

every person in American society. It is part of a larger agenda which includes raising the minimum wage, which we still have to do, and restoring unemployment insurance, which the Senate did yesterday but we still have to do in the House. That larger agenda about a fair shot goes to the core of the American conscience about what is right, but it also happens to be what is economically smart. Paying women equal to men for the same work means that women will come to jobs and they will work better in those jobs, more productively. Women have so much to contribute in jobs where they serve equally or better than men.

Unfortunately, the promise of the Equal Pay Act, signed in 1963 by President Kennedy, has yet to be achieved. That promise was that equality would prevail in the workplace. Yet 51 years later the disparities are glaring, the gaps between gender pay are unacceptable and inexcusable. Women make only 77 percent of every dollar earned by men. The disparity is even greater in certain professions. In the janitorial profession, among supervisors, and among CEOs, women make 70 cents or less on the dollar. The same is true among financial advisers and among product inspectors. So the disparities cut across all professions. In fact, in 97 percent of all professions, women make less on average than men. That is why we must work to change the law.

The Paycheck Fairness Act would accomplish a number of very simple straightforward goals. No. 1, it would enable workers to share information without fear of retaliation. Right now, a worker can be fired or demoted if he or she shares information about what they are making. The Lilly Ledbetter Act of 2009 advanced these goals and made some progress, but this threat of retaliation is real and completely unconscionable and it should be directly prohibited by law.

Second, the burden should be on the employer to establish that pay disparities are business related or job specific. Those disparities ought to be the job of the employer to justify, not the employee. After all, it is not the employee who makes those decisions, it is the employer. So the employer ought to be the one to present a justification based on objective and real business-related or job-specific factors.

Finally, the Paycheck Fairness Act provides for punitive damages. Only by establishing punitive damages can the evil and harm done by pay discrimination be effectively deterred. The economic penalty will discourage employers by providing real consequences for their discrimination.

This issue is really an American issue that has resonance coast to coast, job to job, and person to person, but mostly it has resonance among families. The estimates are that eliminating the gender pay gap will reduce poverty among families headed by single working mothers from 28.7 percent to 15 percent. It will reduce poverty,

most importantly, among children. It will give those children a leg up that they lack now. It will give their moms a sense of justified dignity and self-respect. It will make a practical difference in the lives of families, raising the self-respect and dignity of men as well as women. If they are the beneficiaries of false factors, simple gender discrimination, how can they justify the additional pay that they as men make?

Discovering and proving discrimination is a formidable, daunting, sometimes insurmountable challenge. Discovering it is difficult enough. That is why sharing of information is necessary. Proving it is sometimes virtually impossible without the kind of law the Paycheck Fairness Act will provide, the rights and making those rights real that can be achieved, ending systemic pay discrimination that undermines and disservices our entire society. It demeans all of us. It fails to give people a fair shot when that is the ethos, the core conscience of American economic profit. A fair shot is not only fair, it is smart. It will promote jobs and economic growth, which all of us deeply want and deserve.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

POLITICAL STRATEGY

Mr. THUNE. Madam President, 2 weeks ago the New York Times published an article on the congressional Democrats' plan for the rest of the year. It boiled down to one thing: Campaigning. That is right; 8 months out from the election, Democrats in Congress have given up on legislating. Instead, they are going to spend the next 8 months focused on show votes, which will—and I quote from the story—“be timed to coincide with campaign-style trips by President Obama.”

While these votes will focus on “pocketbook issues” Democrats hope will appeal to voters, the votes are not designed to actually accomplish anything. The New York Times goes on to say:

Democrats concede that making new laws is not really the point. Rather, they are trying to force Republicans to vote against them.

The article goes on to say:

Privately, White House officials say they have no intention of searching for any grand bargain with Republicans on any of these issues. “The point isn’t to compromise,” a senior White House official said.

So that is where we are. The economy is stagnant, unemployment is hovering at recession-level highs, 10 mil-

lion Americans are unemployed—nearly 4 million of them for 6 months or longer—household income has fallen, health care costs are soaring, and Democrats have decided to give up doing anything about it so they can get reelected in November.

