \$120, we see they far exceed the median income of the middle class of the Philippines. If, in fact, it is a married couple, the stipend from the United States in a special pension for a Filipino living in the Philippines with no service-connected injury is \$4,500, 108 percent of the median income of a Philippine family; in the case of a surviving spouse, \$2,400, or 58 percent of the median income.

It is important to understand that the VA pension is designed for veterans who have no service-related injuries and who are poor, according to the U.S. definition of poverty. The maximum VA pension payable to a U.S. veteran puts them 10 percent above the poverty threshold and 17 percent of median income.

The Philippine Government, as I said, already provides a monthly pension to Philippine veterans, putting them at roughly 400 percent over poverty with the \$120 pension that the Philippine Government provides, and 35 percent of the average income of the household. Adding an additional VA pension on top, as considered in S. 1315, would put a single Filipino veteran at roughly 1,400 percent over the Philippine poverty level.

What are we talking about in simplistic terms? We are going to allow a U.S. veteran to get slightly over the poverty level. The percentage was 10 percent. But we are going to create a special pension for Filipinos who live in the Philippines and have no service-connected disability that is going to make their percentage over poverty 1,400 percent when U.S. veterans are at 10 percent over the poverty line and 21 percent above the average household income.

A VA pension benefit is not designed to put a veteran in the middle class. It certainly does not in the United States. I do not believe it is our responsibility to do it in the Philippines, and I do not believe in this time of war that it is a priority of this country.

It is meant to ensure that no war-time veterans suffer the indignity of poverty, whether you are in the Philippines or whether you are in the United States. We have defined that in

the United States as 10 percent above the poverty line.

I can argue that is not good enough, but I can certainly make the case that going to 1,400 percent above the poverty line is not right. It is not the right policy, and it is certainly not the right priority. Creating any new pension benefits for Filipinos in an effort to rectify what some call an injustice would only serve to create a new injustice for U.S.-based veterans because of an enormous discrepancy in the two Nations' economies.

As I said, I have deep respect for Senator AKAKA. We will have a spirited debate, I am convinced, over the next 2 days, 3 days—whatever our leadership decides. That is where it gets out of our hands. I am willing to do it. I have done my homework. I am willing to get into the 1946 Senate hearings when the Senate debated an act where they took benefits away because they researched it to find out if we promised veterans' benefits be extended. And the court's interpretation was they extended it and, quite frankly, the Congress in 1946 legislatively took those benefits away that the court had awarded.

I have Senate hearings from 1948. And in the 1990s, I have the Clinton administration that came to this body and lobbied that this was not the right thing to do; they were not supportive of it. I am willing to share that information with all our colleagues, and over the next couple of days, I think everybody will get a great history lesson on what happened with our decisions and who has testified since 1944 to the Senate about this issue.

I do not expect any American who listens to be less than educated on whether this is the right move or the wrong move. But I also believe my colleagues will recognize the fact if we are establishing 10 percent above poverty for U.S. veterans and we are down here talking about a special pension to individuals who live in the Philippines who have no service-connected injury that is going to be 1,400 percent over poverty, this is the wrong thing for the Senate to do.

Mr. President, I am going to yield to my good friend and former ranking member of the committee. But I do want to say before I yield to him, I urge my colleagues to vote in favor of the cloture motion. I want to proceed. I want to debate this issue. I want to make sure every Member of the Senate has an opportunity to hear the full breadth of what has happened since 1946, and I am prepared to do exactly that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I understand we are under a unanimous consent agreement for a vote at 12 o'clock?

The PRESIDING OFFICER. That is correct.

Mr. CRAIG. Mr. President, I will be brief, only to amplify what Senator

BURR spoke to clearly and, I hope, understandably. First and foremost, understand that my relationship with the chairman of Veterans' Affairs Committee, DANNY AKAKA, is a personal one and one of great affection. Here is a man today attempting to do the right thing and probably, in all fairness, is leading with his heart, and that I respect greatly.

There is no question, there remain in the Philippines 13,000 veterans who fought gallantly to save their island from Japanese domination and fought with us and under our flag to do just that. They deserve to be compensated, and they have been compensated.

Immediately following the war, the United States Government put \$620 million into the repairs of the Philippines. In today's dollars, that is \$6.7 billion.

