

I applaud all Members for working on this legislation and all of the small business bills before us today. We must continue to put our Nation's job creators at the forefront of this economic recovery.

Madam Speaker, I would like to take a few moments to make a couple comments here with regard to all the bills that we have offered here today. All these bills dealt with things that deal with oversight.

We, as legislators in this body, have two jobs. One is to provide legislation to improve the lives of our businesses and the people in this country, protect our country. Second is to provide oversight over all of the activities that go on within the executive branch, as well as the judicial branch, to whatever extent we can.

In our committee, we oversee the legislation with regard to the Small Business Administration, as well as oversight of their activities. We have come to find over the last several weeks here that the inspector general reports that the SBA is not being run as well as it should. There is fraud rampant in some of the programs, which is verified by the AG reports. We have a new Administrator who has got her hands full because of the lack of knowledge of what goes on with all the brand-new things going on.

So we have got a real problem and we, as legislators, have got to step up. These bills today are just one step in the process of providing the kind of oversight that it takes. We will continue to provide oversight, I can assure you. And those listening and watching today need to take heart in the fact that we are going to continue to provide the kind of oversight over the Small Business Administration and all of its programs that we have been tasked with and are responsible for.

Madam Speaker, I urge my colleagues to support H.R. 1482, the last bill we will discuss today, and I yield back the balance of my time.

Ms. DAVIDS of Kansas. Madam Speaker, in its 62-year history, the SBA's 504 loan program has helped thousands of entrepreneurs acquire heavy machinery and equipment, expand to more locations, and hire workers. It has long been a strong-performing SBA program and has enjoyed consistent bipartisan support.

We must continue to take all steps needed to preserve the integrity of the 504 program and ensure it will be an option for the next generation of entrepreneurs. Passing the bill before us today will help us do so.

I thank Mr. BISHOP and Ms. CRAIG for their hard work and collaboration in bringing this bill to the floor today. I also thank Mr. LUETKEMEYER for his leadership today and his unwavering commitment to our Nation's 30 million small businesses.

Madam Speaker, I urge my colleagues to vote "yes," and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Kansas (Ms. DAVIDS) that the House suspend the rules and pass the bill, H.R. 1482.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WEBER of Texas. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1515

PROVIDING FOR CONSIDERATION OF H.R. 7, PAYCHECK FAIRNESS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1195, WORKPLACE VIOLENCE PREVENTION FOR HEALTH CARE AND SOCIAL SERVICE WORKERS ACT

Mr. DESAULNIER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 303 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 303

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees; (2) the further amendments described in section 2 of this resolution; (3) the amendments en bloc described in section 3 of this resolution; and (4) one motion to recommit.

SEC. 2. After debate pursuant to the first section of this resolution, each further amendment printed in part B of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 3 of this resolution shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 3. It shall be in order at any time after debate pursuant to the first section of this resolution for the chair of the Com-

mittee on Education and Labor or his designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1195) to direct the Secretary of Labor to issue an occupational safety and health standard that requires covered employers within the health care and social service industries to develop and implement a comprehensive workplace violence prevention plan, and for other purposes. All points of order against consideration of the bill are waived. 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 in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees; (2) the further amendments described in section 5 of this resolution; (3) the amendments en bloc described in section 6 of this resolution; and (4) one motion to recommit.

SEC. 5. After debate pursuant to section 4 of this resolution, each further amendment printed in part C of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 6 of this resolution shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 6. It shall be in order at any time after debate pursuant to section 4 of this resolution for the chair of the Committee on Education and Labor or his designee to offer amendments en bloc consisting of further amendments printed in part C of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

SEC. 7. All points of order against the further amendments printed in parts B and C of the report of the Committee on Rules accompanying this resolution or amendments en bloc described in sections 3 and 6 of this resolution are waived.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DESAULNIER. Madam Speaker, for the purpose of debate only, I yield

the customary 30 minutes to the gentleman from Texas (Mr. BURGESS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. DESAULNIER. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. DESAULNIER. Madam Speaker, yesterday the Committee on Rules met and reported a rule, House Resolution 303, providing for consideration of H.R. 7, the Paycheck Fairness Act, under a structured rule. It provides 1 hour of debate, equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. It self-executes a manager's amendment from Chairman SCOTT and makes in order six amendments to H.R. 7. It also provides for one motion to recommit.

The rule also provides for consideration of H.R. 1195, the Workplace Violence Prevention for Health Care and Social Service Workers Act, under a structured rule. It provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor and makes in order six amendments to H.R. 1195. It also provides for one motion to recommit. Finally, the rule provides for an en bloc authority to Chairman SCOTT or his designee for both bills.

Madam Speaker, before I begin, I just wanted to take a moment—this is the first time I have been on the floor since we lost Congressman Hastings—to say for myself, personally, how much gratitude I have for having known him and been able to serve with him. I regret that I won't see his smiling face, at least in this body, again.

Madam Speaker, the two bills we are talking about today have the potential to drastically improve the working lives of millions of Americans.

In 2019, nearly 1 in 9 women in the United States lived in poverty, with even higher rates for women of color. More than 1 in 3 families, headed by unmarried mothers, lived in poverty. And 60 percent of all poor children lived in families headed by unmarried mothers.

The coronavirus pandemic has only deepened the divides that already existed in this country. Women are especially likely to be on the front lines of the pandemic. At the same time, they are also being paid less than their male counterparts.

