



**Statement for Rep. Virginia Foxx (R-NC)
Republican Leader, Committee on Education and Labor
Markup of H.R. 7, the *Paycheck Fairness Act*
Tuesday, February 26, 2019**

I wish we could outlaw stupidity. I really do.

Discrimination on the basis of sex is wrong, and it is illegal. Paying women less than men for equal work performed is wrong, and it is illegal.

Bad managers who try to get away with it anyway are wrong. They're breaking the law. They're also stupid. They are stupid for not recognizing the value of every employee, especially working women. They are stupid for not rewarding the contributions of women and doing everything they can do to retain them. They are stupid for not recognizing the proven fact that women are driving the American economy today in ways they never have before.

If we wanted to have a debate about the wage gap, we could probably fill the entire day. There are statistics used to show its existence, and there are statistics—more reliable statistics—that show it's an exaggeration at best.

But there's a definite feeling—a culture, even—of inequality that lingers today, a hundred years after women's suffrage and more than fifty years after the *Equal Pay Act*, that is worthy of discussion and scrutiny.

I've been a working woman for most of my life. I have experienced unfairness in the workplace. I have known how it feels to be talked over, talked about, and to see a lot of my ideas dismissed out of hand. Looking back, I'm sure there were times when I was paid less than the men around me. And I know without a doubt I was working harder than they were. In all of those experiences—experiences in which the good still far outweighed the bad—I found that the problems women like me faced didn't have their root in the law. They were rooted in the hearts and minds of closeminded, insecure individuals.

We are lawmakers. So how do we change hearts and minds? How do we, in this sense, outlaw the sheer stupidity of those who would still undervalue women in the workplace?

I'm not going to declare it can't be done. Hope springs eternal! But I know for certain it can't be done with the bill before us today.

Take a walk through a grocery store, a drugstore, and even a hardware store, and you'll find all sorts of products that are cleverly marketed to women. Sometimes, the marketing isn't even that clever—they just put the product in a pink package, mark the price up a few dollars, and pass it off as being created just for a woman, with all of her unique needs in mind.

That's all the thought that went into the so-called *Paycheck Fairness Act*.

This is not a bill for women. This is a bill for trial lawyers. It charts no path toward a greater sense of fairness; it simply provides a roadmap for driving lawsuits deeper into the court system. It provides no new protections, just new ways to increase billable hours and attorney paydays that don't guarantee any reward for working women.

I wanted to believe there were good intentions behind this bill. But in reading the bill text and listening to the testimony from the one hearing on the legislation it's clear that anyone who thought this bill would be a victory for working women is in for yet another disappointment.

This bill has major flaws and we're going to discuss some of them during this markup. But let's not miss the opportunity here to highlight what actually does help working women. The economic growth we have seen over the past two years is more than numbers on spreadsheets. We have seen real career opportunities emerge, and women have been the direct beneficiaries. Nearly sixty percent of the jobs created in the last year alone have gone to women.

So it's insulting to look at all of this talent and simply offer more ways to occupy lawyers with a lot of time on their hands. Women in this workforce are worth far more than lawyers' fees. To write a bill like this and try to pass it off as a good thing for women is to assume they're stupid. I just can't stand for that.

When this committee returns to work that opens job opportunities for all Americans, which we know for a fact gives women the options they want and deserve, we can say we've done something for women.

I yield back.

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