Then we left a VA hospital in place so that these veterans could receive first-class health care. And we did and they do and it is still there and it is still operating.

Then we added \$22 million—and that is worth \$196 million in today's dollars—for equipment and construction. America did its part then, and it does its part today. The question is what is reasonable and right compensation.

I stepped down as ranking member on the Veterans' Affairs Committee last September. In doing so, I was well aware of this bill, and the chairman knew at that time that I agreed with 99.9 percent of it. It is a good bill. It is an important bill for America's veterans, and it ought to be passed.

At that time, I thought I offered what was a reasonable compromise; that we would reduce the level of the proposed increase in compensation to nonservice-connected Filipino veterans living in the Philippines; that we would not lift them to the standard to which Senator BURR has just spoken; that they would deserve some help. The chairman had found an offset in a court ruling that took money away from our veterans, and it was sitting there.

I would have much preferred rewriting the law and reinstating that money to our veterans to abrogate the court decision, but we did not do that. So I offered a compromise at that time. It was roundly rejected by the committee. It simply did not fit where the chairman wanted to go. Therefore, from that point forward, I opposed the bill. It is a matter of fiscal responsibility. It is a near quarter of a billion dollars over the next 10 years, and it does exactly what the ranking member, Senator BURR, spoke to. It lifts these Filipino veterans above their poverty line into a middle-class status in Filipino society. Well, that is OK; none of us should deny that. But we don't do that for our veterans who live here. If you are a Filipino veteran living here legally, you get full compensation as a veteran living in this country.

We do tie a benefit to a poverty level and a cost-of-living standard, and we always have. I certainly wish we could do more, but this budget is nearing \$100 billion. The overall VA budget is nearing \$100 billion. Four years ago, 11 percent; 3 years ago, 12 percent; 2 years

ago, 13 percent; last year, an 18-percent increase. No budget in America, other than defense, has increased that much. And why are we doing it? Because collectively this Senate and this Congress have always believed in fair and responsible compensation to America's veterans—America's veterans.

We also try to compensate those who support us and work in our behalf as the veterans of the Filipino society did what is right and what is reasonable.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CRAIG. Mr. President, I believe what the Senator has offered in this Senate bill that is on the floor, S. 1315, is too much. There is a middle ground. I offered it once, and it was rejected. I hope we can revisit that as a reasonable amendment when we get to the amendment process.

I thank my colleagues, Senator AKAKA and Senator BURR, for their work on this legislation. It is good legislation. With a little fine-tuning, then it will be fair, and we ought to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I commend my ranking member and former ranking member for their comments. I look forward to a good debate. I thank them for joining in asking for Senators to vote for cloture.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 336, S. 1315, the Veterans' Benefits Enhancement Act.

Harry Reid, Daniel K. Akaka, Barbara Boxer, Patty Murray, Byron L. Dorgan, Edward M. Kennedy, Christopher J. Dodd, Benjamin L. Cardin, Patrick J. Leahy, Bernard Sanders, Sherrod Brown, Amy Klobuchar, Richard Durbin, Ken Salazar, Sheldon Whitehouse, Max Baucus, Daniel K. Inouye.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1315, a bill to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from

New Mexico (Mr. DOMENICI), the Senator from Arizona (Mr. MCCAIN), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 0, as follows:

[Rollcall Vote No. 109 Leg.]

#### YEAS—94

Akaka	Dole	Menendez
Alexander	Dorgan	Mikulski
Allard	Durbin	Murkowski
Barrasso	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Bennett	Feinstein	Pryor
Biden	Graham	Reed
Bingaman	Grassley	Reid
Bond	Gregg	Roberts
Boxer	Hagel	Rockefeller
Brown	Harkin	Salazar
Brownback	Hatch	Sanders
Bunning	Hutchison	Schumer
Burr	Inhofe	Sessions
Byrd	Inouye	Shelby
Cantwell	Isakson	Smith
Cardin	Johnson	Snowe
Carper	Kennedy	Specter
Casey	Kerry	Stabenow
Chambliss	Klobuchar	Stevens
Coburn	Kohl	Sununu
Cochran	Kyl	Tester
Coleman	Lautenberg	Thune
Collins	Leahy	Voinovich
Conrad	Levin	Warner
Corker	Lieberman	Webb
Cornyn	Lincoln	Whitehouse
Craig	Lugar	Wicker
Crapo	Martinez	Wyden
DeMint	McCaskey	
Dodd	McConnell	

#### NOT VOTING—6

Clinton	Landrieu	Obama
Domenici	McCain	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are zero. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, would the Chair advise me, was the last vote 94 to nothing?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. I would like to say to the Chair and to all those following this debate, we wasted 4 days of the Senate's time, 4 days to come to a bill for veterans' benefits. We tried to bring this bill up last November. The Republicans objected. We tried to bring it up last Thursday, and they started a filibuster so we had to burn off 4 or 5 days.