Madam Speaker, 93 percent of childcare workers, 66 percent of grocery store cashiers, 70 percent of food servers, and 77 percent of clothing, shoe stores, and retail salespeople are women. Women—disproportionately Black women and Latinas—make up

more than 8 in 10 of those working as home health aides, personal care aides, and nursing assistants. They are also at great risk for contracting COVID-19.

Madam Speaker, 6 months ago, deep into the pandemic, 1 in 6 Latinas and 1 in 5 Black women reported not having enough food in the previous week, and many reported being behind on rent or mortgage payments. Even before the pandemic, women typically lost more than \$10,000 every year to the gender wage gap, with even higher losses for women of color.

More than five decades after the passage of the Equal Pay Act of 1963, a woman in America still makes only 82 cents on average for every dollar earned by her male counterpart. Compared to White men, Black women are paid 63 cents. Native Hawaiian and Pacific Islander women are paid 63 cents, American Indian or Alaska Native women are paid 60 cents and Hispanic women are paid 55 cents.

Based on today's wage gap, a woman who works full time year-round stands to lose over \$400,000 over a 40-year career because of this disparity. This is not the United States that Frances Perkins, the first woman Secretary, envisioned, and we have an opportunity today to make a real change.

Madam Speaker, I am proud to have joined with my very dear friend, Chairwoman DELAURO, to introduce the Paycheck Fairness Act, which is an important step towards ending gender-based wage discrimination and ensuring that all women receive equal pay for equal work. It is time to make equal pay for equal work more than just a slogan and turn it into a reality.

Madam Speaker, we are also here to talk about the epidemic of violence against healthcare and social service workers. Last year, Department of Labor statistics show that they were nearly five times as likely to suffer a serious workplace violence injury than workers in other industries.

The General Accounting Office found that rates of violence against healthcare workers in hospitals, nursing homes, and residential care facilities is 5 to 12 times higher than the estimated rates for workers overall. Between 2011 and 2016, 58 hospital workers died as a result of workplace violence.

Madam Speaker, for me, this matter strikes close to home. In 2010, Napa State Hospital technician Donna K. Gross was killed outside of Napa State Hospital by a patient under psychiatric care. Donna was a constituent. She entered the profession to honor her mother, who battled mental illness and was a patient at this very same hospital. She was the mother of three grown children and was raising her granddaughter. Her colleagues described her by saying: "First and foremost, Donna was a human service-type person and loved being with people and working with people."

Donna's life was cut short when a patient brutally murdered her to steal jewelry and cash. This story is just one

of thousands, and incidents are on the rise. Sadly, violence has become so commonplace for healthcare workers that they think it is part of their job, resulting in only 30 percent of violent incidents actually being reported.

Some States have stepped up to enact laws to require employers to establish a plan to protect against workplace violence. Donna's story, for example, inspired action in California that I was proud to be part of. That action in California served as the basis for the bill before us tomorrow.

These workers deserve national action, and they deserve it now. At the Occupational Safety and Health Administration, these workers are not receiving the urgent attention they need.

OSHA takes at least 7 years to put out a standard. But in some instances, it can take more than 20 years. People like Donna Kay Gross cannot wait any longer.

To protect the people who dedicate their lives to caring for us, we need to move now. In truth, we needed to move years ago. The longer we wait, the more people are suffering. The longer we wait, the more people like Donna will die.

Madam Speaker, I reserve the balance of my time.

□ 1530

Mr. BURGESS. Madam Speaker, I want to thank Mr. DESAULNIER from California for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I first want to acknowledge, along with Mr. DESAULNIER, the poignant loss that we all feel here in the House with the departure of our friend, Alcee Hastings. He was a fixture in the Rules Committee for all the years I have been on the committee. Certainly, while yesterday we acknowledged that we feel his absence, we also feel his presence. He was truly larger than life on the committee.

Today's rule provides for consideration of two bills that are meant to improve working conditions and compensation. The House actually considered these same bills last Congress. They did not receive consideration in the Senate, and I do not believe any substance has changed in the underlying bills.

The first bill, H.R. 7, the Paycheck Fairness Act, seeks to prevent wage discrimination on the basis of sex, a fact that is already prohibited under current law. This legislation will help trial lawyers but offers no new protections against pay discrimination.

The Equal Pay Act of 1963 prohibits all discrimination in pay based upon sex or any other non-job-performance-related issue. Title VII of the Civil Rights Act protects against discrimination based on race, color, national origin, religion, and sex. Sex-based wage disparity is in direct violation of not one but two Federal laws.

It is important to acknowledge that bad actors engage in gender pay discrimination. Their actions are illegal,

and they leave employers vulnerable to burdensome lawsuits and heavy fines.

I could not agree more that such discrimination has no place in any business or in society in general. However, those who perpetrate these illegal acts are the exception and not the rule.

Congress must not forget the positive economic trends that this Nation enjoyed before the arrival of the novel coronavirus in the United States. The Trump administration made great strides reining in Federal overreach, which quickly improved opportunities for all Americans. Unemployment was at the lowest level in nearly half a century, and median wages across all demographic groups rose faster than at any other time in American history.

Unfortunately, the majority has crafted legislation that would place greater burdens on employers, reduce the privacy of employees, and increase Federal spending. H.R. 7 does little to protect the wages of American workers who are experiencing gender pay discrimination. In fact, it makes it harder for employers to defend legitimate differentials in pay based on factors other than sex.

