

HONORING “EQUAL PAY DAY”:  
EXAMINING THE LONG-TERM ECONOMIC  
IMPACTS OF GENDER INEQUALITY

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HEARING  
BEFORE THE  
COMMITTEE ON  
OVERSIGHT AND REFORM  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED SEVENTEENTH CONGRESS  
FIRST SESSION

MARCH 24, 2021

**Serial No. 117-11**

Printed for the use of the Committee on Oversight and Reform



Available on: *govinfo.gov*,  
*oversight.house.gov* or  
*docs.house.gov*

U.S. GOVERNMENT PUBLISHING OFFICE

43-961 PDF

WASHINGTON : 2021

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**HONORING “EQUAL PAY DAY”:  
EXAMINING THE LONG-TERM  
ECONOMIC IMPACTS OF GENDER  
INEQUALITY**

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**Wednesday, March 24, 2021**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND REFORM,  
*Washington, D.C.*

The committee met, pursuant to notice, at 9:34 a.m., in room 2154, Rayburn House Office Building, Hon. Carolyn B. Maloney [chairwoman of the committee] presiding.

Present: Representatives Maloney, Norton, Lynch, Connolly, Krishnamoorthi, Raskin, Khanna, Ocasio-Cortez, Tlaib, Porter, Davis, Wasserman Schultz, Welch, Johnson, Sarbanes, Speier, Kelly, Lawrence, DeSaulnier, Gomez, Comer, Jordan, Grothman, Cloud, Gibbs, Sessions, Keller, Biggs, Mace, Franklin, Fallon, Herrell, and Donalds.

Chairwoman MALONEY. The committee will come to order.

Without objection, the chair is authorized to declare recess of the committee at any time.

I now recognize myself for an opening statement.

Today is Equal Pay Day, but it is not a celebration. Today marks the extra days and weeks it takes American women to earn the same pay that their male counterparts made in the previous year. Three extra months of work just to earn the same amount.

In 1963, when the Equal Pay Act was signed, women made \$0.59 for every dollar earned by men. We have gotten a raise. We’ve made some progress since then, but not nearly enough, and it’s unfair.

Today in 2021, on average, women are still paid only \$0.82 for every dollar paid to a man. The gender pay gap is even worse for many women of color. For every dollar paid to White men, Asian-American women overall are paid \$0.87 to the dollar, Black women are paid \$0.63, Native American women are paid \$0.60, and Latina women are paid just \$0.55.

Today marks all women’s Equal Pay Day, reflecting the average across races and ethnicities. Asian American and Pacific Islander women’s Equal Pay Day is March 9. Black women’s Equal Pay Day isn’t until August 3. Native American women’s Equal Pay Day isn’t until September 8, and Latino women’s Equal Pay Day isn’t until October 21.

This is a disgrace, and it has long-term consequences for women and families. The pay gap even reaches professional female ath-

letes who are paid significantly less than their male counterparts, even when they perform the same or much, much better. The U.S. women's national soccer team is incredibly successful, winning far more games than the men's team, including both the 2015-and 2019-Women's World Cup. But U.S. Soccer pays members of the women's national team as little as \$0.38 on the dollar compared to the men's national team.

I am grateful today that we will hear from world champion soccer player and equal pay advocate, Megan Rapinoe, about why we need to close the gender gap, not just for professional athletes, but for everyone.

Routinely earning less than we deserve impacts us for life. As vice chair of the Joint Economic Committee, I released a report in 2016 showing that lower wages over a lifetime result in reduced Social Security and pension benefits and make it harder for women to save for retirement. Other research suggests that women also experienced disparity in access to resources of incomes outside of salary and wages, such as employment benefits that contribute to financial security and prosperity during a career.

On average, women earn approximately \$900,000 less than men over their lifetime. We also know that economic insecurity makes women more vulnerable to other devastating circumstances, like workplace sexual harassment, domestic violence, and abuse. Women working in low-wage jobs have even fewer workplace protections, making them and their families even more vulnerable.

The economic harm caused by longstanding gender inequalities has only been exasperated-caused a greater problem because of the coronavirus pandemic. Women comprise a majority of healthcare and other social service workers and disproportionately shoulder the burden of the coronavirus pandemic. Women without access to paid leave have been forced to decide whether to forego income, to step back from their professions in order to care for themselves or their loved ones.

Today, we'll talk about reforms that promote an equitable and inclusive economic recovery for women across the U.S., so with our response to this crisis we cannot only recover but build a more equal future.

I am pleased that the Education and Labor Committee is marking up the Paycheck Fairness Act and other critical reforms today. One of the most basic protections women are lacking in our country is constitutional equality. I have advocated for the equal rights amendment for over 25 years. The ERA would establish freedom from discrimination on the basis of sex as a constitutional right. There is no other way to enforce equal pay for equal work in the courts unless we have the ERA, and it is one of many permanent fundamental fixes we need to stem the tide of gender inequality in our country.

For millions of Americans, these issues are of vital importance. Ensuring an equitable recovery from the corona pandemic requires facing the reality of gender inequality head on. Our coronavirus recovery plans must set the stage for bold, transformative policy decisions that will bring us into a more equal future. We cannot achieve recovery without equality.

I now recognize the distinguished ranking member, Mr. Comer, for an opening statement.

Mr. COMER. Well, thank you, Chairwoman Maloney, for holding this hearing. And I want to welcome our distinguished guests to the committee hearing today.

I would also like to set the tone for this hearing by saying two people who have the same education and perform the same job should receive the same compensation, regardless of race, gender, or any other irrelevant characteristic. I think we all agree on that. And as we discuss this important topic, I think it's important to note how the pandemic has devastated women in the work force.

Overall, since the start of the pandemic, women have lost nearly 1 million more jobs than men, and account for 55 percent of overall net job loss. Not only are women more likely to be in the jobs that were lost when the country shut down, but the responsibility of supervising children in the remote schooling has fallen most heavily on mothers. Recent data shows that nearly one in four women are considering downshifting their careers or leaving the work force altogether to care to their children. Yet the data shows that community spread is not tied to school spread and we know kids are safer in school. Many teachers have been vaccinated, so it's now time to prioritize our kids. We must open schools for full in-person instruction and reopen the economy to get women back in the work force.

With that, I yield the remainder of my time to Congresswoman Mace, a pioneer for women in the work force and the first woman to graduate from the Citadel, the military college in Charleston, South Carolina. I yield to Ms. Mace.

Ms. MACE. Thank you, Ranking Member Comer. Appreciate you yielding your time. And I want to thank Chairwoman Maloney for convening this meeting today.

As someone who has broken glass ceilings and barriers all her life, like many of the women on here today and watching, I want to say thank you, but I also don't want to have a message of doom and gloom. I want to have a message of hope for every woman who's out there working or in the home. Today should also be a celebration for women. And when we talk about equality and equal rights, our constitutional rights to equality are covered and protected under the 14th Amendment, because if it's not, then that means I have no protections today. And I believe, as a hard-working single mom and American, that my rights are protected under their Constitution today and I am not denied those rights.

I want to start off by echoing the ranking member's statement. Two people who have the same education and perform the same job should receive the same pay, regardless of their gender, their race, their sexual orientation, or any relevant characteristics. But I think it's also important to, when we're talking about this issue, to acknowledge the raw numbers. You know, it's not just the number that's been cited, but there are other factors. We're going to hear those numbers from members from the other side of the aisle probably all day today, and they will no doubt be used during the duration of the hearing, but they don't give an accurate entire picture. And I think it's important when we're talking about data that we look at the entire picture.

So, the raw wage gap number is not a measure of equal pay for equal work; it's a comparison of averages. The often-cited statistic we heard just now about \$0.80 per dollar men earn does not actually compare women and men in the same profession who work the same hours with the same qualifications or experience.

So, when we have this, I believe, very important conversation in support of that today, I want to start with the data in context. So, one suggested for factors such as hours worked and compensation packages, family and marital status, the gender wage gap, I believe, is significantly smaller than what we're talking about today. And in most cases, when you look at the data, you look at context, we're talking context. We're talking about between 2 and 10 percent. So, I'm not saying there's no gender wage gap, I'm not saying it's statistically unlikely women earn less than men; I'm just saying that it's not because of widespread discrimination.

There's always been discrimination, and we may never be able to resolve it 100 percent at all. I've been in a male-dominated industry my entire life, and I've seen that discrimination in every industry that I've been in. But thanks to existing legislation that we have, 1963, the Equal Pay Act, and in 1964, the Civil Rights Act, wage discrimination is illegal and should be adjudicated and can be adjudicated and held accountable. Bad actors can be in the civil justice system.

In order to get a clearer picture, I want to briefly look at the data and start with hours worked. In 2019, the Department of Labor's time use survey found the average full-time working man spends 8.32 hours a day on the job, compared to 7.73 hours for the full-time working woman. So, let's be clear. This is not a reflection of effort; it's women on average spend more time doing other unpaid work.

There's been a survey that was done in 2019 that 22 percent of men say they do household work compared to almost half of women. So, don't get me started on that conversation either, but there are big differences, statistically significant differences. But hours worked isn't the only factor to consider here. The data show that women, in general, they're willing to trade higher pay for more flexibility, whereas the data shows that men are willing to trade flexibility for higher pay.

And you know, children also play a role in all of this. So, these are important factors when we're having this conversation. And not too long ago, we, as women, we didn't have the ability to make decisions about our professional careers, our personal lives, where we went to school. All of these have been achievements and successes that we've had, and I want us to celebrate those.

As the Ranking Member Comer said earlier, prior to the pandemic, women were joining the work force at a faster pace than men. Women outnumbered men in earning college degrees, but in the last year, we've seen, because of schools closures, that we've had over 3 million women leave the workplace. And this has been devastating to the progress we've made to women going into work and having careers. I cannot express how devastating. We've set ourselves back decades because of COVID-19 and school closures. But we must continue to work for equal opportunity and individual

flexibility rather than simply equal pay. There are other factors. These two are not mutually exclusive.

And I want to thank the ranking member for yielding his time. I yield back.

Chairwoman MALONEY. The gentlelady yields back.

I'll now introduce our witnesses.

Without objection, I now recognize my good friend and colleague, Congresswoman Pramila Jayapal, to introduce our first witness who is a constituent of Representative Jayapal's. And thank you for helping us get this witness.

Ms. JAYAPAL. Thank you so much, Chairwoman Maloney, and for your tremendous leadership on so many issues.

I'm delighted to be here to introduce a pride of Seattle and, indeed, our country, Megan Rapinoe. Ms. Rapinoe is helping to redefine the role of leadership in professional sports. She is a soccer superstar and a fierce activist. We all remember that remarkable moment when the crowd began chanting "equal pay" instead of "USA" after Ms. Rapinoe and her teammates on the U.S. Women's National Team won their second consecutive world cup championship in 2019.

Ms. Rapinoe is one of the most accomplished soccer players in the world. She is an Olympic gold medalist and she's won two world cup championships. She uses every opportunity to advocate for causes she cares deeply about, from social and racial justice and LGBTQ rights to equal pay. Ms. Rapinoe is dedicated to fighting for the rights of all athletes to work in a country and a world where economic, racial, and gender justice yields equal pay, dignity, and respect.

Megan, we are so very proud, not only of your remarkable talents and achievements, but for your willingness to use your platform to fight for equality for all of us. Thank you for all you do, and I look forward to hearing your testimony today.

Chairwoman MALONEY. Thank you. After Ms. Rapinoe, we will hear from Ai-jen Poo, who's the executive director of the National Domestic Workers Alliance.

Next, we will hear from Khara Jabola-Carolus, who is the executive director of the Hawaii State Commission on the Status of Women. She is also testifying from Hawaii where it is a little after 3:30 a.m. in the morning, so we thank her for her sacrifice.

Next, we will hear from Patrice Onwuka, who is the director of the Center for Economic Opportunity.

Last but not least, we will hear from Dr. C. Nicole Mason, who is the president and CEO of the Institute for Women's Policy Research.

I'd like to note that Ms. Rapinoe has a conflict this morning and, therefore, has a very hard stop at 10:45, but we will try to get through as many questions as we can with Ms. Rapinoe before she has to go.

The witnesses will be unmuted so we can swear them in. Now, please, please raise your right hands.

Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Let the record show that the witnesses answered in the affirmative.

Thank you.

Without objection, your written statements will be made part of the record.

With that, Ms. Rapinoe, you are now recognized for your testimony.

**STATEMENT OF MEGAN RAPINOE, U.S. WOMEN'S NATIONAL TEAM AND EQUAL PAY ADVOCATE**

Ms. RAPINOE. Thank you, Chairwoman Maloney, and thank you, Representative Jayapal from the great state of Washington, for such a warm welcome. And thank you, everyone, for having me here today. It is an honor to be here in front of you.

It's probably no surprise, but equal pay and equality, in general, is a deep and personal passion of mine. And what we've learned and what we continue to learn is that there's no level of status and there's no accomplishment or power that will protect you from the clutches of inequality. One cannot simply outperform inequality or be excellent enough to escape discrimination of any kind.

And I'm here today because I know firsthand that this is true. We're so often told in this country that if you just work hard and continue to achieve, you will be rewarded and rewarded fairly. It's the promise of the American Dream, but that promise has not been for everyone.