Mr. DORGAN. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DURBIN. We had to burn off 4 or 5 days of doing nothing because of another Republican filibuster. So far in this Congress the Republicans have initiated now 67 filibusters. The record in the Congress before this Republican minority was 57 filibusters over a 2-year period of time. They have now broken that record by 10, and we still have 8 months to go this year.

We are wasting more time. When I ask the Republicans why did you filibuster a bill for veterans' benefits, they said because when we have lunch today, we want to talk it over.

This bill was reported by the veterans committee 9 months ago. How many veterans have been created in 9 months? How many more have needed job training, health care benefits, and housing, and now our Republican minority wants to talk it over?

If we are going to do the people's business in this Chamber, this filibuster mentality on the Republican side has to come to an end. There are critically important issues. Wouldn't it be great if we had finished the veterans health bill last Thursday and could have started debating today the cost of gasoline across America; the impact of high diesel fuel prices on truckers; what the jet fuel costs are doing to the airline industry? But no, another Republican filibuster, the 67th filibuster in this session.

I hope the people of the United States understand what the problem is. To break a filibuster, it takes 60 votes. There are only 51 Democrats. The voters of America will have their chance to vote in November.

Mr. DORGAN. Will the Senator yield for a question?

Mr. DURBIN. I yield for a question.

Mr. DORGAN. Isn't it the case the vote we had is on the motion to proceed? This is not on the issue, this is on the motion to proceed to an issue? So we have a filibuster on the question of shall we proceed. Time after time after time, isn't it the case that even on motions to proceed, we discover the other side demands 60 votes, then demands to have the full 30 hours elapse after the vote has taken place? This one was, I think, 94 to zero. There was a requirement that we go to a motion to proceed—94 to zero—so it was not controversial, it was a matter of bleeding time. It makes no sense, with all that we have to do.

Mr. DURBIN. Through the Chair I say in response to the Senator: That is exactly the case. I would like to make a unanimous consent request that we go to the bill immediately and entertain germane amendments to the bill. Let's start this bill right now. Let's get this done for the veterans. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, I object.

Mrs. HUTCHISON. Parliamentary inquiry, Mr. President? I would like to ask the Senator from Illinois if germane amendments include a substitute amendment? I have heard the debate, or at least the statements of the two Senators. But the issue is not going to the bill. We have not filibustered the motion to proceed. It was unanimous. The question is are the minority rights going to be recognized? Will we be able to offer amendments, germane amendments, substitutes?

I would like to know, before we proceed further to the bill, if we are going

to be able to have enough amendments so the minority rights are protected.

That would be my question.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Would the Chair identify the Senator who objected to the unanimous consent request to move to the bill immediately and consider all germane amendments?

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I happened to be here for the vote. You know, this is a game that has been played by both sides, last year and this year too. The majority calls up a bill, they generally file cloture. And, frankly, that does not mean there is a filibuster. As you can easily see, the vote was basically unanimous to going ahead with the bill.

What bothers me is that time after time we have had situations where we were not able to even offer amendments, even a limited number of amendments. But generally we get to that point around here because we have to. And it is the only right the minority has. So that is one reason that occasionally the minority will require cloture.

But there is also too much of this filing cloture by the majority the minute the bill comes up. That, of course, is a game, frankly, with no intention on our side to filibuster the bill or stop the bill.

So these high numbers that are said are mythical, to be honest with you. And, frankly, I hope someday we can realize that this is a legislative body where both sides have certain rights and that one side cannot roll over the other side without at least giving them an opportunity to file amendments.