Currently, employers may pay differential wages due to factors other than sex, like education, training, or experience. This means that all other things being equal, a woman cannot be paid differently than a man. When an employee brings different qualifications to the job, such as she has an advanced degree or more experience, the factors used to evaluate employee pay are no longer equal. This preserves the flexibility for employers to make the best decision for their businesses, including hiring the most qualified individuals, regardless of sex.

H.R. 7 would now require that non-sex reasons for any wage disparity have a business necessity, a term which is not defined in the bill. Providing a gender-based business necessity that accounts for the entire differential in pay is nearly an impossible standard to defend against.

This change to a bona fide factor defense does not consider the reality of the labor market. Employees are often willing to accept lower pay for greater control over their work location, schedule, and vacation time. Studies have shown that this is particularly true for women.

With the threat of lawsuits hanging over the heads of employers, they are less likely to allow for flexibility in the workplace. Instead of allowing employees to negotiate their own pay and work arrangements, employers will be incentivized to transform jobs that were once negotiable and flexible into jobs that are much more rigid.

H.R. 7 also limits an employer's ability to pay its employees based on performance. If a woman were to earn a performance-based bonus or salary increase that her male coworker did not receive, then that man could file suit against the employer on the basis that the bonus is not a business necessity

due to the vagueness in terms in H.R. 7. With this threat in mind, employers are much less likely to use performance-based pay and bonuses, despite studies showing that such pay models actually do increase employee productivity.

While legitimate claims do exist, and I hope that all employees who have experienced discrimination do seek legal remedy, the changes in H.R. 7 would significantly increase the size and profitability of lawsuits, making nonmeritorious claims even more likely for trial lawyers looking for new cash flows. That is the inherent danger.

H.R. 7 also requires employers to provide disaggregated employee information to the Department of Labor without delineating mechanisms to keep that information safe. Have we ever heard that the Federal Government has lost employee data or that the Federal Government may not be the best steward of citizens' private information? Maybe we should limit the data received until those capabilities are, in fact, improved and verified.

The second bill included in this rule, H.R. 1195, requires that the Secretary of Labor issue a rule on workplace violence prevention in the healthcare and social service sectors. Some may be surprised to hear that acts of violence are the third leading cause of fatal occupational injuries. Of these incidents, approximately 8 percent were intentionally caused by another person.

When Americans go to work each day, they do not expect to face violence or other harm. This risk is especially high for healthcare providers and social workers. These caregivers can be subject to patients who may not be in control when under the influence of medication or may have some other mental stress, upset family members, ongoing domestic disputes, and, unfortunately, even gang violence.

The rate of workplace violence resulting in days away from work for healthcare providers is, on average, four times higher than for other professions. In addition, healthcare providers and social workers are less likely to report incidents. This may be partly due to the pledge to do no harm and the inclination to forgive patient-caused injuries as accidental. Regardless of the situation, all workers deserve a safe workplace.

Currently, there is no mandatory standard on workplace violence prevention. However, in 2015, the Occupational Safety and Health Administration published guidelines for preventing workplace violence for healthcare and social service workers and is currently working on a rule for workplace violence prevention.

H.R. 1195 would require the Secretary of Labor to issue a rule on workplace violence prevention based upon OSHA's 2015 guidelines. An interim standard is required within 1 year, and a final rule must be issued within 2 years.

While the goal of this legislation is very important, the timeframe im-

posed on the Department of Labor and OSHA does exceed the norm. While no one believes that we should continue to delay worker protections, OSHA has already begun the rulemaking process and is gathering stakeholder input.

Perhaps, rather than pass a bill to require the issuance of a rule, we should be considering reforms to the entire OSHA rulemaking process. In other words, let's improve the bureaucracy rather than simply flogging it.

While an OSHA rulemaking would ensure enforcement of workplace violence prevention policies, according to a 2018 American Hospital Association survey, 97 percent of respondents reported they already have a workplace violence prevention policy in place. In 2019, the Centers for Disease Control and Prevention stated that additional research was required to identify effective strategies to prevent violence, particularly in healthcare settings.

We can all agree that there is a need for OSHA to do its work to issue a workplace violence prevention regulation to protect healthcare providers and social service workers. I hope we are able to accomplish this goal, but I do worry that we are placing another costly burden on entities through what is supposed to be an expedited process that may require modification in the future to ensure an effective and safe workplace for all Americans.

Madam Speaker, I urge opposition to the rule, and I reserve the balance of my time.

Mr. DESAULNIER. Madam Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the distinguished chair of the Rules Committee and representative of the beautiful city of Worcester, Massachusetts.

Mr. MCGOVERN. Madam Speaker, I thank the gentleman from California, a distinguished member of the Rules Committee and also a graduate of the College of the Holy Cross in Worcester, for yielding me the time.

Madam Speaker, I support this rule and the underlying legislation, and I urge my colleagues on both sides to do the same. I hope they all will vote for the rule.

The two bills that we are bringing to the floor are the product of regular order. They went through the committee process, hearings and markups.

We, in the Rules Committee, made the Republican substitutes in order so they can try to defend their ideas, which I don't agree with. Nonetheless, other Republican amendments are made in order as well. But then again, I guess there is not much we can do to make some of my friends happy.

Madam Speaker, I rise for a more somber purpose, and that is to honor my friend and colleague, Congressman ALCEE HASTINGS, who we lost last week after a courageous battle with cancer. I am proud to have sat side-by-side with him in the Rules Committee for many years.