This political strategy was front and center last week when Democrats blocked all Republican amendments during the Senate debate of the employment benefits extension bill. Republicans wanted to offer a number of amendments that were focused specifically on job creation. After all, the only reason we are considering extending unemployment benefits for the 13th time since 2008 is because so many Americans still don’t have jobs. While unemployment benefits can provide limited short-term help, they do nothing to get unemployed Americans what they really want—steady, good-paying jobs with an opportunity for advancement.

Republicans thought that we should accompany yet another extension of emergency unemployment benefits with measures to make it easier and cheaper to create jobs for the millions of Americans currently searching for work. We proposed amendments to create jobs with measures such as reining in burdensome regulatory requirements and improving job training for people who are unemployed. Democrats, however, didn’t want to take any votes on Republican proposals, so they simply refused to allow amendments to be considered. That is not the mark of a party that is serious about helping the unemployed.

If Democrats were really serious, they would be focused on permanent relief through jobs rather than merely treating the symptoms of unemployment. Democrats brought up unemployment benefits not because they offer real, long-term help to the unemployed but because they think these benefits might win them a few votes in November.

They are planning to keep on doing the same thing. Soon Democrats plan to bring up a 40-percent minimum wage hike that the nonpartisan Congressional Budget Office estimates will cost up to 500,000 jobs by the end of 2016. By the way, 57 percent of those job losses—according to the CBO—would be held by women. But that is not stopping the Democrats who hope that a minimum wage hike will gain them votes at the polls even if it hurts workers in the process.

This week Senator REID filed cloture on the motion to proceed to a similarly political bill, the so-called Paycheck Fairness Act. All Senate Republicans believe in equal pay for equal work. Paycheck fairness has been the law of the land since 1963. Democrats are playing politics with equal pay and attempting to distract from the real harm that their policies have done to women. Right now there are 3.7 million more women living in poverty than there were when the President took office. Since the President took office,

the poverty rate for women has increased from 14.4 percent to 16.3 percent. Income for female college graduates has dropped by over \$1,400, and the median income for women is down by \$733 since the President took office.

It would be nice if this legislation that is being proposed by the Democratic majority provided women with real economic help, but it is far more likely to line the pockets of trial lawyers. In fact, this election-year ploy would actually hurt women by increasing Federal regulations that would cut flexibility in the workforce for working moms and end merit pay to reward quality work.

If Democrats were really serious about helping women, they would work with us on bills to create jobs and to expand workplace opportunities for women as well as for men—bills such as Senator RUBIO's legislation to amend the National Labor Relations Act to allow employers to give merit-based pay increases to good workers; or Senator COLLINS' bill to repeal ObamaCare's 30-hour workweek rule, which is reducing hours and lowering wages for many workers, particularly women, who make up 63 percent of those affected; or the bill proposed by Senator MIKE LEE, which would help employers balance work and family life by allowing private sector employers to give workers the choice of monetary compensation or comp time for the overtime hours that they work; or Senator MCCONNELL and Senator AYOTTE's bill, which would give hourly workers access to flexible work arrangements like comp time off and flexible credit hours; or my bill combining several of my colleagues' proposals to stimulate job creation and increase hours and wages through energy development, job training, and regulatory relief. Then, of course, there is Senator FISCHER's proposal to give women the tools and knowledge they need to fight discrimination at work.

Many of these proposals have passed the House of Representatives and are awaiting action by the Senate. These bills would create new jobs, open new opportunities, and help reverse the economic decline that women have experienced over the past 5 years. But Democrats don't seem to be interested in providing economic relief to women. They are interested in elections and scoring political points.

Democrats can go on campaigning for the rest of the year if they want. They can twist the legislative process for their own political ends and ignore the economic pain they have caused women and men. Meanwhile, the middle class in this country continues to fall further and further behind.

Republicans in the Senate will continue to propose legislation to create jobs and opportunities for Americans and help make up the ground that the American people have lost in the Obama economy. Democrats can still change their minds and join us, and I hope they will because the situation

has not gotten any better. We still have chronic high unemployment, lower take-home pay, and lower household income.