Frankly, the other side, the majority side, has been able to win on amendments anyway in many cases. I think to stand and say that the Republicans are causing all of this mixup is not quite as accurate, as I think the record will show.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### INTERNATIONAL FOOD ASSISTANCE

Mr. KOHL. Last year, the World Health Organization reported that 25,000 people died every day from hunger-related causes. Let me repeat that number: 25,000 people who died every day last year.

The World Health Organization further reported that of that 25,000 people who died, 18,000 were children. That means that in the time it took me to say that last sentence, a child somewhere in the world has died. It also means before I finish this sentence, another child will have died from hunger. For lack of food, a child dies every 4.8 seconds.

As grim as these facts are, things have grown worse, much worse. We are

witnessing what could be called a perfect storm of world hunger. The world's supply of food is down, food demand is up, the climate is changing, and crops are failing.

Food production resources are shifting every day to energy production, food costs are skyrocketing, and, indeed, entire societies are falling apart as a result. This is not another round of appeals for humanitarian food assistance. There is something new and very troubling occurring.

One of the greatest responsibilities of Government is to assure people the basic necessities of life. When that assurance fails, governments fail with it, and an already insecure world moves that much closer to chaos. The most basic need, of course, is the need for food. However, in recent events around the globe, 33 countries have experienced riots and violence because of a failed food supply, including countries in this hemisphere. In the face of hunger, order breaks down, and reason is lost. People are painfully realizing that food production is not keeping up with food demand, and this is a recipe for global disaster.

Last month, the Director of the World Food Program, Joesette Sheeran, wrote to President Bush on the immediate need for increased food assistance due to rising food and related costs. I met with Director Sheeran last week and got a firsthand appraisal of the dire situation.

Rising food and transportation costs have created a \$750 million hole in the World Food Program budget which had assumed that the U.S. contribution this year would include a pending \$350 million supplemental request for PL 480.

Unless this Congress acts, thousands of people will die, and an increasing number of societies and nations will be at risk. This is indeed a world crisis.

Last week, OMB Director Nussle appeared before the Senate Appropriations Committee, and when asked to state whether he thought there was a need to provide food assistance above the President's request of \$350 million, he declined. He dodged the question.

There is no way to dodge this problem. This is a problem of world security. This is a problem of U.S. security and our place in the world. We must and we will respond.

As chairman of the Appropriations Subcommittee on Agriculture, I take the issue of international food assistance very seriously. Although the President's supplemental request of \$350 million was predictable—after all, he has requested the exact same amount for 3 years in a row—it is totally blind as to what is happening in the world. It is therefore very dangerous.

If the United States wants to maintain its role as a world leader, there is no better way to do that than to step forward now, take full account of what is happening, and take meaningful steps to stop the suffering, to stop the



hunger, stop the dying. In fact, it is time to be a leader.

So I will continue to work for food funding assistance at a level that does not turn a blind eye to the suffering in the world, nor the danger to the world community. So I ask other Senators to join me in stating support to fight this perfect storm of world hunger and to support action to do something about it.

Mrs. BOXER. Mr. President, tomorrow we will have a vote to proceed—

The PRESIDING OFFICER. The Senator has an order to recess.

Mrs. BOXER. I ask unanimous consent to speak for up to 6 minutes as in morning business.

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

Mrs. BOXER. Mr. President, I thank you all for indulging me.

#### FAIR PAY ACT

Tomorrow we will have a vote to proceed to the Lilly Ledbetter Fair Pay Restoration Act. Four of my Democratic female colleagues spoke on this earlier today—four or five. I wanted to add my voice to their voices because, as I stand on the floor of the Senate some 45 years after passage of the Equal Pay Act, it is unfortunate that workers throughout the Nation will suffer pay discrimination based on gender, race, religion, national origin, disability, and age. They still suffer this.

We still have a long way to go on equal pay for equal work. It stuns some people to learn that women still earn 23 percent less than men, and the pay disparity is still so great that it takes a woman 16 months to earn what a man earns in 12 months.

In 2006, an average college-educated woman working full time earned \$15,000 less than a college-educated male. According to the American Association of University Women, working families lose \$200 billion in income per year due to the wage gap.

This is an important point because so many women now work. We know this. So families are struggling to make ends meet with higher gas prices, higher college tuition, higher food prices, higher health care, all of that. We know there is not an easy solution that will eliminate all pay discrimination, but the bill we hope to go to tomorrow, the Equal Pay Restoration Act, will ensure that when an employer discriminates based on gender or race or any other factor, the employee can take his or her case to court.