The United States Women's National Team has won four world cup championships. We've won four Olympic gold medals on behalf of this great country. We've filled stadiums, we've broken viewing records, we've sold out our jerseys, all the popular metrics by which we are judged, and yet, despite all of this, we're still paid less than our male counterparts.

For each trophy, of which there are many, for each win, for each tie, for each time we play, less. In fact, instead of lobbying with the Women's Team in our efforts for equal pay and equality in general, the U.S. Soccer Federation has continually lobbied against our efforts and the efforts of millions of people marginalized by gender in the United States. And if it can happen to us and it can happen to me with the brightest light shining on us at all times, it can, and it does happen to every person who is marginalized by gender.

But we don't have to wait. We don't have to continue to be patient for decades on end. We can change that today. We can change that right now. We just have to want to.

So, as always, LFG. Thank you.

Chairwoman MALONEY. Thank you.

Ms. Poo, you are now recognized for your testimony.

**STATEMENT OF AI-JEN POO, EXECUTIVE DIRECTOR, NATIONAL DOMESTIC WORKERS ALLIANCE**

Ms. POO. Chairwoman Maloney, Ranking Member Comer, and the members of the committee, thank you for holding this hearing and for the opportunity to testify on behalf of the National Domestic Workers Alliance and Caring Across Generations. Also, happy Women's History Month, and thank you for the passage of the American Rescue Plan.

Because of your leadership, women who are struggling to survive have a real chance for recovery. Equal Pay Day was created to shine a light on gender pay and equity. Women earn \$0.82 for every dollar earned by White men for the same work. For women of color, those numbers drop even lower: \$0.63 for Black women, \$0.60 for native women, and \$0.55 for Latinas. Asian and Pacific Islander women are paid \$0.85 for every dollar, and within this group there are more disparities. Vietnamese women earn \$0.67 cents, Hmong women earn \$0.61, and Burmese women earn only \$0.52.

For domestic workers, equal pay is not only about equal pay for equal work; it is also about equal valuing of the work that women do in the economy at large. Caregiving and cleaning work is work that has always been assigned to women and taken for granted that women will do. As a profession, it has been associated with Black women, women of color, and immigrant women. Domestic workers are 92 percent women and more than half women of color.

This work epitomizes essential work. It enables millions to participate in the work force knowing their homes and families are safe. Despite what domestic workers make possible for all of us, it's shockingly undervalued. The average annual income of a home care worker is approximately \$17,000 per year, and 82 percent of domestic workers don't have a single paid sick day.

The pandemic has deepened inequity for women who are already struggling. In March 2020, over 52 percent of domestic workers surveyed had no work. A week later, that number increased to 68 percent. On a call with our members, one woman held up her phone to the camera to show us that she literally had one cent left in her bank account. Like millions of domestic workers, she was faced with the impossible choice of keeping herself and her family safe and putting food on the table.

Susie Rivera, home care worker in Texas for over 40 years, has continued working as an essential worker throughout the pandemic, without paid sick days, paying out of pocket for her own PPE and safe transportation to reach her clients, and to support her family, earning a wage of \$11 per hour.

But the care crisis for women is bigger than domestic work. According to the National Women's Law Center, women's overall participation in the work force has dropped by 57 percent, the lowest level since 1988. Nearly 3 million women have left the work force since the pandemic began and a leading driver is the increase in caregiving responsibilities in the home and the inability to find affordable and reliable family care.

As our childcare centers and schools closed, our nursing homes became vectors, and all of us socially distanced, we realized that we had no foundation or infrastructure to support our ability to care for our families but for the invisible care work that women did and could no longer do in the same way. Especially for women essential workers in minimum wage jobs, from restaurant workers to grocery workers, too many women simply do not earn enough to make ends meet or to make care work.

From the boardroom to the classroom, gender inequity in the workplace fundamentally rests on how we value or fail to value caregiving and care workers.

This Congress has a profound moment of opportunity to rebuild and reset our economy, to be more fundamentally equitable. The only way to achieve fair pay for care workers is for Members of Congress to decide it's a priority.

As we look toward economic recovery, we must pass the Domestic Workers Bill of Rights, legislation sponsored by Congresswoman Jayapal, and we must invest in caregiving the way we invest in infrastructure, the care work force and childcare, paid leave, home and community-based services that will enable women and everyone else to have the ability to return to work.

Thank you.

Chairwoman MALONEY. Thank you so much.

Ms. Jabola-Carolus, you are now recognized for your testimony.

**STATEMENT OF KHARA JABOLA-CAROLUS, EXECUTIVE DIRECTOR, HAWAII STATE COMMISSION ON THE STATUS OF WOMEN**

Ms. JABOLA-CAROLUS. Aloha, Chair, Ranking Member, and honorable members. My name is Khara Jabola-Carolus and I direct the Hawaii State Commission on the Status of Women, which became the first government agency in the world to propose a feminist economic recovery from COVID-19 last year.

You've heard about the disproportionate job losses, the shadow pandemic of violence, and the care crisis. I'm here to talk about what Hawaii is doing about it, in the hope that our example can assist you to better integrate the knowledge developed by Native Hawaiian, Pacific Islander, Asian, and Black women.

Hawaii is still indigenous. America is still indigenous. Our feminist economic recovery plan was guided by indigenous knowledge and conceived in deep consultation with our community. It has different origin stories depending on each person who you talk to who procreated it, but for me, I pinpoint almost two years ago exactly.

I was just about to finish up a long day when a wave of pain started building up in me and immediately, I started to cry. I started to cry, not because I knew that my baby was coming, but because I also knew that I had a work assignment due that would not be forgiven if missed. I know the women in this hearing know what I'm talking about.

Technically, nobody is going to give you flak for using childbirth as an excuse, but I knew that I would be less respected. I knew that I would be penalized one way or another for dropping the ball in our girl boss Game of Thrones work culture. So, I chose work. I chose to not be in that moment. I did not choose my family, my baby, or myself. I took a deep breath, and I bent over in front of my laptop and I typed, screamed, and labored until literally the sun came up. Most moms in America can recite to you the rest of the story. I went back to work when my baby and I were both in diapers because I couldn't afford extended leave without pay. This is an unremarkable story of American motherhood.

This is also a story about the gender pay gap. It was only after the dust had settled that I started to allow myself to imagine what a world would be like if—what that day and that year would have been like in a world that was not built around fake growth, productivity, profit, and gain. Whatever your feelings about feminism, ev-

everyone can agree that this system is breaking our hearts, and women deserve a profound reordering of values.

Women face acute challenges where I live underneath the glossy marketed image of Hawaii as one of America's toughest economies to survive. This was the backdrop of our feminist plan, and here are some of our key proposals that I'd like to share.

First, we'd like to move beyond the GDP and utilize new measures of wealth that are not inherently sexist. We also want to end the gender segregation of the economy. We want to establish gender justice, and specifically women's liberation, as a core function of government. Integrate a feminist lens through our policymaking.

Require publicly available disaggregated data so we can determine how women are accurately faring.

We want to transition from dependency on over tourism, armed conflict, and land speculation and invest in land stewardship and local food systems.

We also want to give land, housing, and a 20 percent pro rata share of COVID funds to Native Hawaiians first. Landlessness greatly affects women and land acknowledgements cannot house Native Hawaiians.

We want to prevent gender violence and implement the Bodies Back Model for noncarceral abolition of harmful industries that sell the dehumanization and hyper sexualization of Native Hawaiians, Asian, Pacific Islander, Black, and LGBTQ people.

We also want to prioritize high-risk groups, such as transgender people, by setting hiring goals in the public sector.

I'll stop there. The list goes on, but the takeaway is singular. Women don't want equal pay if it means we have to keep serving men in society through gendered labor. Our vision is much bigger than that. We want freedom from hierarchy and servitude that only a new economy can provide.

Accordingly, we ask for your support in this grand project we are undertaking in Hawaii, and we mahalo you for this opportunity to testify.

[Speaking native language.]

Chairwoman MALONEY. Thank you.

Ms. Onwuka, you are now recognized for five minutes.

**STATEMENT OF PATRICE ONWUKA, DIRECTOR, CENTER FOR ECONOMIC OPPORTUNITY, INDEPENDENT WOMEN'S FORUM**

Ms. ONWUKA. Thank you, Chairwoman Maloney, Ranking Member Comer, and distinguished members of this committee. Thank you for having me today. My name is Patrice Onwuka and I'm the director of the Center for Economic Opportunity at the Independent Women's Forum.

IWF is the leading women's organization dedicated to developing and advancing policies that enhance peoples' freedom, opportunities, and well-being. My work focuses specifically on expanding opportunities for women. So, it's an honor to be here today to talk with you about how we can ensure women are treated fairly in the workplace.

And as has been mentioned before, women made tremendous gains in the work force before the pandemic hit. Unfortunately, we've heard about the fallout from the pandemic and other meas-

ures nationwide that are making it harder for women to pursue their dreams today.

Now some point to gender discrimination as the factor holding women back. The pay gap is held up as evidence of widespread gender discrimination in the labor force. It should not be.

Fact No. 1, the pay gap is largely due to the choices women make. Now, more choices in their careers is actually a positive sign of progress for women. Let's look at the Bureau of State Labor Statistics. As we know, and as we heard from Congresswoman Mace earlier today, women on average earn about 82 percent of what men earn, but there is a massive asterisk attached to that. This is uncontrolled. The raw data point does, No. 1, not compare two people in the same job and, No. 2, control for so many factors that influence pay. You've heard about some of those factors, and I'm going to dive into a few more today. But as we know, when you control for those factors, the pay gap shrinks to two cents on the dollar at best.

When we look at wage analysis by private employers like Glassdoor—employment experts like Glassdoor and payscale.com, they both find similar two-cent to even five-cent pay gaps. So, this tells us that, yes, the pay gap is very much driven by those choices.

Now, we've heard that women work fewer hours than men. They also work more part time than men. Women and men sort differently in the work force—men into higher paying occupations and women into traditionally lower paying occupations. Even within occupations, men and women will choose different career tracks for different reasons. When we look at Hispanic women, Black women, they are overrepresented in service jobs and lower paying occupations. Meanwhile, they're underrepresented in those higher paying positions. So, it's not surprising that we see an even larger wage gap, uncontrolled wage gap, for minority women.

Looking at majors that women choose, women tend to consider nonfinancial considerations, like the enjoyment of the future job, personal fulfillment, whereas, men, young men in college, are thinking about their salaries, their earnings potential. And very interesting, not often heard, fewer women work in the most dangerous jobs. So—

And I think finally the big one, is obviously around family, family planning. And so, men and women choose different roles in the family that affects the decisions they make about the time they spend, their occupations, their career tracks. I would love to get into more of these individual factors, hopefully during the Q&A, and I've submitted my written testimony that dives into that as well.

Now, fact No. 2, pay discrimination is illegal. Equal pay for equal work has been the law of the United States for nearly six decades. The Equal Pay Act of 1963, the Civil Rights Act of 1964, they explicitly prohibit sex-based wage discrimination. And, yes, there may be instances of sex discrimination and, thankfully, American women have opportunities and means for redress.

Now, Congress has introduced new measures that are supposed to protect women from sex discrimination, and we already know that it's illegal. Unfortunately, these ideas can unintentionally hamper women's progress and work opportunities, particularly

flexible work opportunities. Today's woman is increasingly able to carve out the kind of work life she desires because our economy is innovating new paradigms of employment.

I'm a mother, I'm a Black woman, I'm an immigrant, and a proud naturalized citizen of America. And it's because of flexible opportunities that I am able to do what I do every day. But one-size-fits-all government policies that may be well-intentioned would rob women of the ability to choose for themselves the best work arrangements that fit their individual, unique circumstances.

So, I leave you with a quote from a report on the wage gap prepared for the Department of Labor under the Obama Administration. This study leads to the unambiguous conclusion that the differences in the compensation of men and women are the result of a multitude of factors and that the raw wage gap should not be used as the basis to justify corrective action. Indeed, there may be nothing to correct. The difference in the raw wages may be entirely the result of individual choices being made by both men and women.

Thank you for the opportunity to speak today.

Chairwoman MALONEY. Thank you.

And, Dr. Mason, you are now recognized for your testimony. Dr. Mason.

**STATEMENT OF C. NICOLE MASON, PRESIDENT AND CHIEF EXECUTIVE OFFICER, INSTITUTE FOR WOMEN'S POLICY RESEARCH**

Ms. MASON. Good morning. My name is C. Nicole Mason. I'm the president of the Institute for Women's Policy, a think tank focused on winning economic equity for all women and building women's power and influence in society. I thank you all for the invitation to testify today and ask that my written testimony and IWPR's report, *Building the Future: Bold Policies for a Gender Equitable Recovery*, be submitted for the record.

My first job at the age of 12 was selling newspapers door to door in my neighborhood. By 16, I was working in a food court. In college I worked as a waitress, and by 20, I had landed my first professional job at a local nonprofit organization. I have participated in the work force and earned a steady paycheck for nearly my entire life. I worked out of necessity and for survival, which is true for many women in the work force.

Today, I'm a single mother by choice and the primary breadwinner in my family. I will have to work harder and longer to achieve the same markers of financial success—home ownership, savings, and wealth—as most men.

Across the board, women earn less than men in nearly every occupation for which there is available data. The inverse is not true. When women enter male-dominated sectors, they do not out-earn men. If we do nothing, women will not reach economic parity with men until 2059. For women of color, it will take more than a century; 2130 for Black women and 2224 for Hispanic women.

