

likely to develop breast cancer help if you can't get a job because of this information? Individuals should also have the information they need to make informed decisions about whether to get a genetic test.

A person must not be denied insurance coverage or employment based on their predictive genetic information. That is why I support this strong, enforceable genetic nondiscrimination legislation that establishes meaningful remedies for individuals and their families—remedies which act as powerful disincentives for insurance providers and employers to discriminate. I am proud the Senate has acted to help ensure that individuals can choose to get genetic tests that could help save or prolong their lives, without fear of discrimination in the workplace or by health insurance providers. We need to make sure the information from genetic testing reaches its true potential: that a woman can be screened for a genetic predisposition to breast cancer or a man can be screened for his risk for a heart attack without fear of their health insurance premiums rising or losing their jobs.

Again, I want to thank Hadassah for all of their hard work on preventing genetic discrimination and I also want to thank Senator SNOWE for her leadership on this bill.

The PRESIDING OFFICER. The Senator from Michigan.

MORNING BUSINESS

Ms. STABENOW. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each and that the following Senators be recognized in the order listed: myself for 15 minutes, Senator HATCH for 10 minutes, Senator TESTER for 7 minutes, Senator ISAKSON for 15 minutes.

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

The Senator from Michigan.

REPUBLICAN FILIBUSTERS

Ms. STABENOW. Mr. President, I rise to express my deep disappointment and concern about last night's vote on the Lilly Ledbetter Fair Pay Act. Unfortunately, colleagues across the aisle voted to block us from considering what is an important bill that relates to fairness, fair pay, equality, and recognition of the hard work of women all across this country. We weren't even allowed to bring this to the floor of the Senate to begin the debate. It wasn't only about pay discrimination; it was about fundamental fairness for working families, as so many of those working families are headed by women. The vote last night sends the wrong message to families who are struggling to stretch their paychecks to pay for higher gas prices, groceries, health care costs, all of the things they need to survive and care for their families, childcare costs, on and on and on. Vot-

ing to block this bill from even coming up for consideration says to these women and their families that this body does not understand and is not on their side when they have been treated unfairly or taken advantage of on the job.

I am proud of the fact that Senator REID, our majority leader, saw fit to bring this bill forward as a priority in the crush of time we have to consider legislation in the Senate. I am proud of Senator KENNEDY for his passion and leadership in bringing this bill out of committee and fighting so vigorously, and all of my women colleagues who came to the floor to stand up for women across America. Unfortunately, we were stopped from even proceeding to the bill. I am hopeful at some point we can come back and colleagues on the other side of the aisle will decide, rather than turning their backs on millions of women across the country, that they will join us in doing what is right to guarantee that if a woman is working hard every day, putting in the same amount of hours, lifting the same boxes and doing the same kind of work, she will know she is protected and feel confident the law is on her side that she will receive equal pay.

Unfortunately, this is not an isolated vote. This has been a pattern. We have spoken many times about what has been happening in the last year and a half. We now have seen 68 Republican filibusters. We had a filibuster that stopped us from proceeding. We have a fancy title for it, called a cloture vote on a motion to proceed. But the reality is, Republican colleagues on the other side of the aisle have filibustered our ability to move forward on equal pay for women in the workplace. This is one of 68 different times in the last year and a half that we have brought forward something critically important to families, from extending unemployment insurance to addressing health care, education, and economic issues, focusing on those things that directly affect families every day.

We know around here the way the rules work. You can filibuster and you can stop something if you don't have 60 votes. Unfortunately, we don't at this time have 60 votes to stop filibusters. There have been so many that we have put this on a board with Velcro so we can change it. We have to change it way too many times, because this number goes up every week. We are now at 68. This is an historic record in the Senate that we would see this many filibusters to block moving forward an agenda for change that the American people are desperately asking for.

We will continue to bring these issues forward that are absolutely critical. We will continue to bring forward areas of investment in the future and creating jobs and tackling health care costs and access and children's health insurance and quality education and tax fairness and all of these other things that are so critical for the American people—fair trade, so that we are exporting products and not jobs.