We have almost 4 million people who have been unemployed for more than 6 months. The labor participation rate—the number of people who are actually in the labor workforce today—is at the lowest level we have seen in 35 years, meaning there are millions of Americans who left the workforce. Those statistics are crying out for solutions that will do something about the need for jobs in our economy, that will do something about growing and expanding our economy, so those people who are unemployed can find the work they need to improve their standard of living and that of their families as well.

So I hope all of these issues I have mentioned—these are all amendments that have been filed by my colleagues on the Republican side of the aisle. So far there is no indication, no suggestion that any of these amendments are going to get an opportunity to be offered, to be debated, and to be voted on—amendments that actually would improve the outlook for not only men in this country but women as well, by growing the economy, expanding the economy, creating the types of good-paying jobs that will create opportunities for advancement for hard-working Americans.

If the Senate is going to continue to be a place where debate and amendments are shut down, blocked by the other side simply so they can have show votes designed to appeal to a political audience as we head into the midterm elections; if we aren't going to be doing anything to solve the real-world problems millions of Americans who are unemployed have, or millions of Americans who have been hurt by this economy, and millions of Americans who have seen their standard of living and their quality of life eroded by bad policies coming out of Washington, DC, that make it more difficult and more expensive to create jobs—that is what we ought to be focused on. Republicans come to the floor, as we did last week when we were debating unemployment insurance, with amendments designed specifically at growing the economy and creating jobs. At every turn we have been blocked from offering those amendments and, in turn, we are talking about nothing more than political rhetoric in an election year that does nothing to address the real problems of the American people. They deserve better. We can do better. I hope we will. I hope the Democrats will change their minds and join us and allow us to have that debate, to have those votes, and allow us to do something meaningful for middle-class families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

EQUAL PAY DAY

Mr. HARKIN. Madam President, today is Equal Pay Day. I mentioned that to someone earlier and they said: What does that mean? What that means is an American woman working full time in America today—I am talking about an average American woman working full time, year-round—had to work all last year and up to today of this year to earn what the average male made last year up to December 31. That is what Equal Pay Day is. Think about that. A man gets paid up to December 31, and a woman has to work all that year and up to today to get the same pay.

It is shocking that in 2014 that is still happening in America—shocking—because we passed the Equal Pay Act in 1963. In 1963, a woman made about 60 cents on the dollar for what a man made. Today, it is 77 cents, so I guess we can say we have made some headway. So 1963, 1973, 1983—in 40 years, we have gone from 60 cents to 77 cents.

What we found out, through our committee hearings of the committee I am privileged to chair, the Committee on Health, Education, Labor, and Pensions, is that a lot of employers in this country are not abiding by some of the provisions of the Equal Pay Act. I compliment Senator MIKULSKI, who is a member of our committee as well as the Chair of the full Appropriations Committee, for her leadership in bringing this bill, the Paycheck Fairness Act, to the Senate.

When we passed it in 1963, 25 million female workers, as I said, earned about 60 cents on the dollar. Now it is 77 cents. Again, the deficit and what it means for a lifetime of earnings is startling. Over the course of a 40-year career, women, on average, earn more than \$450,000 less than men. And get this: Women with a college degree, or more, face an even wider gap of more than \$700,000 over a lifetime compared with men with the same higher education. So, again, the consequences are enormous, impacting not just women but their families as well, and not just impacting women during their working lives, but keep this in mind: When a woman is making that much less, then a woman is getting that much less in her retirement, in her Social Security, or maybe her 401(k), or a defined benefit, whatever it might be. So women get whacked twice during their working life and then when they retire because they have made substantially less than men.

Again, I congratulate Senator MIKULSKI for bringing this bill forward and for her indefatigable work on this issue. It is time to pass the Paycheck Fairness Act. It is simple, common-sense legislation to make sure we have procedures and processes that are in place, to make sure the Equal Pay Act, passed in 1963, has some teeth, so employers can't just skirt around it anymore, and so there will be avenues for women to take to make sure they are not discriminated against in terms of pay.