This means women will have to work longer or hold multiple jobs to make ends meet and care for their families. It also means that if we do nothing, my daughter and my daughter's daughter will not see pay equity in their lifetimes.

Pay equity and loss earnings due to the wage gap have dire consequences for women. It is estimated that women will lose approximately \$1 million over their careers due to the gender wage gap. For women of color, the loss is significantly higher.

During economic downturns and recessions, such as the one we find ourselves in now, lost earnings to the pay gap make women economically vulnerable and cause additional financial hardship because they have fewer savings to cover emergencies or basic expenses when there's an unexpected loss of income or employment.

Raising the wages of women to match those of comparable men would have a dramatic impact on their families. The poverty rate for all working women would be cut in half, falling from 8 percent to 3.8 percent. The very high poverty rate for working single mothers would fall by nearly half, from 28.9 percent to 14.4 percent.

In a recent poll conducted by IWPR, more than half of the women reported in this moment not having enough money to make ends meet or to pay their bills. More than 11 million women are people across the country are behind on rent and cannot afford food. A quarter of women have less than a thousand dollars in their bank account and about 15 percent have less than \$400. This is the impact of the gender pay gap and the concentration of women in lower wage occupations.

The gender wage gap is real. It is not a hoax or the result of women's individual choices. We cannot explain it away. It is the result of a systemic undervaluing of women's contributions, skills, and talents to the work force and society. We can and should do better. This is a moment of public reckoning and revelation that would not have been possible a year ago. I hope that we can use it to propel us to reimagine a society, including workplaces and homes, that is more supportive of all working women and their families, including pay equity.

Chairwoman MALONEY. Thank you so much and thank you to all of the members of the panel today and to my colleagues and the committee members.

Before I recognize myself, I want to note that I am usually fairly light on the gavel, but because we have a witness with a hard stop in today's hearing, I will be a little more strict.

Ms. Rapinoe, we appreciate your testimony. You and the entire U.S. Women's National Team have inspired so many, not only with your many wins, but with your demands for equal pay. The U.S. Women's National Team has definitively outperformed the men's team. The team has won four Olympic gold medals, four world cups, including one after you filed your initial complaint five years ago. Our entire country is so proud of you.

But players on the Women's National Team are still paid less than players on the men's team, some as little as \$0.38 on the dollar. Why did you and your teammates feel it was so important to pursue this equality case?

Ms. RAPINOE. Thank you for the question. I think for us, first of all, it's just the right thing to do. You know, we've been in this equal pay fight long before our current lawsuit was filed. We tried to go through the EEOC route. You know, we tried to negotiate, and time and time again, we were told just simply no. The only

thing that was going to be available was less and far less, to be honest.

So, this was the next best step that we could take, frankly. You know, I don't think anyone wants to go into a litigation willingly. It's not a fun thing, but we felt like, for our team and for the future of the sport, this is what we had to do. And I think throughout the process, we've realized that, yes, we're fighting for ourselves and, yes, you know, we have our outstanding lawsuit with the U.S. Federation, but we're with everyone. We're with so many women across the country. We are with so many women who aren't able to be in this committee hearing, who aren't able to get the ear of the media, who do not have the bright lights and the cameras on them all the time. We are looking to carry this torch for so many other women.

Chairwoman MALONEY. Thank you. What do you think it means when professional female athletes at the top of their game and they are significantly outperforming their male colleagues are still not paid as much as their male equivalents?

Ms. RAPINOE. Well, I'm not here for it, frankly. We put in just as much work. We train just as hard. You know, we compete to bring trophies back to the United States, bring gold medals back to the United States. We do our jobs and do it in the best way that we possibly can. And for all of us who work so hard and see, you know, how hard the men's team work and see how hard our team's work and know that that's equal it's just unacceptable that we're still fighting for equal pay.

And I feel like, honestly, we've done everything. You want stadiums filled, we filled them. You want role models for your kids, for your boys and your girls and your little trans kids, we have that. You want us to be respectful, you want us to perform on the world stage, you want us to take the stars and stripes and the red, white, and blue across the entire globe and represent America in the best way possible, we've done all of that. And simply, there's no reason why we're underpaid for the exception of gender.

Chairwoman MALONEY. I'm sure you've seen the stories about the appalling disparities between the women's and men's training facilities at the NCAA basketball tournament. I'd like to throw up a picture of this on the screen.

Now the NCAA has taken steps to fix the problem, but only after a public outcry and negative press attention. The fact that these disparities existed in the first place, I believe, is insulting and inexcusable.

What kind of message do you think this unequal treatment sends to these college athletes, Ms. Rapinoe?

Ms. RAPINOE. Well, first of all, for an organization like the NCAA, similar to U.S. Soccer Federation that's a nonprofit, it's just absolutely unacceptable. You know, to say that you value your student athletes and to say that, you know, this is the most important time of the year, we all know March Madness is very exciting. Probably everyone's brackets are blown up at this point with a few upsets, but, you know, to have your women's players or people who play on women's team show up for one rack of dumbbells is just completely unacceptable. Someone at some point thought to themselves that was OK. And you even saw, you know, they had a GoPro set up to film the whole men's gym being set up, you know.

And for Mark Emmert and the executives at the NCAA, you just simply have to do better.

And I'll say, I mean, even the new weight room that the women's team has is still unacceptable. It's not to the standard needed to perform at that level and it's certainly not to the standard of equal that the men have.

Chairwoman MALONEY. [Inaudible] testimony. You have elevated the issue of equal pay for men and women and are helping us to achieve closing that gap.

Dr. Mason, what conditions throughout a woman's career lead to such a shocking disparity in retirement? You have written about it. I did a report on it as vice chair of the Joint Economic Committee that so many more women are in poverty because of unfair treatment in their pay.

Very briefly, Ms. Mason.

Ms. MASON. Thank you so much. So, when I think about, you know, women's careers and what happens to them once they enter the work force, from the very beginning, women are at a distinct disadvantage, from negotiating equal pay for equal work, for in terms of, you know, lower wage workers not having benefits or paid sick leave or many other things we know that will make a difference, to a lack of affordable childcare, which, again, prohibits women from being able to enter the work force and work at their full capacity.

These things are very—these things are historic and long-standing and really impact a woman's ability, you know, to thrive in her career, but also earn equal—to be paid equally and fairly.

The idea that women make choices, you know, to step out of the work force, to off-ramp for children, or to—you know, don't want to work or value career satisfaction or flexibility over other things is simply not true. What we have to understand is that, although women are 50 percent of the work force, we have not accommodated women in any real way and made sure that once women enter their careers, are able to sustain them without fear of retaliation, discrimination, or sexual harassment. These are also very critical concerns.

When women experience discrimination or sexual harassment on the job, they are more likely to exit, and some and many women do so in silent-in silence.

So, in this moment, we do have an opportunity to examine, not only Federal and state level policies, but also examine workplace policies in the private sectors to make sure that they are fair, equitable, and provide women with the utmost opportunity to, you know, do their work and careers without fear or harm.

Chairwoman MALONEY. Thank you.

I now recognize our next speaker, Congresswoman Nancy Mace. Congresswoman Nancy Mace, you are now recognized.

Ms. MACE. Thank you, Madam Chairwoman. Appreciate you again yielding to my time.

I want to start with you, Ms. Rapinoe. First, I just want to say that we're super proud of U.S. women's soccer being on the world stage as you and your teammates have been for a number of years. It is exciting and, of course, we don't often see parity in women's sports with men's sports, and that could be, as you said, in terms

of event attendance or popularity. You've made women sports very popular, and so that's something that every American should be proud of. And so, I appreciate you being with us today and speaking on this important issue. But I only have five minutes, and so if you could just give me quick yes-or-no answers, I'd appreciate it. I want to make sure I can get through all of my questions, and I have questions for two folks who've given testimony today.

So, my first question is, does the U.S. Women's soccer team have union representation?

Ms. RAPINOE. We do, yes.

Ms. MACE. OK. And that union representation was present during the collective bargaining settlement back in 2017. Is that correct?

Ms. RAPINOE. Yes.

Ms. MACE. Great. And at the time the agreement was signed, you said, "I think the Women's National Team Players Association should be very proud of this deal." Yet you and your teammates continue to pursue a Federal wage discrimination complaint. In the recent decision on the matter, the court found that U.S. Soccer Federation did not commit wage discrimination because it actually paid the women's team more than the men's team on both a cumulative and per game basis.

In fact, the court found the women's team earned about 220,000 per game, while the men's team earned approximately 213,000 per game. Yet you and your teammates argue that because you all earn smaller bonuses for the world cup related matches and other tournaments than the men, there's a gender wage discrimination.

Compensation is not simply wage, though. The 2017 agreement guaranteed pay for women regardless of whether they played or not. A perk the men's agreement does not have.

Is it fair to say being paid regardless of whether you played was important to the women's team and to the agreement in 2017?

Ms. RAPINOE. I think that's very much an oversimplification of the two contracts. I think, to be clear, the comments that I made then I thought us as players should be proud of the deal for what we were able to achieve, considering the discrimination that we were up against. We asked very clearly for the exact same contract and the same amount pot of money as the men received, and we were simply laughed out of the room, to be honest.

So, I think it's much of an oversimplification what you're suggesting. And there's many disparities within the men's and the women's team, and that the overall pot of money is far larger—excuse me—the overall available pot of money or possibility of the pot of money is much larger for the men's team. We earned close to them because we're capturing nearly all of the pot of money available to us whereas the men's team is not.

Ms. MACE. I have like two more minutes left. Your union that represented you all did such a bang-up job, they did so well you had to sue later because the deal was so bad, sounds like.

Ms. RAPINOE. We had to sue later because of gender discrimination.

Ms. MACE. The collective bargaining agreement expires this year. Do you anticipate being able to advocate for changes to better reflect your needs?

Ms. RAPINOE. We're always advocating for better changes, of course. Obviously, we have an outstanding lawsuit which will affect the collective bargaining agreement, but, yes, we're very much looking for a more fair deal, something that we did not get last time.

Ms. MACE. Thank you.

And now I'd like to ask a few questions of Ms. Onwuka. I appreciate your comments earlier about how it is illegal that sex discrimination is illegal under Federal law and that one size does not fit all. As someone who's broken many barriers all her life, I do understand, you know, sometimes that as a woman you have to work twice as hard to be seen as an equal. So, I appreciate your comments earlier today.

But, Ms. Onwuka, I want to ask whether you believe it's important for women to be able to negotiate their own work contracts?

Ms. ONWUKA. Thank you, Congresswoman. Absolutely. I think we've seen in some of these studies that women tend not to negotiate, particularly they're not trained at a younger age to understand both what they're able to ask for, but also what some of the choices that they make in terms of career tracks is going to—how it's going to impact their overall earnings. So, when they're going into the negotiation table, you know, being able to have that kind of information is really what empowers them. And so absolutely, women need to—to be empowering and to overcome wage gaps, I think we need to ensure women know what they want and can value their time and their efforts effectively.

Ms. MACE. I agree. Women with the freedom to make their own choices, and the confidence and the courage to be able to ask for those choices too. Thank you.

I yield back.

Chairwoman MALONEY. The gentlelady yields back. The gentleman from the District of Columbia, Congresswoman Norton is now recognized. Congresswoman Norton.

[Inaudible] Are you having difficulties Congresswoman Norton? Do you have technical difficulties? You are now recognized.

Ms. NORTON. This is Congresswoman Norton. Have I been recognized?

Chairwoman MALONEY. Yes, you are recognized.

Ms. NORTON. Madam Chair, you found a very useful way to recognize Women's History Month, and I appreciate that very much. It was my honor to enforce the 1964 Civil Rights Act long before I came to Congress, and please recall that gender was added only when a member of—a woman in Congress insisted that it be added.

This week, of course, we know that despite the progress that's been made, women still make \$0.82 for every dollar that a man earns. That's why this week I'm reintroducing my bill, the Fair Pay Act, that would require that if men and women are doing comparable work, they will be paid comparable wages. That's maybe the only way we can close this gap.

Ms. Rapinoe, I'd like some indication of how the pay gap impacts you and your teammates. I mean—

Ms. RAPINOE. There we go. The classic mute.

You know, something that gets a lot of headline when we talk about equal pay is people's individual salaries or their individual

compensation, and I think what's often missed is the investment in resources, whether that's on the business side, whether that's in TV and marketing, branding, ticket sales, whatever it may be.

The Women's National Team in so many ways is a business. We have a product, we're on the field playing, and we sell around that product. So, the lack of investment—and you saw it. We brought it up before with the NCAA women's March Madness tournament. With a lack of proper investment, we don't really know the real potential of women's sports. What we know is how successful women's sports have been in the face of discrimination, in the face of gender disparity, in the face of a lack of investment on virtually every single level in comparison to men.

So, for me, it goes much deeper than just what's hitting my bank account, which is a little bit light as always and we would love to fix that, but it's about investing resources into the team and into the business of the team so the next generation can actually fully realize their potential as a sport.

Ms. NORTON. Thank you. When employers ask about a woman's salary history before making an offer of employment, we now know that that entrenched the systemic pay gap. Another bill I'll be introducing this week is the Pay Equity for All Act. That would prohibit this practice and freeing women from the patterns of discrimination that can follow them throughout their careers.