There was a very bad decision that was made by the Supreme Court which reversed decades of legal precedent, and this was the Ledbetter decision. With its decision, the Court imposed a serious obstacle for equality, equal pay, by requiring workers to file a pay discrimination claim within 180 days of when their employer first starts discriminating.

Now, that is an impossible standard to meet. You really do not know when that moment occurs. What was important about this decision is it threw out

the law that had always worked well and would have protected people such as Lilly Ledbetter from discrimination.

Her story is not unfamiliar to many female employees. She was a female, she was a manager at an Alabama Goodyear Tire plant when she discovered, after 19 years of service, that she was earning 20 to 40 percent less than her male counterparts for doing the exact same job.

It took her a long time to ferret this information out. As Justice Ginsburg noted in her dissenting opinion, the pay discrepancy between Ledbetter and her 15 male counterparts was stark. In 1997, her last year of employment at Goodyear, after 19 years of service she earned \$5,600 less than her lowest paid male coworkers, and she earned over \$18,000 less than her highest paid male coworkers.

Evidence submitted at her trial showed that Mrs. Ledbetter was denied raises, despite receiving performance awards, and in some cases female supervisors at the plant were paid less than the male employees they supervised.

So when Ms. Ledbetter discovered this, she took Goodyear to court, and the jury awarded her full damages. But the company, Goodyear, appealed the jury's decision.

In 2007 the Supreme Court made this very bad decision and said she could not sue for back pay despite—and with which they agreed—the overwhelming evidence that her employer had intentionally discriminated against her because of her gender.

But, they said, it took Lilly Ledbetter longer than 6 months to determine she had been a victim of years of pay discrimination. So, in other words, because it took her more than 6 months to figure this out, she was denied any kind of help.

It does take a significant amount of time in many cases for the truth to be known. Here in the Capitol, if you work for the Government, everybody's pay is on record. And you can see it; it is a public document. But in a private sector plant there may be no way to find out.

As Justice Ginsburg pointed out: Compensation disparities are often hidden from sight for a number of reasons. Many employers do not publish their employees' salaries, and other employees are not anxious to discuss what they earn. So this controversial decision is having serious impacts.

In the 10 months since the decision was handed down, the Ledbetter precedent has been cited 207 times by Federal district courts and courts of appeal. So it means, it seems to me from what I gather, from that statistic alone, many people are being denied equal treatment under the law: equal pay, equal treatment.

So what does the bill do that we want to go to, we Democrats on Wednesday, tomorrow? It simply restores the law to what it was in almost every State in the country before the Ledbetter case

was decided. It does so by helping to eliminate the unreasonable barrier created by the Supreme Court and allows workers to file a pay discrimination claim within 180 days of each discriminatory paycheck. That was the law before Ledbetter.

The Ledbetter decision was a giant step backward in the fight for equal opportunity and equal rights. Goodyear engaged in chronic discrimination against female employees, but because of the Ledbetter decision, the Court must treat intentional ongoing pay discrimination as lawful conduct.

Employers who can conceal their pay discrimination for 180 days can continue this practice, and there is no redress. We must ask ourselves: Is this the standard that Congress should be proud of? Is this the kind of standard that we should support, where somebody is treated in an unfair fashion, is paid less than somebody else simply because of their gender?

It is not right. It seems to me, if we are going to have fairness and justice in America today, the least we can do is overturn the Ledbetter decision. Justice Ginsburg told us: "Congress, the ball is in your court."

That is why I am so pleased that Senator REID is bringing this opportunity before us tomorrow. Today, as we reflect upon the importance of fairness and equity to our society with a celebration of Equal Pay Day, we must restore this important protection and return the law to its meaning. I hope tomorrow when we get a chance to move to this bill our colleagues will all vote aye because what is fair is fair and what is wrong is wrong. We need to fix this problem. Equal pay for equal work is a value that we should hold dear.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. DURBIN).

#### VETERANS' BENEFITS ENHANCEMENT ACT—MOTION TO PROCEED—Continued

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEVIN). Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

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

#### DIVER HEROES OF THE CHICAGO FIRE DEPARTMENT

Mr. DURBIN. Mr. President, I ask a few minutes of the Senate's time to