I often say that the Rules Committee is like a family. To those outsiders who

are observing the Rules Committee, we can sometimes look a little bit like a dysfunctional family, but nonetheless, we are a family. Today, our family is in mourning.

This House is already a little less joyful and a little less purpose-driven without him here. That was the thing about ALCEE HASTINGS. Whether he was in the majority or the minority, or whether he liked what we were considering on this floor or not, he relished his service in this institution. He used every day here to wage worthy fights on behalf of justice.

His election marked the first time an African American was elected from Florida since the Civil War era. He went on to become the first Black chairman of the Helsinki Commission, a respected voice on the world stage.

There was not a barrier he was afraid to break. He was steadfast in providing a voice to all those who needed an ally, including minorities, children, immigrants, and people struggling in poverty.

Madam Speaker, I would be remiss if I didn't acknowledge that he could do more with the simple turn of a phrase than many of us could do with 100 words or more. As he was yielding back his time in the committee or here on the floor, especially if he felt that we were considering a bill that somehow was disadvantaging vulnerable people in this country, he would get up and give a stern and passionate and succinct lecture to this body. Then he would conclude by saying: That is my story, and I am sticking to it. And if I offended any of you by what I said, that was intentional.

It was pure Alcee Hastings. He chose his words carefully, and he meant every one of them. Now I have lost a dear friend, this Congress has lost a giant, and those who all too often go unseen in America have lost a champion.

We send our prayers and our condolences to his family, to his dedicated and wonderful staff, and to his constituents, knowing that these Halls will never see someone quite like him again.

May he rest in peace.

□ 1545

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

Madam Speaker, if we defeat the previous question, Republicans will amend the rule immediately to consider H.R. 2430, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act. This critical bill would extend the Drug Enforcement Administration's authority to temporarily schedule fentanyl analogues for another year.

Unfortunately, President Biden's open border policy is encouraging drug trafficking of substances like fentanyl. So it is imperative that the Drug Enforcement Administration retain this authority to keep those dangerous substances out of our communities.

Madam Speaker, I ask unanimous consent to include the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. BURGESS. Madam Speaker, this is a critical reauthorization and it is imperative to maintaining our Nation's efforts to address the opiate epidemic.

In February of 2018, the Drug Enforcement Administration used its authority to place nonscheduled fentanyl-like substances temporarily into schedule I for a period of 2 years. It is important that we do not let this authorization lapse, as it listed fentanyl is still an eminent threat to Americans.

The Drug Enforcement Administration testified that the positive impacts since implementing this temporary schedule are significant, stating that prior to this action, the DEA observed a rapid and continuous emergence of a new fentanyl-like substance each time it is scheduled to remove a fentanyl-like substance. In other words, you take one out and one would pop up.

We simply cannot return to that reality because of the deadly nature of this substance.

Just last month, two north Texas teenagers died from counterfeit pills containing fentanyl. Last year, the Dallas DEA found over 16 kilograms of fentanyl targeting the region. It contained over 8 million lethal doses—one for every north Texas resident.

Unfortunately, throughout this pandemic, the opiate crisis has continued, and it has gotten worse. Exacerbating this problem is the ease with which fentanyl is being smuggled across our southern border. The changes in border security enforcement that have occurred have sent a message to the cartels and the drug smugglers that securing our sovereignty is no longer an administration priority. What is worse is that some adults and children are forced to carry these drugs into the United States by smugglers. Sometimes innocent individuals traffic drugs into the United States in their vehicles without even knowing that the cartels have placed it there without their knowledge.

The only way to limit the exploitation of innocent individuals and to protect our American communities is to limit the market for these vile products.

During the past year, this country has suffered over half a million deaths to an unforeseen disease. We should do everything we can to trample the market of a known killer: fentanyl. We must equip our communities to address this issue at its very source.

The temporary emergency rescheduling of fentanyl analogues to schedule I is a necessary tool for the Drug Enforcement Administration to work with other agencies and law enforce-

ment officials to address the threat of illicit fentanyl.

Madam Speaker, I strongly support this bill, and I strongly urge fellow Members to defeat the previous question and support H.R. 2430.

Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER) to speak on the amendment.

Mr. CARTER of Georgia. Madam Speaker, I am here today to ask my colleagues across the aisle to support the efforts outlined in H.R. 2430 to extend the emergency scheduling of fentanyl analogues.

This is an opportunity for us to work together to help stem the flow of deadly fentanyl and its analogues into our country. This is also an issue that impacts every one of us and the communities that we call home.

We all know someone who has been the victim of an addictive or illegal opioid. Just last week in my home State of Georgia, the Georgia attorney general announced that he is investigating fatal drug overdoses blamed on counterfeit medications—medications laced with fentanyl. Those individuals bought illegal products they believed to be Xanax, Percocet, and Roxicodone. These clusters of overdoses were spread across my State, and I know we are not alone. It continues to take the lives of our fellow Americans, and more must be done to fight this.

Fentanyl is an extremely dangerous substance. Three milligrams is enough to be fatal. It is 50 times more potent than heroin. First responders just touching or accidentally inhaling the substance can experience severe complications and possible death.

So where is this coming from?

Across the border with Mexico.

The GAO even reports that seizures of fentanyl from Mexico increased by more than 200 percent from 2018 to 2020.