This question is for Dr. Mason, because I'm particularly interested in the research your organization has been doing, indicating that perhaps there is more to this story than just the size of the pay gap. For example, that report, which was published this month, shows that the wage gap actually shrank because pandemic job cuts forced low-income women out of the labor market.

Can you explain this finding?

Ms. MASON. So, I want to say something really very important. The pay gap has only closed by about \$0.20 over four decades. So, it's moving at a really glacial pace. And as a result of the pandemic, you know, more than 5 million women have fallen out of the work force, many of them lower wage workers. And so what we need to understand about this work force is that, not only do they earn really low wages, but they also have very few benefits—job security, job flexibility, and all those things that we know makes a difference for working women.

So, the reason why it shrunk—and I want to be very clear. When we talk about the shrinking of the pay gap because of the pandemic, we're talking about a fraction of a cent, or one penny, and that is because those—the women earning the lowest wages fell out of the work force. I want you to imagine for a moment, if those women made much more or earned the value of what they contribute to our society, we would accelerate the closing of the pay gap. That's what we need to be focusing on. How can we raise wages for the most vulnerable workers and pay women what they are worth and their value of their contributions to our society and the economy?

Ms. NORTON. Thank you very much.

And I yield back.

Chairwoman MALONEY. The gentlelady yields back.

The gentleman from Florida, Mr. Franklin, is recognized. Mr. Franklin.

Mr. FRANKLIN. Thank you, Madam Chairman. And thank you to our witnesses this morning for coming and testifying to us. These are very important topics that we're discussing, and I do appreciate your time.

There's been a lot of focus politically on, not only equal pay for women, but also the equal rights amendment, violence against women, the treatment of women's veterans, gender equality, other topics, and I think these are all very healthy conversations to us to be having, so I'm glad you all are here.

My question really is for Ms. Rapinoe, and I know she's on a timeline here, so I did want to get to her. Specifically, with your position with respect to women's professional sports—and, first, I've just got to say, I have tremendous respect for what you and the women's world cup team has accomplished. You've represented our country well, and it's amazing to see our women compete at that level and really making America proud for your accomplishments. So, thank you for that.

I'm particularly interested, though, as the House passed the Gender Equality Act, the President now has issued executive order allowing transgender boys to compete in women's sport at the high school and college level, and now we're seeing states pushing back in various forms wanting to ban that. As a female professional athlete who has reached the absolute pinnacle of your profession, I would really be curious to hear your thoughts on how you see this developing and the potential impact that may have overtime for young women and their ability to reach the highest levels of those sports.

Ms. RAPINOE. Thank you for your question. First, just off of the top, as a member of the LGBTQ community, I firmly stand with the trans family and that whole community. And as someone who has played sports with someone who is trans, I can assure you all is well. Nothing is spontaneously combusting.

I think what we do know, though, is that people are continually marginalized by gender. We know that in equal pay, we know that in the workplace, we know that with LGBTQ. So, I think that we need to continue to fight for equality. We need to continue to protect people who have suffered from discrimination and inequality because of gender, and that really needs to be at the forefront. You know, I stand with my trans community, as we said, and with all marginalized people, especially people marginalized by gender.

Mr. FRANKLIN. Well, I appreciate that. And I'm certainly not trying to pit one group against another. I just—you know, as a father of daughters who played soccer, and I see how that process, you know, the works, and when you think, you know, soccer itself is the most popular sport in the world. There are millions of both boys and girls that grow up playing that sport. And as the competition winnows, as you reach higher levels, there are fewer and fewer opportunities. And certainly, at the levels you compete at, there are very few opportunities for women.

Will it be fair, with such limited numbers of people available to play those sports, if women, biological women, are having to compete on the same field of play with biological males?

And not to make it a sexual gender kind of issue. I'm not trying to pit one group against another. I'm talking pure fairness on the ability to actually do the job. Because, ultimately, that could have an impact on pay as well if women are denied opportunities for things that are completely beyond their control.

Ms. RAPINOE. I mean, again, I think that's the reason that we want our kids to play sports is for all of the incredible aspects and character building and community building and self-confidence building that happens in sports. And to completely cut out an entire section of people, I don't think is appropriate.

Mr. FRANKLIN. OK. But they would not be cut out because these same athletes are able to perform and play within sports by their biological designation. But does it seem to you to create an unfair advantage that biological males may be able to compete against biological females?

Ms. RAPINOE. I mean, I think for me, it would be unfair to continue to marginalize anyone by gender.

Mr. FRANKLIN. OK. I see we're not going to get to a clear answer on that but thank you.

And I yield back, Madam Chairman.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Massachusetts, Congressman Lynch, is recognized. Congressman Lynch.

Mr. LYNCH. Thank you very much. I want to thank all of the witnesses for your willingness to come before the committee and help us with our work.

Dr. Mason, I'm a former union president. I represented the ironworkers here in Boston. I also represented—as a labor attorney, a union labor attorney, I had the opportunity to represent the wardrobe workers, which is a group of women. Mostly, I'd say about 85 percent of the members of that union are women.

And the one thing I want to point out, I know that your group, the Institute for Women's Policy Research, has done a lot of research around the role of unions and the impact on their membership, especially women and nontraditional employees in those unions, and the impact of the collective bargaining agreement on those workers.

At least in the unions that I have represented, once the union wage is established, everybody gets that. So, whether you're a man, a White male, a woman, a woman of color, a person of color, everybody gets that wage, after the contract is negotiated. Every single person gets the same pension. Everybody gets the same health benefits. Everybody gets the same vacation and leave.

So, I'm interested in hearing, Dr. Mason, how your research has assessed whether membership in a union is better for women. Are women in unions doing better than women who are working in a nonunion environment where the wage rates and benefits are less firm and not transparent?

Ms. MASON. So absolutely. Thank you for that question. So, women in unions fared better during the economic downturn. They had more job security. Their wages were stable. They had paid sick leave, benefits, so, yes. When we think about union membership and the importance it is, you know, how important it is for women, and also mitigating things like the pay gap and making sure that

women are able to economically provide for their families, absolutely.

What we know also is that when we think about anti-pay secrecy laws which are on the books in many states, when we did a—in one of our recent reports, we found that most companies and states were not following anti-secrecy laws, but women who were part of a union, those organizations and companies did follow anti-secrecy laws, and wages were higher. So, there is a definite benefit to women who were a part of—members, especially in moments like this, economic downturn. It does provide women with more job security, and they are able to, again, take care of their families.

Mr. LYNCH. Tell me, Doctor, I know you focus pretty much on the impact of the pandemic. Have you done research enough to make a broader assessment? You know, let's—not just in the pandemic but talking about generally, you know, whether we have an upbeat economy or a, you know, a downturn like we're experiencing now, what is the impact on women in the union environment versus being not in a union environment? How does that play out?

Ms. MASON. So, generally speaking, women who are part of a union earn higher wages, have better job protections, job security, and, again, have pensions, you know, retirement, investment accounts. So, in general, regardless of whether or not we're in an economic downturn or at this moment in the pandemic, women in unions are—unions are really critical to women's—building women's long-term economic security and success, especially when we think about women entering nontraditional, higher paying sectors. Unions are critically important to their success.

Mr. LYNCH. OK. Thank you very much. I appreciate your research and your testimony.

And, Madam Chair, I yield back.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Texas, Mr. Fallon, is recognized. Mr. Fallon.

Mr. FALLON. Madam Chair, thank you very much.

You know, we live in a market-based, free-enterprise economy. And, generally speaking, the more that the central government, and in our case here today, the Federal Government meddles with the private sector and nibbles away at their liberty, the worse off the private sector is, both owners and employees alike, men and women, as well as the country as a whole.

We see this play out time and again, so we should and really need to tread lightly when discussing more regulation, rules, and codifying compulsory actions and behavior. The market should drive wages, and that's the free market. We've heard—not the government market, the free market. We've heard for years claims by some that American women on average, and we've heard different varying figures, \$0.70 on the dollar, \$0.82 on the dollar for what male counterparts make, but what many folks don't realize is that's not a fair comparison apple to apple, and we've heard a little bit about that today. It's simply comparing median earnings of all men and women classified as full-time employees. That's a misleading figure, and it's unfair not to take into account other factors.

For instance, the job itself, the skill level of the employee, the experience of the employee, the hours worked by that employee, and that's very interesting to note here is according to the Department

of Labor in 2019, the average male worker put in 8.32 hours per day compared to the average female worker who logged in 7.73 hours per day. That alone accounts for a seven percent difference.

As a whole, female workers consider—tend to consider and choose flexibility, which can account for lower wages, while men, on average, gravitate to a higher degree, toward less desirable work hours, location, and occupation so long as it pays a higher wage.

Until I took this most recent job three months ago, this most recent government job, I had been an entrepreneur for 25 years. My goal, like nearly all of the millions of other business owners across the country, was to hire the best people possible. I never gave a hoot about their ethnicity, race, gender, or sexual preference. Didn't care about it on an application. Didn't care about it when they became my employee because it was immaterial, and it was irrelevant.

Now, let's just put aside even the morality and the legal considerations, because pay discrimination has been illegal in this country since the Equal Pay Act of 1963 and reinforced by the Civil Rights Act of 1964. But even putting that aside, it's simply really bad business to discriminate in these callous ways. It's so incredibly difficult to find good employees, and to find great ones, it's even tougher.

My point here is that I'm no different than the other millions of business owners around the country. We all aim to find talented folks, hire the best people, and pay for performance. The cream rises to the top, as it were. And if these alarming disparities that some claim that exist, if they existed in actuality, let me ask you this question, think about this: Why would—you have to ask yourself, why would businesses not just hire all women? Because we know how talented female workers are in America. They are certainly equal and just as capable as their male counterparts.

If a business owner could get an employee to do the same job but only have to pay \$0.70 or \$0.82 on the dollar, \$0.53 on the dollar, what have you, why wouldn't you do that across the board, hire your entire work force in that manner? Ownership would save a colossal amount of money on wages. Your labor costs would collapse, and your profits would rise.

But that doesn't happen. And why? Because this alleged wage gap is grossly overstated and exaggerated for political benefit. And any type of, quote, Paycheck Fairness Act would almost certainly result in fixed pay scales by companies, and that's just awful, the result of which we see, you know, the output in productivity crumbling as the best employees, both men and women, the one that work the hardest, work the longest hours, and work the smartest would suffer the most because many businesses would be unable to have the option to pay bonuses and give spot raises and properly reward and incentivize their highest producers. This also we saw play out, I believe, in Denmark when this happened over there.

So, this is about the free market and this is about liberty, and this is about what the market will bear in all things, whether it's sports or business.

So, thank you for the opportunity to share my thoughts today, Madam Chair, and I yield back.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Virginia, Mr. Connolly, is now recognized.  
Mr. Connolly.

Mr. CONNOLLY. Thank you. Thank you, Madam Chairman. And let me begin by saying oh, my God. What we just heard requires you to forget a blatant history of exclusion and discrimination and direction with respect to women's careers. Ruth Bader Ginsburg, one of the most outstanding jurists in American history, couldn't get a job in a law firm because of her gender. That's not ancient history. That's not the market working perfectly. That's, in fact, an enormous failure to recognize talent. The opportunity cost of that for the first 200 years of the Republic is incalculable.

Mr. Fallon would have us believe the market will take care of it, and we don't need no stinkin' Federal regulations to interfere with that perfect market.

Dr. Mason, help me here with a little bit of history and this whole idea of the market is perfect and will self-correct.

Ms. MASON. So, it is right that we live in a market economy, but the market economy is not working for women and people of color, workers who are in sectors that are lower wage and lower earning.

So, one of the things I want to correct that was said is that this idea that if—you know, if businesses should just hire all women if they could get them on the cheap. That is just not how this works. We need to talk about labor market segmentation and the fact that there is not one sector that is dominated by women where they out earn men. So, let us just start there. And when men are—enter sectors that are dominated by women, they earn more. And, again, the inverse is not true. So, we need to understand that.

And the other thing I want to say and be very clear about, that this is not about individual choices. It is not about what I was able to do and pull myself up by the bootstrap. This is about the collective good, our values, and how we might be able to support the most vulner—economically vulnerable in our society. I don't—

Mr. CONNOLLY. Dr. Mason, if I could just interrupt a little bit. Help me with history, though. Is it not true that whole professions were actually denying women until relatively recently? You could be a nurse, but you couldn't be a doctor.

Ms. MASON. Absolutely.

Mr. CONNOLLY. You could be a legal assistant, but you couldn't be a lawyer.

Ms. MASON. Absolutely.

Mr. CONNOLLY. You certainly couldn't be a jurist. I mean, we could go down through profession after profession that were absolutely closed to women, not by law, but by that free market Mr. Fallon thinks is so perfect.

[Inaudible] on that a little bit, and the harm that caused and the wage gap that created that was structural.

Ms. MASON. So, again, labor market segmentation and a lot of the gender disparities that you were speaking about have been institutionalized by practice, individual behaviors blocking women from holding particular jobs, and it had a has a detrimental impact to women's career advancement and the mobility in society. You are absolutely right, women have been barred from holding positions, not because they don't possess the skills, talents, and abili-

ties, because people, men particularly, are telling them no and barring them from being in those professions. And what we miss out when we do that is talent, contributions, productivity. The economy suffers when we do that.