We are going to continue to bring this forward. But we are going to continue—unfortunately—to see this number go up. It is important the American people understand what is happening.

Now, we also, earlier today, saw something else happen—it did not quite come to the point of blocking in terms of a motion to proceed but efforts of delay, waiting, obstructing, over and over again. Earlier today, we passed a bill to help our Nation's veterans by almost a unanimous vote. We should be proud of having done that on a bipartisan basis. But this bill was reported out of committee last year. It was blocked for 7 months—7 months—by colleagues on the other side of the aisle. Then we had to spend a week trying to get this bill done. There was the procedural motion, again, to force us to vote on whether to even consider the bill, and then that vote was unanimous—unanimous. Yet that vote was forced so the time would run so we would slow-walk a bill we have been waiting to take up for veterans and their families for 7 months.

People expect better from us. I am very hopeful we will come together and begin to see the change the American people want to have happen and be the focus of this body.

Mr. President, I will speak for a moment about the Lilly Ledbetter Fair Pay Act because this issue of equal pay, of fairness in the workplace, is not going to go away. We are going to come back and we are going to come back until we get this Court decision fixed.

Lilly Ledbetter was one of the few female supervisors in a Goodyear tire plant in Gadsden, AL. She got up early in the morning. She sweated throughout long shifts, which often stretched to 18 hours or more when another supervisor was absent, just like her male counterparts. For years she endured insults from her male bosses because she was a woman in a traditionally male job.

Late in her career with the company, Lilly discovered that Goodyear paid her male counterparts 20 percent to 40 percent more than what she earned for doing the very same job for all of those years. She filed a lawsuit, just as she should have, and the jury awarded her full damages.

She was right. This was against the law. This was unfair. We need to value work and value equal work. The court sided with her.

However, the Roberts Supreme Court overruled the jury, stating that Ms. Ledbetter was not entitled to anything because she waited too long to file her claim. The Supreme Court ruled that victims of discrimination have only 180 days of the last discriminatory raise to file a lawsuit for discrimination—even if they did not know about it, even if they knew nothing about it.

So in Lilly Ledbetter's case, it did not matter that her employer discriminated against her for years and that she had been, for years, paid less than her male counterparts. Instead, the

Roberts Supreme Court reversed decades—decades—of precedent and the intent of the law. It also overturned the policy of the EEOC under both Democratic and Republican administrations.

After the Ledbetter case—until we fix this—workers are powerless to hold their employers accountable for unlawful, unjust, unfair, unequal conduct. It creates an incentive for employers to discriminate against workers because now if they can hide the discrimination for just 180 days, then they are home free and the worker can do nothing about it.

The Lilly Ledbetter Fair Pay Act will fix this injustice and put Federal law in the same place it was the day before the Court decision. This has been American law. It has been American law about fairness and equal pay. All we are trying to do is reverse this extreme decision of the Supreme Court and put it back in current law.

The economic impact of unfair pay practices on working families is staggering. Today, women still make 77 cents for every \$1 men make. In Michigan, it is even lower: 70 cents for every \$1.

The current job climate has been particularly hard on women and people of color all across America. The unemployment rate for women has risen sharply, and their wages are falling faster than men's. For people of color, the unemployment rate is even higher. African Americans' unemployment rate is almost twice the national average. The Lilly Ledbetter Fair Pay Act would help correct this unfairness, this disparity.

Just as important as upholding the rights of women, the Fair Pay Act is needed because the Ledbetter case would affect all kinds of discrimination cases. At the end of the day, it simply puts the law back where it was and creates the opportunity for fairness and equality.

Let me say that when a woman goes to the store in Michigan, she does not pay less for milk. When she goes to the gas station, she does not pay less for gas. She does not pay less for the food or the electric bill. She does not pay less in any area. Yet until we fix this outrageous Supreme Court decision, she can be paid less for the very same job.

Mr. President, let me also say a few words about the bill we passed earlier today for veterans. That bill was almost unanimously passed, despite being held up for 7 months.

For too many of our servicemembers, that last day on Active Duty is just the first day of a difficult transition back to civilian life.