Every year, U.S. Border Patrol agents intercept enough fentanyl to kill every single American several times over. In fact, the CBP announced in 2019 that they had enough seized fentanyl to kill 800 million people.

I visited the border last week to see this crisis firsthand. I was surprised. It wasn't a crisis. It was a disaster. It is a disaster on the border. Border Patrol agents are so overwhelmed with a 20-year record high number of illegal immigrants that smugglers and cartels are using this as an opportunity to traffic more fentanyl.

If the President and Vice President would visit the border like I did, then they would be able to talk to the agents firsthand and see for themselves how serious this issue is. Instead, they have elected to leave our border wide open.

We are inviting drug traffickers to bring fentanyl into the country and distribute it into our streets—my streets and your streets, Madam Speaker.

Madam Speaker, if we don't look at long-term scheduling options for all

fentanyl products, then we remove the last line of defense to provide a deterrent to illegal distribution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Madam Speaker, I yield an additional 1 minute to the gentleman from Georgia.

Mr. CARTER of Georgia. Our communities are at risk, Madam Speaker, your community and my community—all of our communities. They don't care if it is a Democratic community or a Republican community. They are at risk.

It is time for us to work together as a Congress to pass good legislation. We started to address the opioid epidemic in a bipartisan fashion when Republicans were in the majority with the passage of the SUPPORT Act—a bipartisan product—and the Comprehensive Addiction and Recovery Act. We should get back to working together, and this is a great opportunity to do so.

Madam Speaker, as you know, professionally I am a pharmacist. I have witnessed this. It does not discriminate. Opioid addiction doesn't care if you are a Republican, a Democrat, a male, a female, African American, Caucasian, or Hispanic. It does not care. It is an addiction that is paralyzing our country.

Madam Speaker, I urge defeat of the previous question so that we can immediately consider H.R. 2430.

Mr. DESAULNIER. Madam Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. LOIS FRANKEL).

Ms. LOIS FRANKEL of Florida. Madam Speaker, just to follow Chairman MCGOVERN, I thank him for his very kind words on my friend and neighbor, Alcee Hastings, who was a brilliant and forceful advocate for justice and the great senior leader of the Florida delegation. We miss him dearly.

Madam Speaker, I include in the RECORD a letter from the National Urban League in support of the Paycheck Fairness Act.

NATIONAL URBAN LEAGUE,

April 14, 2021.

Re Pass the Paycheck Fairness Act (H.R. 7) and vote no on harmful amendments.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the National Urban League, with 90 local affiliates in 36 states and the District of Columbia, I strongly urge you to pass the Paycheck Fairness Act, H.R. 7, without amendments that limit its scope or undermine its critical protections.

The National Urban League is a civil rights organization dedicated to the economic empowerment of African Americans and other underserved populations. The National Urban League and our affiliate movement have a strong interest in ensuring equity in the workplace, including payment.

Despite federal and state equal pay laws, gender pay gaps persist, and earnings lost to these gaps are exacerbating the financial effects of COVID-19, falling particularly heavily on women of color and the families who depend on their income. The Paycheck Fairness Act, which has been passed three previous times by the House of Representatives, mostly recently in the 116th Congress, offers

a much-needed update to the Equal Pay Act of 1963 by providing new tools to battle pervasive pay gaps and to challenge discrimination.

Women are increasingly the primary or co-breadwinner in their families and cannot afford to be shortchanged any longer. Women working full-time, year-round are typically paid only 82 cents for every dollar paid to men, adding up to a loss of more than \$400,000 over a lifetime. This wage gap varies by race and is often larger for women of color: Black women working full time, year-round typically make only 63 cents, Native American women only 60 cents, and Latinas only 55 cents, for every dollar paid to their white, non-Hispanic male counterparts. Over the course of a 40-year career, Black women lose nearly \$1 million in earnings and Latinas lose more than \$1 million. While Asian American and Pacific Islander (AAPI) women make 85 cents for every dollar paid to white, non-Hispanic men, many AAPI communities experience drastically wider pay gaps. Moms are paid less than dads. And even when controlling for factors like education and experience, pay gaps persist and start early in women's careers and contribute to a wealth gap that follows them throughout their lifetimes. Persistent pay discrimination, often cloaked by employer-imposed pay secrecy policies, is one factor driving these wage gaps.

These pay gaps can be addressed only if workers have the legal tools necessary to challenge discrimination and employers are provided with effective incentives and technical assistance to comply with the law.

The Paycheck Fairness Act updates and strengthens the Equal Pay Act of 1963 to ensure that it provides robust protection against sex-based pay discrimination. Among other provisions, this comprehensive bill:

- ends secrecy around pay by barring retaliation against workers who voluntarily discuss or disclose their wages, and requiring employers to report pay data to the EEOC;

- prohibits employers from relying on salary history in determining future pay, so that pay discrimination does not follow women from job to job;

- closes loopholes that have allowed employers to pay women less than men for the same work without any important business justification related to the job;

- ensures women can receive the same robust remedies for sex-based pay discrimination that are currently available to those subjected to discrimination based on race and ethnicity; and provides much needed training and technical assistance, as well as data collection and research.

The COVID-19 pandemic and systemic racism have exposed how the work performed primarily by women, and particularly Black and brown women, has long been and continues to be undervalued and underpaid, even as the rest of the country is newly recognizing the essential nature of this work. We cannot build back an economy that works for everyone without ensuring that all women can work with equality, safety, and dignity, starting with pay equity. Passing the Paycheck Fairness Act would mark a vitally important step toward ensuring this becomes reality.