So, historically, we also have to remember that it wasn't until 1963 and 1964, that, you know, we passed the civil rights amendment which guaranteed equal protection under the law for workers. We're still battling around issues of pay equity and pay transparency. These are problems that are happening today. So, this idea that the market will take care of these things, we know it is not true. Even how we measure economic security and prosperity is outdated, and we should really think about how we are helping the most and protecting the most economically vulnerable.

Mr. CONNOLLY. Thank you. I think you could even make the opposite case that the market actively worked against gender equality and opportunity for women. And I might say, in closing, that applies to our own profession, politics. Until very recently, women were discriminated against. They really weren't up to it, and they never got elected in large numbers. And we're working hard to try to redress that imbalance in our own profession.

So, the idea that the market is perfect and is self-correcting is false on its face, the opposite is true, and that is precisely why we need Federal Government intervention to help redress that imbalance.

I yield back.

Chairwoman MALONEY. The gentleman yields back.

And the gentleman from Georgia, Mr. Clyde, is now recognized. Mr. Clyde.

Mr. CLYDE. Thank you, Madam Chairwoman Maloney. I appreciate all of the witnesses being here. Thank you for joining us today.

And, first, I must commend my colleague, Congressman Pat Fallon, for giving a fantastic description of what it is like to actually be a small business owner and hire employees and pay employees in the market. So, thank you, Congressman.

You know, as a small business employer for over 20 years, I have serious concerns about how many of the proposals discussed at today's hearing, including the Paycheck Fairness Act, could have a negative effect on businesses across the country if they actually became law. These proposals would not just tie the hands of small business when it comes to negotiating fair pay for employees, but it would also limit their ability to grow and expand operations.

Now, we are here to discuss equal pay, and while that notion sounds great at face value, the American people should know that when we talk about equal pay in the context of this hearing, we are really talking about doing away with choices, choices made and enjoyed by employers and workers alike. Yes, there may be a raw wage gap, as my Democratic colleagues have pointed out already, but when we adjust for factors such as hours worked, benefit compensation packages, and flexibility of schedule, that gap becomes much smaller, in most cases between 2 and 10 percent, and that's because of choices made by workers, male and female alike.

You also have to look at the companies themselves. If they have different abilities to earn profit, then their abilities to pay their

employees will be different. So, comparing wages within a company is one issue, but comparing wages between different companies is a completely different issue in and of itself.

So, my first question is for Ms. Onwuka. No. 1, do you believe the laws I just referenced, and that is the Equal Pay Act of 1963 and the Civil Rights Act of 1964, that protect women from gender-based pay discrimination in the workplace are adequate? A yes or no would be acceptable, please.

Ms. ONWUKA. Congressman, yes.

Mr. CLYDE. OK. Great. I agree with you in that. I'm a proponent of rewarding hard workers and high performance in the workplace. So, can you tell us more about why fixed pay scales would disincentivize work, if you agree with that?

Ms. ONWUKA. Sure. I absolutely agree with that. When we look at what men and women value in the workplace, they value different things. And this is interesting. From a 2019 Pew survey, mothers significantly valued time off or working fewer hours compared to fathers who valued promotions. So, when you look at men and women, the choices that they make, and, you know, I've heard some different panelists talk about this is not about choice. It absolutely is, because I think when women have more flexibility to decide whether they want to pursue an opportunity that takes them out of the home for longer, maybe puts them on the road traveling much more, they may say, no, I'd actually rather maybe take a pay cut or stay in my current position. And then maybe a male would be willing to say, well, I want to provide more for my family, so I'm willing to be on the road much more. I'm willing to be on call as a lawyer, for example.

So, flexibility is absolutely one of those driving forces, particularly for many women in the work force. For every woman? Perhaps not, but for many women, and I think that's what's reflected in the choices they make and reflected in the pay gap.

Mr. CLYDE. All right. Thank you. So, do you think it's fair to say that people are generally happier when their work is rewarded in different ways?

Ms. ONWUKA. It's absolutely fair to say that. And when we look at independent contractors, for example, you talked about being a small business owner. There are millions of people who are freelancers, millions of people who don't—who are not employees, but they actually are their own bosses. Happiness, fulfillment, flexibility are the No. 1 reasons, particularly for women.

Mr. CLYDE. Well, great. Thank you. Last, can you tell us how the free market penalizes employers who discriminate? As a small business owner, myself, I know that having, you know, the best employee I can possibly afford benefits my company, you know. So, how does the free market penalize employers who discriminate?

Ms. ONWUKA. Absolutely. I mean, in particularly a tight-jobs market, it becomes increasingly harder for employers to retain good talent. So, if you start to discriminate, if you are paying a man and a woman, similar job, similar title, no other variables that are foreseeable, if you're paying that woman differently, she very well may leave. And if she's a higher performer, you have now lost an asset to your company. And so, when you expand that across the entire

economy, you start to see that it's good business. It's good corporate social responsibility to be good to your workers.

Do we see that in every single industry? I would love to say yes, and if we can move toward that as a country. But overwhelmingly, I do think there are a lot of employers recognize that keeping high-quality, high-performing talent is important. And it's important for the bottom line because turnover is expensive, particularly in things like fast food and other industries.

Mr. CLYDE. Oh, absolutely. I agree with you that turnover is very expensive. You know, you have to retrain, the cost of retraining, and employers don't want to do that. They want to keep their employees, so they want to pay them appropriately. Thank you very much. I appreciate that.

And my next question is for Ms. Rapinoe.

Chairwoman MALONEY. The gentleman's time has expired, and Ms. Rapinoe has left to go to another meeting.

Mr. CLYDE. OK. Well, thank you. I yield back, Madam Chairwoman.

Ms. MACE. Madam Chair?

Chairwoman MALONEY. Pardon me?

Ms. MACE. Madam Chair, Mr. Connolly directly mentioned Mr. Fallon in his questions earlier. Can we yield 30 seconds to Mr. Fallon to respond, please.

Chairwoman MALONEY. He did not call for a point of personal privilege.

The gentleman from California, Mr. Ro Khanna. Mr. Ro Khanna is now recognized for five minutes.

Mr. Ro Khanna, unmute. Is he here?

Mr. FALLON. Madam Chairwoman, with the technical difficulty there, I'd love to call for a point of personal privilege to respond.

Mr. KHANNA. Madam Chair, am I recognized?

Chairwoman MALONEY. After Mr. Ro Khanna. You are now recognized, yes, uh-huh.

Mr. KHANNA. Thank you, Madam Chair.

I just want to start by correcting the record about some of the misinformation about trans women's participation in sports and cite some of the data.

First of all, since 2004, the Olympics have had a policy that is trans inclusive. And guess what? Not one trans female has actually qualified, even at that level. So, this is just a totally manufactured concern. Yale University has done a study that actually says that higher testosterone levels do not provide competitive advantage.

And the third point, which is completely neglected, is that trans women face bullying. They face harassment. It actually is one of the biggest challenges to compete for trans women.

So, when we're going to have these conversations, I just hope we could have conversations based on facts, based on data, based on what the Olympics at the highest level are doing, as to what my state in California has done since 2013 and hasn't been an issue, and not engage in conjecture.

The second point, before I turn to the panel, that I want to emphasize, is this idea that—of the free market. The free market is what we define the market to be. If, as some of my colleagues suggested, that discrimination would not be in the interest of the free

market, then what was the need for the civil rights law? Obviously, we needed the civil rights law because there was discrimination even with the market. And what we're talking about is not eliminating in any way the market. It's not against the market. It's saying that we need to define the market in a way that is going to promote dignity for all individuals because the current definition of the market, the current laws, are creating systemic inequality.

So, this is not a question of do you believe in the market or not. It's a question do you believe the market should respect the dignity of every individual.

My questions I want to focus on this—on the idea that women, as Kimberle Crenshaw's work has shown, are not a monolith, that we have intersectionality, that, yes, women face discrimination, but the class, race, and sexual orientation adds barriers. And I want to focus in particularly on trans women in my questioning.

If we could go to Dr. Mason. Can you please explain what factors have led to devastating economic outcomes for the trans community and what they mean for trans women specifically?

Ms. MASON. So, thank you so much for this question and for bringing Kimberle Crenshaw into the room, a leading intersectional scholar who allows us to understand that it is not only about gender but also the intersections of race, class, gender, sexuality, gender identity, and other markers of difference.

So, what we have to know that discrimination—we talk about gender discrimination, but when we talk about trans women, it's really important to know that there are multiple barriers to their economic security, which includes workplace discrimination, refusal to hire, and decreased earnings, especially as people transition. They see a marked decrease in earnings.

It's really important—and then if we look at Federal and state laws, we also have to know that many of the protections we have on the books, even the civil rights law, you know, discriminates or allows the interpretation of such laws to discrimination against trans women and individuals and communities.

So, when we think about the pay gap, what we—we don't have enough data to help us understand the magnitude of the problem, but we absolutely understand and know that trans women, trans people face insurmountable, in some instances, you know, barriers to economic security, including lower pay, lower wages, discrimination in the workplace, firing, not being able to receive any kind of legal remedies.

So, again, it is really important to provide a fuller context for this conversation even when we talk about payment and hiring and free market economy, understanding that different women are impacted differently in the economy and in the work force.

Mr. KHANNA. Thank you for that, Dr. Mason. In fact, you're absolutely right; I mean, the human rights campaign found that nearly 30 percent of transgender individuals have been forced to take unpaid leave during the pandemic as opposed to just seven percent of the general population. That is more than four times as much the disparate impact on transgender women.

I guess I would ask you, what policies can the United States implement as part of the economic recovery to ensure equity for transgender women and, more generally, to consider Kimberle

Crenshaw's paradigm-breaking scholarship on intersectionality? How should that inform our policy?

Ms. MASON. So, what we need to do is make sure that policies are representative and inclusive and not exclusionary to trans people, making sure that our Federal policies and laws, including the equal rights amendment, is gender inclusive and representative. You know, think about—thinking also about the ENDA, the Employment Non-Discrimination Act, making sure that it is trans inclusive. These are all things that will go a long way into making sure that some of the challenges we see for trans women in terms of employment, as well as earnings and wages over time, we can mitigate those.

And the other thing I do want to lift and bring into this conversation and for the record is that 15 percent of trans people report making and earning \$10,000 or less per year, a rate of poverty that is nearly four times that of the general population. And many report losing a job because of bias and report experiencing some form of workplace discrimination. So, we can let the market work, but we understand that the market is imperfect and that we need inclusive and representative laws to make sure that we can close some of these gaps that we've been talking about today.

Mr. KHANNA. Thank you.

Ms. POO, could you briefly explain the concept of, quote, chosen family, and how the pandemic has placed additional burdens on trans women who care for members of their chosen families?

Ms. POO. Essentially, all of us have people in our lives who we care for. We have loved ones, and the definition who we care for and who care for us. The former first lady, Rosalynn Carter, said there's only four kinds of people in this world: People who are caregivers or will be caregivers, people who need care or will need care. And we have in our country an incredibly expansive and non-monolithic, pluralistic way in which we express family. And the ways in which we choose oftentimes who is considered family, who we care for and who will care for us, it's not necessarily just on the terms of biology.

And so—and we believe that it is very important that we have a very inclusive definition of family to support all the ways in which we are caring for the people that we love in our lives and they are caring for us.

Mr. KHANNA. And has the lack of comprehensive paid family and medical leave programs disproportionately harmed trans women because of our exclusive definitions of family?

Ms. POO. Absolutely.

Chairwoman MALONEY. The gentleman's time has expired, but the gentlelady may answer the question.

Mr. KHANNA. Thank you.

Ms. POO. Absolutely. I think this is a moment to reset our definitions and our frameworks to be as inclusive as possible so that we leave no one behind in our economic recovery. As a group that represents domestic workers, a population of workers who was left out of the new deal explicitly excluded from the Nation Labor Relations Act and the Fair Labor Standards Act, we need to have a very close eye on who we may be excluding in our definitions of our economic

policy moving forward, because there are generational impacts and inequities that will continue if we do not do so.

Mr. KHANNA. Thank you.

Chairwoman MALONEY. OK. The gentleman's time has expired. And in the spirit of fairness, the gentleman from Wisconsin, Mr. Grothman, is recognized. He can yield some time to Mr. Fallon. Our parliamentarian ruled there was no violation of decorum, the mentioning of the name was addressing—addressed in the substance. They were discussing substance, not a personal attack.

I now yield to Mr. Grothman.

Mr. GROTHMAN. Right. And in the interest of fairness, I yield my first 30 seconds to Congressman Fallon's response to comments made earlier.

Mr. FALLON. Well, thank you, sir.

You know, our esteemed colleague, Mr. Connolly, took exception to my comments because of the history of sexism and discrimination in years past in these United States. He said that Ruth Bader Ginsburg entered the work force in 1959. My assertions and comments obviously would not have held true in 1959, but, sir, they do in America in 2021. The free market isn't perfect, but it's a whole world better than a regulated central planning.

I yield back. Thank you.

Chairwoman MALONEY. Mr. Grothman is recognized.

Mr. GROTHMAN. Thank you.

I'll begin with a question to Ms. Onwuka. I hope I got that right. Are you familiar with a Harvard study in 2018 comparing people in identical jobs, the Massachusetts Bay Transit Authority, in which men took 83 percent more overtime hours than women and took 48 percent fewer unpaid workers off?

Ms. ONWUKA. Congressman, yes, I am. I've read that study.