Our veterans deserve every benefit they get, and more. But too often our veterans return home to find out their insurance is inadequate or it is very hard to figure out their educational benefits because they are spread out over numerous different agencies.

Perhaps most important, under current law, our permanently disabled vet-

erans who are recovering from injuries cannot even count on the Federal Government to help them finance necessities such as wheelchairs or wheelchair ramps for their homes.

When the men and women of our Armed Services put on the uniform, they are making a promise to defend America. In return, we promise them that a grateful nation will be there for them when they come home. What they do need—and what we owe them—is a system that works for them, not against them.

That is why the Veterans' Benefits Enhancement Act that was just passed today is so critically important. It addresses many of the problems that plague this difficult transition to stateside life and provides necessary improvements to education and health care and insurance programs.

This bill would expand the number of individuals qualifying for retroactive benefits for traumatic injury protection coverage. This is important for all of our veterans because we are now learning that this kind of injury is happening more often than we thought, and it can have a devastating impact.

Just last week, a new veterans center was opened in Saginaw, MI. This center will not only assist our veterans returning from combat but will also serve our veterans from as far back as World War II—the war my father fought in. These veterans should also be eligible for benefits if they are victims of traumatic brain injury.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Ms. STABENOW. Thank you, Mr. President.

The act would expand eligibility for home improvement and structural alteration assistance. It would also improve survivor benefits for the surviving children of our service men and women and a number of other things.

I am glad we passed this legislation. I am sorry it was held up for 7 months, and then all this week there was obstructionism and delay before we could get to it. But I am glad we got it done.

I am deeply disappointed that earlier this week we saw another filibuster that stopped us from proceeding to an equally important bill, and that is a bill that relates to equal pay and protection under the law, when women are working hard every single day and find themselves in a situation where they are receiving less than male counterparts for the same job. It is wrong. It needs to be fixed for the women of America and their families.

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

Ms. STABENOW. Thank you, Mr. President. I look forward to the opportunity to bring this to the floor again, and, hopefully, we will be able to get it done.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be granted up to 15 minutes for my remarks today.

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

ALLEGED FILIBUSTERS

Mr. HATCH. Mr. President, I have a great deal of appreciation for the distinguished Senator from Michigan. I know how sincere she is, and I know she feels very deeply about what she has just spoken. But this business of 68 clotures is hitting below the belt.

Time after time, the majority leader has filed bills—many of which have not even gone through committee, have not had 1 day of hearing, some of which have been filed for political purposes just to create tough votes—and then filed cloture immediately.

In the old days—I have been here almost 32 years—nobody did that. Then they call it a filibuster when they are the ones who filed cloture just for the purpose of being able to say there is a filibuster.

Almost invariably the bills that are good go through. Republicans will object sometimes because we want to be able to offer at least germane amendments. In this body, we have, in the past, even been able to offer non-germane amendments. But that is a no-no right now because the majority is concerned some will bring up amendments that might be embarrassing to the majority.

Well, having talked about "embarrassing to the majority," why do you think the Ledbetter case was brought up through this statute? First of all, it did not have 1 day of hearings, as far as I know. It certainly was not put through a committee. It was brought up under rule XIV—which is a right to do—and then the bill itself was classically poorly written.

The fact is, this bill would have done away with the statute of limitations and made it almost impossible for any business to defend itself even in class action lawsuits. But it was brought primarily because the friends in some areas of the plaintiffs' bar wanted it brought so they could bring more suits in our society.

But to basically do away with the statute of limitations so that you could bring suits 10, 15, 25 years later, when all of the documentation is gone, the witnesses are gone, there is no way the company can defend itself, and it is an automatic slam dunk for plaintiffs' lawyers—some plaintiffs' lawyers, because most great plaintiffs' lawyers are not going to play this game—and then call that a good bill, there is something wrong with it.

With regard to the veterans bill—my goodness gracious. Let's think about this. With regard to the veterans bill, we are all for veterans—every last one of us. But, again, cloture was immediately filed. We were not able to bring up amendments. Finally, in the end, what did we do? We spent all day yesterday doing nothing in order to accommodate two Presidential candidates on the Democratic side. Now, I