We urge you to pass the Paycheck Fairness Act without harmful amendments that weaken its critical protections. If you have any questions, please do not hesitate to contact Joi Chaney at the National Urban League.

Thank you for your consideration,

MARC H. MORIAL,
President & CEO.

Ms. LOIS FRANKEL of Florida. Madam Speaker, I rise to support the passage of the Paycheck Fairness Act.

I have some important questions and simple answers.

First, do rent and food cost less for women than men?

The answer is no.

Do women work less hard than men?

Absolutely not.

Do children depend on the financial support of their mothers?

That answer is yes.

So should women make less money than men for doing equal work?

Obviously not.

Yet, for many reasons, women are paid an average of just 82 cents for every dollar paid to men—it is even lower for women of color—causing struggling families and eventually lower Social Security benefits and retirement savings for our grandmothers.

No wonder it is women and their children who are the majority of poor in this country.

As we emerge from a pandemic that has hit women workers the hardest, isn't it time for an economy that compensates women fairly for their work?

Of course it is.

This requires numerous actions, including making sure that women and girls have full access to healthcare, education, and financial resources; family-friendly workplaces; combating on-the-job sexual harassment and violence; making child and adult care more affordable; and raising the pay for minimum wage workers, two-thirds of whom are women.

Today, we can take a giant step toward this moral and legal imperative of closing the gender wage gap by passing the Paycheck Fairness Act and giving workers the tools to enforce the Equal Pay Act of 1963, that requires pay equity.

Isn't it time, Madam Speaker, that our mothers, daughters, and sisters get paid fairly for their hard day's work?

Of course.

That is my final question and final answer for today.

Mr. BURGESS. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MEIJER) to speak on the amendment.

Mr. MEIJER. Madam Speaker, I rise in support of H.R. 2430 to extend the DEA's temporary authority to schedule fentanyl-related substances for 1 year.

Fentanyl is a deadly opioid that kills thousands of Americans annually. When the chemical formula of fentanyl is even slightly modified, creating a fentanyl analogue, these substances can become exponentially more lethal. These analogues have been a driving force behind the opioid epidemic that continues to plague our local communities.

The authority for the DEA to classify these analogues as schedule I substances is critical to law enforcement's ability to keep these drugs off our streets.

As a member of the Homeland Security Committee, I recently joined my colleagues on a trip to assess the ongoing crisis on our southern border.

Fentanyl has continued to move into our country through our ports of entry, mainly through our border with Mexico. On the trip, we spoke with law enforcement officials who detailed the challenges posed by transnational criminal organizations, including drug traffickers, who are attempting to take advantage of the current crisis.

With already limited border security resources being diverted to deal with the humanitarian crisis, drug smugglers are continuing their attempts to push dangerous substances, including fentanyl, into the United States. In the first quarter of 2021, the seizure of fentanyl at our southwestern border by CBP has increased by a staggering 233 percent from the first quarter of 2020.

At a time when our country is experiencing a border crisis and an opioid crisis, we need to be enacting policies that strengthen law enforcement and enhance public safety instead of empowering bad actors who are continuing to put our communities at risk.

If we fail to act on this commonsense extension before the upcoming May 6 deadline, we will be taking away a major tool that law enforcement needs to keep our communities safe.

With fentanyl analogues no longer properly scheduled, drug smugglers will continue and remain emboldened and even expand their attempts to move fentanyl into the United States. This would exacerbate two already unsustainable crises: the ongoing surge at our southern border and the opioid epidemic that has devastated lives of Americans across the country.

Madam Speaker, for that reason, I urge defeat of the previous question.

Mr. DESAULNIER. Madam Speaker, I have no other speakers, so I am prepared to close. I reserve the balance of my time.

□ 1600

Mr. BURGESS. Madam Speaker, I yield myself the balance of my time.

And just to speak a little further on the amendment that has been offered if the previous question is defeated, H.R. 2430; like so many Members, I too have traveled down to the border. The difference is I have done that many times over the last 12 years.

It has never been this bad; and I need to emphasize that. I encourage the President and the Vice President to visit the southern border, come to the Lower Rio Grande Valley and see for themselves, firsthand, just how bad this crisis is.

And then back to the business at hand. I want to be very clear about the two bills included in today's rule. Wage discrimination has no place in any society, and it is currently illegal in the United States of America.

The path Congress must take is to not increase opportunities for trial lawyers, but to continue its focus on strong economic policy that actually expands opportunities for all Americans.

Prior to the pandemic, nearly 75 million women participated in the workforce, more than at any other time in history. A robust and resilient economy will provide the jobs, provide the wages and the wage gains that Americans expect and deserve.

Also, workplace violence is a threat that no American should have to face. The threat is particularly high for healthcare workers and social service workers. These workers dedicate their lives to taking care of others, and they deserve to be taken care of in return.

While I support the goal of H.R. 1195, I believe it would benefit from further discussion to ensure that the timeline for issuing a rule and developing workplace violence prevention will produce the most effective and safe outcome for American workers.

Madam Speaker, I urge a "no" vote on the previous question, "no" on the underlying measure, and I yield back the balance of my time.

Mr. DESAULNIER. Mr. Speaker, I yield myself such time as I may consume. I include in the RECORD a March 25 New York Times article entitled "In 25 Years, the Pay Gap Has Shrunk by Just 8 Cents."