Mr. GROTHMAN. It's an illuminating study. And I know, you know, there are people are going to maybe hate some of the people who work there for the choices they make. But do you want to give us those numbers again and what we can learn from them?

Ms. ONWUKA. Well, I don't have it off the top of my head or in front of me, but just overall, some of the trends we saw, women tended to drive during daily—during the daytime rather than during the evening for their own security. Women chose to do longer trips rather than men doing shorter trips. And women just—you know, their choices around, you know, when they're working and the flexibility, they really scheduled it. They weren't working as much on the weekends and particularly overnight during those peak moments when obviously, for everyone who's ever taken Uber, you know, you can certainly earn a little bit more from all those partiers and club goers. So, you know, I think women are prioritizing flexibility, but also in that case, they're prioritizing their own safety and security.

Mr. GROTHMAN. Right. And men in that study, correct, took 83 percent of the overtime hours? So, whatever reason, both on the same job, men were more likely to grab overtime, right?

Ms. ONWUKA. Yes.

Mr. GROTHMAN. And so if we did a study of people in identical position, you know, riding the buses or subways or whatever we have in Massachusetts there, if you looked at that, you would say

we have a problem. Some people would say we have a problem there with men making more money than women, even though women had made that choice and men had made that choice. It seems like some of the other witnesses hate people for that, and it seems like they want to make it against the law to make those choices.

What do you think about the idea that, you know, it should almost be against the law or there's something horrible about women not wanting overtime? Should we have to force the women to take the overtime, or how should we have to deal with that?

Ms. ONWUKA. Well, frankly, I mean, I think it's paternalistic, frankly, to tell a woman what she should do, tell a woman what hours she should be driving. And just to clarify for a moment, I was thinking of a study related to women and men in the Uber driving, ride-sharing world, and you're referring to mass transit bus drivers. And I read that study as well, and I do think that there are some similarities, as you'd pointed out.

But just overall, I mean, I think what's important about where we are in 2021 is the fact that women have so many more choices than they did in 1963, 1964. And I think that's reflected in the growth of women entrepreneurs in this country. And so the idea we need to tell a woman what hours to work, to schedule her, or this idea that legislation, Federal legislation would somehow eliminate the pay gap overnight, whether that's gender-based pay gap, also layering on race and layering on gender identities, that's not going to happen because, again, individuals are sorting. Using economic terminology, they're sorting into the types of occupations they're interested in, and it's not just for pay, particularly for women. It could be flexibility. It could be fulfillment. And so, we have to respect the choices that women get to make. We should not be determining or telling them what choices they need to make.

Mr. GROTHMAN. Right. And it is apparent from some of the other witnesses we have today almost the hatred against a woman who wouldn't want to work the overtime. And, of course, that's a decision we all have to make to work 40 hours a week, to work 50 hours a week.

In the end, do you think maybe people, other witnesses up here, are going to have to work to the point where women are going to have no choice but to work overtime because they want in the future these studies to show men and women making identical amounts? Is that a danger out there?

Ms. ONWUKA. I would hope not. Perhaps it is a danger. I don't think so, because people are making choices for themselves. You know, I don't think that it's possible. What I do think you're going to see is that when corporations, for example, are penalized for some sort of pay gap that's based on these, you know, misleading statistics, these just raw numbers, they will make decisions, H.R. decisions to say, well, I'm not going to negotiate with you as an individual for what you want. I don't want to have the government come down on me and bring the hammer. So, we've got to be careful that Federal law does not backfire on women in the work force.

Mr. GROTHMAN. Right. I can see the day in which a company would say you've got to work overtime because I've got to make the form work out right for these diversity bureaucrats.

Thank you for your answers and thank you for giving me a couple extra seconds.

Ms. ONWUKA. Thank you.

Chairwoman MALONEY. Thank you.

The gentleman from Maryland, Mr. Raskin, is now recognized.

Mr. RASKIN. Thank you, Madam Chair.

Well, with that set of questions, I think we've arrived at an interesting place in the conversation. Everybody seems to agree that if a man and a woman are both doing the exact same job, and the woman is paid 20 percent less, it's against the law under the Equal Pay Act. And there are cases like that all the time.

But as one of our colleagues pointed out earlier, that may account for a small percentage, I think she said, 2 to 5 percent. I think it was 2 to 5 percent of the wage gap. So, really, when we talk about these dramatic differences in what women and men make, it has to do with structural inequality within the work force. And Mr. Grothman has just offered the theory in that last colloquy that this is all about the choices that women make, the flexibility that women want to have, the fulfillment choices they're making.

It is interesting that with millions and millions of people in the work force, the flexibility and fulfillment choices made by women always seem to end up with women making a lot less than men. It never randomly seems to work out the other way, that the fulfillment and flexibility choices men seek end up in men making less money.

But I want to go to some of the people who actually study this, and I'd like to ask Dr. Mason this question: If we've got structural discrimination, that there's certain sectors of the work force, like childcare, elder care, other caring professions that are systematically underpaid, and this is associated overwhelmingly with women being in those positions, would we say that that's the just the market operating or is there something that we can do about that if we're interested in actually rewarding women equally and empowering them?

Ms. MASON. So, one of the things I want to say is that if we were really, truly talking about a market operating the way that it should, then care workers, elder care workers would be making much, much more. But because the sector is dominated by women, wages are depressed. And so, this is not simply about the market doing its thing, because we know that in a market economy, women are disadvantaged because of historic, racial, and gender discrimination.

And when we talk about choices, it's also important to remember that for many women, these are constrained choices. These are not choices with the full range of options. Women perform 30 percent more care work compared to their male counterparts. So, when you talk about overtime and you talk about women making choice to have more flexibility, what we have to understand, for many women it's really not a choice. And when we factor in women's unpaid labor, we're talking about billion—billions of dollars each year that disappears, you know, into the economy because women are not being compensated or losing out—

Mr. RASKIN. I wanted to followup by going to Ai-jen Poo on the same question. You pointed out that when the National Labor Re-

lations Act was passed back in the 1930's, that domestic workers were specifically excluded from the ability to organize under the Wagner Act, just as farmworkers were also roped off. And there were clearly both racial and gender dimensions to those decisions by Congress.

To what extent did those legislative decisions end up affecting or depressing the wages and benefits that were earned by, in this case, domestic workers over the succeeding eight or nine decades? Does that explain one—is that one of the reasons why domestic work is so poorly compensated today?

Ms. POO. It absolutely is. In fact, the Fair Labor Standards Act that established the minimum wage also explicitly excluded both farmworkers and domestic workers. And those exclusions set the tone for the treatment of domestic work and care work and our law and policy for generations since.

Mr. RASKIN. So, what legislative changes are you fighting for now?

Ms. POO. We are currently fighting for a Domestic Worker Bill of Rights at the Federal level, legislation that is sponsored by Congresswoman Pramila Jayapal, and will be reintroduced in May. We are also fighting for a big investment in our care economy overall as part of our jobs and recovery plan.

And this is really important because we have been talking a lot about infrastructure investments and how important it is, bridge, bridges, tunnels, broadband, absolutely. And I would argue that care giving, childcare, paid leave, home-and community-based services for the elderly and people with disabilities, and the work force that supports those essential needs on the part of working families are essential infrastructure in order to enable our economic recovery and our ability to get back to work. Care jobs are job-enabling jobs.

Mr. RASKIN. Well, it sounds to me like the equal pay agenda you're describing is also a family values agenda because it's in an investment in the work force that cares for our families.

My time is up. And I thank you for your indulgence, Madam Chair. I yield back.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Illinois, Mr. Davis, is recognized for five minutes.

Ms. TLAIB. Congresswoman Tlaib is now recognized.

Ms. TLAIB. Thank you so much, Chairwoman. I really appreciate us doing this hearing. I think it's critically important, and I sincerely appreciate it.

I'd like to use my time today, though, to focus on our unique—the unique obstacles of many of my fellow women of color who must contend with systematic racism and sexism in particularly every aspect of their daily lives, which significantly impacts their access to education, housing, healthcare, and so much more.

For example, while Black and White women have fairly similar high school graduation rates, White women are about 10 percent more likely to be able to access higher education.

This March, Chairwoman, there was a study called Black Womenomics which found that this gap is the result of disparities in school funding and equality—a quality education, explicit and

implicit classroom biases, and access to fewer financial resources, again, not due to choice, but due to the systems that are in place that are holding back our Black women. And so, I ask unanimous consent to enter into the report the Goldman Sachs Black Womenomics study, if I may.

Chairwoman MALONEY. Without objection.

Ms. TLAI. This education gap which begins with access to early childhood education is one of the biggest reasons that women of color make less than both White men and women on average. And, in fact, this intensifies the existing historical barriers to home ownership, which is something that's critically important to address wealth generation—wealth gap generations among people of color across the country, as well as the impact of redlining in racially motivated policies.

Black households are still 15 percent less likely to own homes than our counterparts, even when controlling for like income or education, age, and household status.

So, Dr. Mason, for the benefit of everyone here, could you explain how home ownership gap impacts the ability of women of color and their families to be able to obtain wealth or economic stability in our country?

Ms. MASON. So, what we're talking about is communitive disadvantage, so what—and that just means the impact of historic policies that have discriminated against communities, particularly related to home ownership. So, like redlining, predatory lending practices, you know, not having access or earning wages to be able to afford for the down payment. All these things impact Black women and the Black community's ability to—for home ownership.

The other thing we have to know is that in 2008, for example, with the collapse, the previous economic recession, the foreclosure rate of Black women and Black families was extremely high, and that stripped whole communities—entire communities of wealth that they're never going to get back.

And in this moment during the pandemic, one of the things we did learn was that we needed to pause and have a foreclosure—excuse me—a moratorium on foreclosures and evictions. But what we don't know, for example, is the impact of those moratoriums once they are lifted. And what I'm—what I believe is that it will have a disproportionate impact on communities of color, homeowners of color, and will, once again, we'll see a stripping away of wealth.

Ms. TLAI. Thank you so much, Dr. Mason. You know, we know that women of color in our country are put at a huge disadvantage from the start because of various systematic racism and sexism structures, again, that have been set up to make it even more difficult for them to be able to thrive in our country. And I know, and I want to emphasize this, we don't need more studies to tell us that. We already have the data and the information.

What I do know is that as somebody that represents the third poorest congressional district, as somebody that has seen our state, the state of Michigan, lost more Black home ownership than any other state in the country, that we need to start looking at some of these structural changes, like the BOOST Act that would allow people that make less than \$100,000 to be able to get a tax credit directly and uplift about 45 percent of people out of poverty. We

need a living wage. We need to prioritize books in schools over bombs and submarines. You know, this is what we need to do is try to make sure that our budget is fitting those values and making it easier for every single person in our country to be able to access to thrive. These are the type of things that I know, we know, all of us know, that will help every single woman in our country.

And so I think it's very important as someone that is in this space, that I am bringing my own lived experiences, being a child of immigrant parents but also as a woman of Muslim faith, and in these spaces that I don't want to just be put in as a body to diversify the space. I also want to be able to help shape these policies, and I'm asking all of my colleagues to understand and listen. Listen to these lived experiences and understand what we're telling you is the truth. It is harder for women like us to be able to thrive in our country, and we need to change that.

And the reality is you all are deciding to silence us, to try to make us less credible in these spaces versus actually listening to us and making our country even better than it—you know, than it can because this type of racism and this time of silencing of women like us is not going to help us all thrive.

Thank you, and I yield.

Chairwoman MALONEY. Thank you. Thank you so much.

The gentleman from Illinois, Mr. Davis, you are now recognized. Mr. Davis.

Mr. DAVIS. Thank you, Madam Chairman. I want to thank you for this very informative hearing. And also, I want to thank all of the witnesses.

As a member of the Ways and Means Committee and as chairman of the Subcommittee on Worker and Family Support, I'm going to ask about the assistance programs that provide lifelines to low-income individuals and families. As women and women of color are overrepresented in the low-wage work force, access to these programs and the efficiency of them are particularly important.

The American Rescue Plan expanded the earned income tax credit and child tax credit so that more workers and families could benefit from them. The Center for Budget and Policy Priorities estimates that these policies will cut the poverty rate of Black children from 17.8 percent to 9.7 percent and the poverty rate of Latino children from 21.7 percent to 13.4 percent. Other studies have concluded that overall, child poverty could be cut in half. The Center has found that 497,000 personal healthcare workers and 474,000 childcare workers would benefit from the child tax credit expansion.

Ms. Poo, let me ask you, how is additional assistance for children important to strengthening the care industry infrastructure and supporting the workers in that industry? And should Congress consider structural changes that extend these policies beyond the duration of the coronavirus pandemic?

Ms. Poo, would you—thank you.

Ms. POO. Thank you, Congressman Davis, and I'm honored to have you as my Congressman. And I cannot overstate the essential nature of the measures to address child poverty and support our Nation's children that were a part of the American Rescue Plan. It is an absolute game changer.

If you take domestic workers who are providing care in our care economy as their profession, the majority of them are primary income earners for their families and the majority are also mothers of small children, and they will benefit from these temporary measures. What they've been given with the rescue plan is essentially a life preserver, and what they need is a boat and a path to reach the shore.

And though we do need to make these measures permanent, and we need to look at how we boldly invest in childcare, in paid leave, in home and community services, including the ability to raise the wages for the care work force so that we can sustain the workers who work in this economy.

There are high rates of turnover in the care work force because the wages are so low. We often lose some of our best caregivers to other low-wage service professions because they can earn a better—they can better make ends meet. There are massive labor shortages in home- and community-based services. People with disabilities and their families, older people are waiting for services, and we cannot offer them because there isn't enough funding in the system and because the workers are underpaid and cannot sustain doing this work.

So, there's a huge amount that we need to do in order to secure our care infrastructure to enable economic recovery, and the American Rescue Plan is a really important step. It really points the way forward for us.

Mr. DAVIS. Thank you so very much for your expert testimony.

And I want to thank all of the witnesses, Madam Chairman. And I appreciate the fact that this hearing demonstrates that we can't just deal with the pandemic in terms of a response, that we need cures that go far beyond the pandemic. And I trust that the Congress will understand that gaps in pay for women, the time has simply come where it can no longer exist.

And I yield back.

Chairwoman MALONEY. The gentleman yields back. Thank you very much.

The gentlelady from Florida, Ms. Wasserman Schultz, is now recognized.

Ms. Wasserman Schultz. Thank you, Madam Chair. Thank you, Madam Chair.

For many working mothers, the pandemic added new childcare demands that forced them to step back from the workplace, or really even leave it altogether. In fact, since the start of the pandemic, women saw a net loss of more than 5.4 million jobs. As many as one in four women reported becoming unemployed during the pandemic attributed it to a lack of childcare, according to one analysis. That was twice the rate reported by men.

Ms. Poo, how has the strain of childcare demands during the pandemic pushed working moms out of the workplace?

Ms. POO. Working moms in the pandemic were simply unable to manage the impossible choices before them, to figure out how to work and take care of their children who were home from day cares that were closed, schools that were closed, managing online learning while trying to work remotely, if that was an option for them, and it was simply too much to bear. And the truth is, is that our

lack of support for caregivers, for working moms, for family caregivers coming into the pandemic was already incredibly tenuous. It was already unsustainable.

What happened with the pandemic was essentially it made it completely untenable for huge numbers of women, especially women of color, and so it's the straw that broke the camel's back. And now we're back at 1988 levels of women's work force participation. We've got to address this if we are to recover from this pandemic.

Ms. Wasserman Schultz. There's no question about it. 1988 levels is the year I graduated from college, so that is basically my entire adult life. And I'm the founder of the informal "Moms in the House" caucus. We have a record number of women in Congress with school-aged children, and I'm concerned that if Congress fails to take bold action to address this, that we're going to have many more mothers that are permanently forced out of the workplace. So, thank you for your feedback.

Dr. Mason, what kind of barriers do mothers face when trying to reenter the labor force?

Ms. MASON. Well, what we know is that unless we're able to get the pandemic under control, which we're working really hard to do, and schools open and day cares open, women will not be able to reenter the work force in any significant way. And so, barriers that women face to reentering the work force is care—we've already talked a lot about that—but also the predictability of being able to search for a new job.

If you don't know when schools are going to reopen, if you don't have a date—available day care

[inaudible] you're on a wait list, it makes it really hard to predict or apply for jobs or accept a job because you just don't know. It's just so unpredictable.

The other barriers that women face it's the idea that there will not be a one-for-one recovery for those jobs that have been lost, so some women will have to enter new sectors all together. And so, there is a real need for education and training in this moment and making sure that women have the economic supports they need while they receive training and also so that they are able to take care of their families.

Ms. Wasserman Schultz. Thank you. Really, in order to get our Nation's economy back on track, we have to address America's childcare crisis as far as part of pandemic recovery. The American Rescue Plan, thankfully, made serious headway in easing the gap that our childcare infrastructure has by providing \$40 billion to help support families and providers. The historic expansion of the child tax credit helped so many low-income women and families that will finally be lifted out of the poverty and receive long overdue relief. But we have to gain a multipronged approach to support families so they can go back to work and send their children back to childcare.

One additional step is enacting the Childcare for Working Families Act, which I'm proud to have joined with Chairman Bobby Scott in introducing last Congress. And that would make childcare more affordable across the United States and foster the development of a more robust childcare work force.

I can tell you as a mother of three children who are well beyond childcare age now, the sticker shock that you face when you are trying to make sure that you can return to work and be able to afford the huge percentage of your income, particularly as a woman, that childcare usually costs is a massive obstacle. And so many families and couples have to decide whether it's worth it to actually have their—the mother usually go back to the labor force rather than stay home and not have that huge childcare bill eat into their overall income. So, thank you so much.

Madam Chair, thank you for doing this very important hearing today, and let's hope this is one of the last equal pay days.

Chairwoman MALONEY. Thank you.

The gentleman from Florida, Mr. Donalds, is recognized for five minutes. Mr. Donalds.

Mr. DONALDS. Thank you, Madam Chair.

Panelists, thank you so much for being here with us this morning. I want to get right to it. I don't want to get into a bunch of, you know, leading speeches. But, Ms. Onwuka, I've got a question for you.

You know, obviously the pandemic has created major issues for everybody across the country, including women. We've seen massive losses in jobs. We've seen communities shut down. We've seen schools close for far too long, quite frankly, which has actually led to a lot of families not being able to return to work or being put in a tough place with respect to are they going to, frankly, watch their kids at home or be able to rejoin the labor force. And these things have occurred for a multitude of reasons that go far beyond, you know, what my colleagues want to talk about, which is what they perceive to be discrimination against women.

My question for you specifically is, do you believe that pay gaps as they exist are based solely on sex discrimination or do you believe that there are other nuances that impact this?

Ms. ONWUKA. Congressman, thank you for your question. I absolutely do believe that the pay gap is driven by other factors. A number of controllable factors when you control for those things, everything from your occupation. We've heard about, you know, women not earning—dominating certain sectors and still not out earning men in those sectors that they dominate. Well, when you look at the distribution of where women are in those sectors in an occupation, for example, when you look at nursing, for example, male nurses earn more than 18 percent than female nurses. Why? Well, not surprisingly, they are in the better, higher paying specialties, they're working longer hours.

So, when we talk about all of these different factors—hours, occupation, time out of the work force—they all layer together to contribute to that pay gap. And I hope that comes across in today's discussion and it's not just all about the gender and even racial discrimination.

Mr. DONALDS. Let me ask you a followup question to that. Do you think that any of the new entitlements that, you know, were put into whatever that bill is we passed two weeks ago, the coronavirus bill, whatever they want to call it, do you think that any of those new entitlements are actually, you know, ease these burdens or do you think it's just going to paper over the burdens

that already exist and the disparities that already exist based upon the other factors that you cited?

Ms. ONWUKA. Well, I think certain people will absolutely feel a little bit more in their pockets if they are already receiving those entitlements. But when you're talking about individuals who, you know, are not direct beneficiaries, they want to get back to work. They're not interested in necessarily, you know, becoming dependent on government entitlements. They're looking for, you know, an open economy in their state and their city that allows them to regain the work force, whether you're talking about a service—a person in the service industry, whether you're talking about someone in the hotel industry.

While we appreciate direct targeted aid, which it's questionable if the recent package was, but that's temporary. What we need is a robust economy that generates opportunities of different kinds that meets the unique interest and situations of certain people. Not everybody wants to work a 40-hour week. Not everyone wants to work in a physical location. Some people want to work from home. Some people don't even want to be employees, and they're not interested in unionization either. So, I think we need an economy that generates those types of opportunities, a breadth of them.

Mr. DONALDS. Thank you for that.

In the rest of my time what I would state is that, like I said, the pandemic has been something that's been highly impactful to all people in our country, all socioeconomic levels of our country. But let's be very clear: If the local school is closed and your kids are school age, like my children are, it makes a major impact into what happens into the working lives of the families that have to care for those kids. I've heard that from members of my own community, my constituency, where it's real issues about can the kids go back to school. That has major impacts.

I would also say that what we're also witnessing, as destructive as the pandemic has been to the economic lives of so many Americans, including women, especially women of color, is that the economy's also transforming. We are seeing that a lot of companies are now deciding to go to hybrid schedules and hybrid calendars.

We are seeing that there are companies who are trying to think about are they actually going to continue having office hours for 40 hours a week or more, because they've realized that they've not missed a beat through the pandemic in the white collar professions. And so I think what we're going to see through the free market is a move that gives more people the flexibility to continue to grow—to go up the economic ladder in spite of the family decisions that exist, in spite of some of the cultural issues and community issues that do exist.

So, with that, I'll yield back the rest of my time. But I will say I'm not sure that Federal legislation is necessary to do what the free market is going to take care of on its own, like it typically does.

I yield back.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Vermont, Mr. Welch, is now recognized. Mr. Welch.

Mr. WELCH. Thank you very much. I appreciate it.

First of all, I want to really thank the witnesses, who I think have been incredibly helpful in their clarity on this really important issue. And it seems to me there's really two things that have come out here. One is that there is unequal pay, obviously. And No. 2, that it's not just about a choice, and it's not even just about employers who want to pay as low as they can. That's not necessarily the case. It's a question of what the choices are that are realistically available to women who bear the major responsibility of childcare and home care.

And I want to ask Dr. Mason whether—in Vermont, we have 91 percent—we have the closest men and women getting equal pay. It's 91 percent for women, and that adds up to \$5,000 a year on our average wages, which is real money. But in the pandemic, we've had many more women who have left the labor force and not been able to come back, and particularly women who have childcare responsibilities with children.

So, what I'd like you to do is answer some of these questions that have been raised, mostly from my Republican colleagues, about the choice and this question of how is it possible for a person to have choice if their options are limited because of inadequate day care or family leave or other things that should be, in my view, governmental policies?

Dr. Mason?

Ms. MASON. Yes. So, I think you're absolutely right, Congressman Welch. These are constrained choices. They're not true choices. They are limited choices that women have.

During the pandemic—I am, you know, a single mom. I work 40 to 50 hours a week, and also responsible for home schooling my children. I feel very fortunate to be able to work from home—

Mr. WELCH. By the way, interrupt, God bless you that you've managed to do that. You have got a job.

Ms. MASON. You know, but the truth of the matter is, is that this burden, this—and I don't want to call it a burden, but this experience right now in the pandemic, it is the experience that many women have been, you know, juggling before the pandemic, and [inaudible] responsibility has only increased during the pandemic.

And so, again, women spend 30 percent more care—you know, have 30 percent more care-taking responsibilities in their families compared to men. And so, when schools close, day cares close, the expectation is that women will take on that additional work and burden. And because of the pay gap, when families are making decisions about who should leave and who should stay in the work force, if they have a two-person income household, it's the person who makes the least. But that's not fair. It's a choice that women and families shouldn't have to make.

Mr. WELCH. Thank you. Thank you. You know, in Vermont, we are having a real debate in the state legislature about paid family leave, and one of the concerns that's raised by business is who's going to pay for it. I think that's a legitimate concern. But the private market is not going to pay for it, and that seems to be a theme on some of my colleagues on the other side that leave this to the market, but, in fact, the market doesn't pay for elementary education.

You know, we've made certain decisions as a society that should be socialized about provision, public education. Obviously, the defense of our country.

Is paid family leave something—I'll ask Ms. Poo—that should, in fact, be socialized, if we took a step toward that with the provisions that were in the American rescue package?

Ms. POO. I believe absolutely it should. I am a believer that when the market can solve a problem, it should. And when it can't, the government—that is the role of government. And when we have collective shared needs that are about the fundamental health and well-being of society and our families, we have to ensure that these challenges get solved.

And all of us working have families, and most children are growing up in households—70 percent of kids in this country are growing up in households where all the adults in the household work outside of the home. So, in that instance, we need to invest as a government in our caregiving programs and policies in a totally different way for the 21st century.

Mr. WELCH. Thank you very much. My time is expired.

I yield back.

Chairwoman MALONEY. The gentleman yields back.

The gentleman from Georgia, Mr. Johnson, is now recognized. Mr. Johnson.

Mr. JOHNSON. I thank the chair for holding this hearing. And I appreciate the testimony from today's witnesses.

To quote sociologist Jessica Calarco, quote: "Other countries have social safety nets. The U.S. has women," end quote.

Here on Equal Pay Day, I'm particularly concerned about the consequences of the gender pay gap for working mothers and families and the continued discrimination against women who are also mothers.

Now, Ms. Onwuka, I appreciate your testimony today. You've stated that mothers make less than fathers because mothers favor time off, whereas, men don't take time off. And that time off makes women happy and feel a sense of fulfillment, and men get their kicks by doing overtime, pretty much is what you're saying.

Ms. Jabola-Carolus, can you respond to that notion, please?

Well, if Ms. Carolus is not available, how about you—

Ms. JABOLA-CAROLUS. I'm here. Would you—

Mr. JOHNSON. OK, please.

Ms. JABOLA-CAROLUS. For one clarification, would you just repeat that part about her point?

Mr. JOHNSON. Well, yes. You making me spend my time now.

Ms. JABOLA-CAROLUS. Sorry.

Mr. JOHNSON. All right. But, look, Ms. Onwuka is saying that women like to take time off because, you know, it's a matter of choice for them and they prefer to take care of their children; whereas, husbands tend to not take time off because they want to make some overtime.

What is your response to that?