[From the New York Times, Mar. 25, 2021]

IN 25 YEARS, THE PAY GAP HAS SHRUNK BY
JUST 8 CENTS

(By Francesca Donner and Emma Goldberg)
Megan Rapinoe is a two-time World Cup champion who has played to sold-out stadiums around the globe; what she has in common with nearly every American woman is that she's underpaid.

On Wednesday, Ms. Rapinoe testified during a hearing held by Representative Carolyn B. Maloney to examine economic harm caused by gender inequalities, particularly for women of color.

Today is All Women's Equal Pay Day, Ms. Maloney said. But it's not Equal Pay Day for all women.

Black women would have to work until Aug. 3, 2021, to earn what men made in 2020. For Latina women, the date doesn't come until Oct. 21.

"This is a disgrace," Ms. Maloney said. "And it has long-term consequences for women and families."

Wage discrimination isn't limited to any one sector or income level.

Take Ms. Rapinoe, whose fight for equal pay has become something of a calling card for the U.S. women's team, and who played a central role in the team's lawsuit on unequal pay filed in 2019.

"One cannot simply outperform inequality," she said. "Or be excellent enough to escape discrimination."

If it can happen to me, she said, "it can—and it does—happen to every person marginalized by gender."

In Her Words looked at the history of Equal Pay Day, the reasons for the wage gap and what can be done to close it.

It's a symbolic day that illustrates how far into the current year American women would need to work to earn what their male counterparts earned last year. Put another way, because there is a disparity in what women and men are paid, women would need to work around 448 days to earn what men earn in just 365 days.

Race plays a part, too: For Black and Hispanic women, the numbers are worse. For Asian women, the numbers skew a bit better.

Estimates vary on how much the wage gap will cost an American woman over the

course of her career. The National Women's Law Center puts it at \$406,280 in lost income on average, but that number can top \$1 million for Hispanic women and is just shy of \$1 million for Black and Native American women.

How did it become a thing?

Equal Pay Day was established in 1996 by the National Committee on Pay Equity. Today marks the 25th. But debates around pay equity date back much further than that.

Carolyn York, secretary-treasurer of the National Committee on Pay Equity, pointed out in an email that in 1942, as huge numbers of women began replacing men in the work force, the National War Labor Board urged employers to make "adjustments which equalize wage or salary rates paid to females with the rates paid to males for comparable quality and quantity of work on the same or similar operations." But two decades on, in the 1960s, women were still earning only around 59 cents for every dollar a man made.

Do other countries have a gender wage gap?

Of course they do. According to this O.E.C.D. study, the United States falls behind Canada and ahead of Mexico. In addition to Canada, other countries that have a smaller pay gap than the United States are Romania, Colombia, Belgium, Costa Rica, Denmark, Norway . . . the list goes on. And on.

Has the pay gap narrowed over time?

Yes, but not by much. We're talking pennies. This year, it's estimated that American women will earn around 82 cents for every dollar that a man earns. A decade ago in 2011, it was 77 cents. In 1996, the first "official" Equal Pay Day, it was around 74 cents. And this top-line number doesn't account for differences in earnings among different racial groups.

How is the wage gap number calculated?

The pay gap refers to the ratio of female to male median annual earnings for full-time workers. Think of it as a fraction: The numerator is the difference between male and female median earnings, and the denominator is male median earnings. The actual number might look different depending on the source it's coming from, because some sources factor in characteristics like age, family size, education level and industry.

"We treat this issue as if you could summarize it in one number," said Claudia Goldin, an economics professor at Harvard University. "It's the headline," not really the full picture.

Are there jobs where women are better paid than men?

Not according to C. Nicole Mason, president of the Institute for Women's Policy Research. When men enter female-dominated sectors like nursing or education, the job begins paying more, she explained. But the inverse is not true: "When women enter male-dominated spaces, they don't get paid more than men."

How long will it take to close the pay gap if we do nothing about it?

Mark your calendars for 2059; if current trends continue, the gender wage gap is expected to close in a mere 38 years. For Black and Hispanic women, the deadline is a whole century away. If we do nothing, "my daughter, and daughter's daughter, will not see pay equity in their lives," Dr. Mason said.

So what exactly explains the gap?

There are many factors at play, according to the American Association of University Women. One of them is that the fields in which women dominate tend to pay less than fields dominated by men. This is irrespective of education or skill required.

The "motherhood penalty" also complicates the wage gap. Moms are less likely

to be hired, they receive lower salaries when they are, and are less likely to be tapped on the shoulder for promotion. (Ironic given research suggests moms are some of the most productive employees.)

And women work around two-thirds of the low-paying jobs in the United States; jobs that not only put workers at an economic disadvantage, but also tend to be more unstable.

There is also “invisible labor”—things like caregiving responsibilities and household chores—that women do in addition to their full-time work. “Women perform up to 30 percent more unpaid labor,” Dr. Mason said. Not to put too fine a point upon it, but “unpaid labor is unpaid.” And it’s very hard—if not impossible—to do both your job and take care of the household at the same time.

There’s also good old-fashioned sexism at play: Even when men and women are performing the exact same jobs, women tend to receive less compensation thanks to overt or unconscious biases, as well as stereotypes that make it more difficult for women to negotiate.

The pay gap is caused by a “layering effect” of all of these things, said Kimberly Churches, the CEO of the American Association of University Women. Ultimately, “this really is how we value women and how we value women of color in our society,” she said.

Did Covid make it worse?

In a year of devastating job loss, especially for women—hence the talk of a “she-cession”—the Institute for Women’s Policy Research released a piece of research that seemed, on its face, like good news. In 2020, it found the weekly gender wage gap for full-time workers shrunk to 17.7 percent from 18.5 percent. Seems positive, right? Not so fast.

As Ms. Goldin of Harvard explained, if the female labor force is reduced, but most of those reductions are from the bottom part of distribution (restaurant servers and retail workers, for instance), then women’s wages relative to men’s will rise.

This manifests as an overall rise in women’s wages. And that’s what happened here.

But underneath the top-line number, Dr. Mason pointed out, many, many lower-paid female workers are struggling.

What should companies do about it?

Closing the wage gap demands an investment of time and resources.

First, companies can audit workers’ pay and collect data to determine the levels of disparity between their male and female workers, said Serena Fong, a vice president at Catalyst. Salesforce, for example, committed to reviewing all its workers’ salaries in 2015, and over the following years spent more than \$9 million on adjustments to give women equal pay.

Salary bands, which give the range of pay for a given role, can also help level the playing field between male and female workers in salary negotiations. (Though broadly speaking, a wide salary band can provide “too much range to pay people unequally,” Dr. Mason said.)

And governments?

The Equal Pay Act, passed nearly 60 years ago, made it illegal to discriminate by sex in setting wages. But in practice, it can be hard for women to know whether they’re actually being paid equally. It’s not common to ask your colleagues what they make while you’re chatting by the water cooler.

In the last decade, more than a dozen states and the District of Columbia have adopted legislation prohibiting pay secrecy in the workplace. Still, a 2017-18 survey found that nearly half of fulltime workers were discouraged or prohibited from talking about their pay, meaning more legislation and enforcement is needed.

Ms. Churches also supports passing the Paycheck Fairness Act at a federal level, “so we can ban the use of salary history questions in the hiring process.” Such questions “just compound women’s lack of earnings going forward as they negotiate their salaries.”

And individuals?

Ask your colleagues how much they make, as awkward as that may sound.

Negotiation is also key. Research shows that women who consistently negotiate their salaries make more than \$1 million more over the course of their lifetimes, compared with those who don’t. But of course, Covid hasn’t helped: A new survey from Ann Elizabeth Konkel of Indeed suggests women feel even more uncomfortable asking for a raise or promotion than they did prepandemic.

Mr. DESAULNIER. Mr. Speaker, on the anniversary of Women’s Equal Pay Day, U.S. women’s soccer player Megan Rapinoe, in a congressional hearing said: “One cannot simply outperform inequality.”

Wage discrimination isn’t limited to any one sector or income level, and Congress must act to stop it.

Mr. Speaker, the importance of this issue is really about the proper enforcement of a bill that was first enacted in 1963. We generally agree on the importance of that legislation.

Where we disagree is enforcement. And we have had years to see what the proper disincentives are and incentives for proper behavior when it comes to protecting women in the workforce, and on the second bill—predominantly women—but people who work in vulnerable positions where they are subject to greater violence.

On pay equity, we look at States like California where I am from, and we can see that our laws, our aggressive laws have worked, at least to help with the pay equity situation. Who can deny, in our lifetimes, the benefit to the U.S. economy, to all of us, for having women in the workforce? We should be able to compensate that benefit that we have all gotten.

As a survivor of cancer, I have been taken by how many young women went into the medical profession, and they helped to develop the medicine that has saved my life, a disease that, 15 years ago, at stage IV, when I was diagnosed, there was little that could be done to extend people’s lives. That research came from brilliant people, many of them women. Why would I want to inhibit or disincentivize any young person, any woman, any young woman from going into that field?

I know that my friend from Texas knows this, we want the best and the brightest to help with our medical challenges, irrespective of what their background is or what their sex is.

Mr. Speaker, every day we wait to pass these bills, healthcare workers are being harmed and families are going deeper and deeper into poverty. Our inequality issues get worse, not better. We should not waste another moment.

Mr. Speaker, I urge a “yes” vote on the rule and the previous question.

The material previously referred to by Mr. BURGESS is as follows:

AMENDMENT TO HOUSE RESOLUTION 303

At the end of the resolution, add the following:

SEC. 8. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 2430) to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend for one year the temporary order for fentanyl-related substances. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy & Commerce; and (2) one motion to recommit.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2430.

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

The SPEAKER pro tempore (Mr. BLUMENAUER). 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. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

UNITED STATES ANTI-DOPING AGENCY REAUTHORIZATION ACT OF 2021

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 172) to reauthorize the United States Anti-Doping Agency, and for other purposes on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 381, nays 37, not voting 11, as follows:

[Roll No. 99]

YEAS—381

Adams	Bentz	Brownley
Aguilar	Bera	Buchanan
Allred	Bergman	Buck
Amodei	Beyer	Bucshon
Armstrong	Bice (OK)	Budd
Arrington	Bilirakis	Burgess
Auchincloss	Bishop (GA)	Bush
Axne	Blumenauer	Bustos
Bacon	Blunt Rochester	Butterfield
Baird	Bonamici	Calvert
Balderson	Bost	Cammack
Banks	Bourdeaux	Carbajal
Barr	Bowman	Cárdenas
Barragán	Boyle, Brendan	Carl
Bass	F.	Carson
Beatty	Brown	Carter (GA)