Ms. JABOLA-CAROLUS. Well, choice requires power, and women are under an incredible amount of constraint to fulfill their gender norm role to serve the family, to sacrifice themselves, and often-times they're not making as much money anyway compared to if

they have a male partner in the relationship. And so, it's just logical, it's rational under these constraints to do that. It's not because it's a personal preference or it's advantageous necessarily.

Mr. JOHNSON. So, all of that nonsense about fulfillment and sense of happiness and having to do this, you would not agree with that, correct?

Ms. JABOLA-CAROLUS. I would not agree with it as—

Mr. JOHNSON. OK. And let me move to my next person. Thank you.

Ms. JABOLA-CAROLUS. Thank you.

Mr. JOHNSON. Ms. Onwuka, do you know who Lilly Ledbetter is?

Ms. ONWUKA. Congressman, yes. And I would like to respond to your mischaracterization, if possible, of what I said.

Mr. JOHNSON. And you're familiar with the fact that Ms. Lilly Ledbetter was working at a Goodyear plant down in Alabama. She was an area supervisor. There were 15 males doing the same job as she. She had more seniority than anybody, and she made thousands of dollars less than what her male counterparts were making.

Do you think that's fair?

Ms. ONWUKA. Sir, I'm not going to go back and talk about Lilly Ledbetter, because I understand there is Federal law—

Mr. JOHNSON. OK. Well, then let me ask you this question. Do you think that there should be Federal law that guarantees that women performing the same work as men receive equal pay as men?

Ms. ONWUKA. I believe we have that law, those laws on the books, sir.

Mr. JOHNSON. Well, why would this happen to Ms. Lilly Ledbetter?

Ms. ONWUKA. Because, in practice, different companies do different things, which—

Mr. JOHNSON. Was it the free markets that caused that to happen or was it government that caused Ms. Lilly Ledbetter to not be paid equal pay for equal work?

Ms. ONWUKA. Well, you know, it's unfortunate that there are people who harbor discrimination potentially, and thank goodness that we have the law that provides us with means of redress to adjudicate those issues.

And, by the way, some of the data that I was referring to earlier, sir—would you allow me to respond?

Mr. JOHNSON. Shouldn't there be Federal laws—well, yes, I'd like for you to respond to my question. Shouldn't there be Federal laws to protect women to ensure that they receive equal pay for equal work?

Ms. ONWUKA. And, sir, I've responded that we have Federal law that ensures that you cannot be paid differently based on gender discrimination.

Mr. JOHNSON. Why does this keep happening then?

Ms. ONWUKA. Please repeat your question.

Mr. JOHNSON. Why does this keep happening?

Ms. ONWUKA. Well, you know, I think we need to empower women, No. 1, to seek redress when they are not compensated the way that they should be. We have an entire Federal agency that

does that. And then we also need to talk about education. And I appreciate and agree with a lot of my colleagues that, yes, education is willful for many women, particularly kids that look like you and me. And that's why I advocate for school choice, so that they can get out of the failing public school system and into maybe other options that would give them an advantage and an opportunity and expand their horizons and open them to different ways of earning greater potential.

Mr. JOHNSON. So, we should let the free markets take over our public-school system.

And with that, I yield back. Thank you.

Chairwoman MALONEY. The gentleman yields back.

The gentlelady from California, Ms. Porter, is recognized for five minutes.

Ms. PORTER. Thank you very much.

Dr. MASON, I wanted to talk to you about policies that harm women, specifically that hurt single mothers. The American Rescue Plan expands the child tax credit, correct?

Ms. MASON. Yes, that is correct.

Ms. PORTER. And how much does it increase the credit by?

Ms. MASON. It increases the credit by \$3,600 for children under the age of 6 and \$3,000 for others, for other ages.

Ms. PORTER. Yes. And it would lift about 4.1 million children above the poverty line, cutting the number of children in poverty by more than 40 percent. That's a conservative estimate. Is that right?

Ms. MASON. That is right.

Ms. PORTER. But the tax credit, the child tax credit, has two different income cutoffs, right? One for married couples and one for heads of household.

Ms. MASON. Uh-huh. Right.

Ms. PORTER. And who typically files as heads of households? How do single parents of young children typically file? What is their tax status?

Ms. MASON. Single mothers have—single mothers are more likely to file as heads of households.

Ms. PORTER. Heads of household?

Ms. MASON. Yes.

Ms. PORTER. Heads of households have a different cutoff for the child tax credit than married couples who have children?

Ms. MASON. Yes. That's right.

Ms. PORTER. So, I want to break this down. A single parent making more than \$112,500 a year starts to lose the child tax credit; whereas, a child in a married couple doesn't start to lose that credit until their combined income is more than \$150,000. Is that correct?

Ms. MASON. That is correct.

Ms. PORTER. So, to quote a law review article, *Beyond Head of Household: Rethinking the Taxation of Single Parents*, this discrepancy—quote: This discrepancy means that unmarried parents with the same income receive a smaller credit per child than do married parents with income in the same range.

Is the cost of food for the single parent's child any less? Do children in single parent families eat less?

Ms. MASON. No.

Ms. PORTER. How about the cost of school supplies, uniforms, books, is there a discount for single parents?

Ms. MASON. No. I wish there was, in fact.

Ms. PORTER. Me too. And most importantly, would the cost of childcare be any less for the child of the single parent?

Ms. MASON. No. In fact, it consumes more of single parent's income.

Ms. PORTER. Because they don't have anybody else to take care of the child. If they were going to work, they need to have childcare that covers the full hours that they're working. So, and yet the tax credit treats that family differently. I'd like to call this the single parent penalty, but it's really the child in a single parent household penalty. The person hurt here is the child. And because we penalize single parents, we penalize their children. I think this is an outdated backward policy that needs to change.

Dr. Mason, one final question, would fixing this penalty, bringing these two different kinds of families, both with children and the cost of raising a child born equally among them, would it help women and children? Would it help bring women into the work force? How would it help support our economic recovery, if it would?

Ms. MASON. So, first of all, there's no reason for this discrepancy in terms of phasing out for single parents. And it would definitely help go a long way toward helping us to rebuild our economy, supporting those women who have been most disproportionately impacted in this moment. Women who are primary wage earners in their families. It would definitely help to bring more women back into the work force.

And I have to point out that this is direct money into the pockets of working women and families, and what we have to know is since 1996, the social safety net has all but disappeared, and less than three percent of families receive any kind of cash assistance. So, this is a moment where we can't afford to be making these arbitrary cuts and decisions about who should be receiving support and care.

Ms. PORTER. Absolutely. I agree. I think the time to get rid of this differential treatment for children depending on what kind of family they live in is long overdue. The result here is we're penalizing children rather than helping children in all families equally. So, I strongly support removing the single parent penalty and making sure that we're helping every single child get that benefit.

You know, it's interesting, Dr. Mason, I have asked the Ways and Means Committee, I've asked the Joint Committee on Taxation, I've asked on the Senate Finance side, I've—someone put this question to Jared Bernstein at the Council of Economic Advisers, and not one person has been able to give me a justification for why we discriminate against children in single-family households this way. And I think it starts, for me, to be reminiscent of long-standing efforts in the tax policy to control families and define what is a good and worthy family.

With that, I yield back.

Chairwoman MALONEY. The gentlelady yields back.

The gentlewoman from California, Ms. Speier, is recognized for five minutes.

Ms. SPEIER. Madam Chair, thank you so much for holding this hearing today on Equal Pay Day.

You know, there's that old adage, you can put lipstick on a pig, but it's still a pig. And I think the script that my colleagues on the other side of the aisle are reading from is one that is, in all respects, probably laughable. Because for those of us who have been single parents, as Ms. Porter has just pointed out, there is great discrepancy in the law as to how those children are treated.

Let me ask Ms. Onwuka, who are the biggest donors to—I presume you're from a nonprofit. Is that correct?

Ms. ONWUKA. Yes, Congresswoman.

Ms. SPEIER. And who are your biggest donors to your nonprofit?

Ms. ONWUKA. I actually don't know. I just know that we are supported by many Americans across the country who believe in what we're talking about and what we're fighting for.

Ms. SPEIER. You're the director, so how would you not know?

Ms. ONWUKA. I'm the director of the Center for Economic Opportunity, which is going to be launching within the next two weeks, but I'm not the executive or the president of this organization.

Ms. SPEIER. And who is?

Ms. ONWUKA. I think that was misstated earlier in the introductions.

Ms. SPEIER. And who is?

Ms. ONWUKA. That's Carrie Lukas.

Ms. SPEIER. OK. All right. I think it's really important for us to know where the funding comes from those who speak to us on both sides of the aisle.

Let me move forward. My colleagues across the aisle like to argue that the gender wage gap calculated by data from the Census Bureau is a myth or a fairy tale concocted by the liberal media. They argue that the \$10,000 difference between men's and women's earnings is due to women's choices. I mean, it's so offensive to me to hear that, as if being pushed out of your job because of a lack of paid leave or reasonable pregnancy accommodation or sexual harassment is somehow a meaningful choice.

I'd like to remind my colleagues that the wage gap persists regardless of industry, occupation, or educational level. In fact, across all industries, women are paid less than men. Women are even paid less than men with lower levels of education. Among full-time, year-round workers, women with associate degrees are paid less than men with high school diplomas, and women with master's degrees are paid less than men with bachelor's degrees.

One prominent study that looked at the causes of wage gap examined factors such as occupation, industry, education, union status, region, and race found that 38 percent of the wage gap was still unexplained and could be attributed to discrimination. That's why the Paycheck Fairness Act is something that we are supportive, because the Equal Pay Act has no teeth. Ask the late Ruth Bader Ginsburg about that.

Dr. Mason and Ms. Poo, what impacts does a lack of paid family leave and affordable childcare have on the gender wage gap? Is it fair to blame the wage gap on women's choices?

Ms. POO. Well, I will say that two-thirds of all minimum wage workers are women, and they do not have flexibility. They do not even have the ability to take time off from work to get a vaccine in a pandemic. So, this is not about a lot of choices that women have. And I have not met any women in my 25 years of organizing women in the low-wage economy who would say that working a minimum wage job with no safety net, benefits, paid time off, or access to even job security was a choice of theirs. So, I will say that.

And I will say that we have this incredible opportunity in this moment as we've seen what has happened to women in this pandemic absent a real safety net and a real care infrastructure in this country, the incredible dangers of it, to women and to children and all of us and the economy. We have this incredible opportunity to transform that, to invest boldly in the ability of families to work and care for their kids at the same time, and we have to do that because 60 percent of the American work force earns less than \$50,000 per year.

The average cost of childcare is \$9,000 per year and the average cost of a private room in a nursing home is more than \$90,000 per year. The number—

Ms. SPEIER. Thank you. I'd like to make sure Ms. Mason has a chance to respond as well. Thank you.

Ms. MASON. I would like to echo everything that Ai-jen Poo just said and said that this is the moment for us to really think about a robust care infrastructure that is able to meet the needs of family. As we mentioned earlier in the hearing, families and women can spend up to 30 percent or more of their income on care, and there is an absolute need for paid sick leave, both at the Federal and state level. There is a role for the private sector to play in the absence of these Federal and state regulation and laws. So, there's so much work to be done.

And, again, we have done a really great job at articulating the pay gap, and I think we have a number of things on the table and in the legislatures to help us to close it.

Ms. SPEIER. Thank you. My time's expired.

I yield back.

Chairwoman MALONEY. The gentlelady yields back.

The gentlelady from Illinois, Ms. Kelly, is now recognized. Ms. Kelly.

Ms. KELLY. Thank you, Madam Chair.

Gender inequality is not only a pressing moral and social issue, but also, as you know, a critical economic challenge. If women who account for half the country's working age population do not achieve their full economic potential, the Nation's economy will suffer. A McKinsey Global Institute report finds that \$12 trillion could be added to global GDP by 2025 by advancing women's equality. The public, private, and social sectors will all need to act to close gender gaps and work in society.

In my hometown, a report prepared by the Chicago Foundation for Women found that if Chicago were to

[inaudible] make a best in class standards of gender parity, it would grow the regions gross domestic product by 58 billion.

[inaudible] Out of 25 people that worked out of a place, I had the most experience and the most education and I got paid the least. So, I have experienced this myself.

So, to begin to close the gender wage gap, women need updated, comprehensive equal pay legislation, such as the Paycheck Fairness Act, that will strengthen existing protection

[inaudible] policies are also essential to truly

[inaudible] and multi-faceted gender-based wage gap so that all women proportionally

[inaudible] assume much of the caregiving responsibilities in their family are not unfairly disadvantaged, but taking time to address their

[inaudible] needs. Just like right now, you know, instead of saying

[inaudible]

Chairwoman MALONEY. We're having some technical difficulties with Ms. Kelly. We can come back to her.

The gentleman from Maryland is recognized, Mr. Sarbanes, while we work on her technicality problems. Mr. Sarbanes.

Mr. SARBANES. Yes. Thank you very much, Madam Chair. I want to thank the panelists who are joining us today.

Throughout this coronavirus pandemic, as we know, we've been relying extremely heavily on frontline workers to help us keep food on our tables, to continue to provide essential medical care for ourselves, for our loved ones, and to maintain essential services in the communities. So, we owe a huge debt of gratitude to grocery store clerks, hospital workers, long-term care aides, other essential workers that have helped to guide us through this pandemic.

We know that women are overrepresented as a share of frontline employees. The statistics are pretty significant. Two-thirds of grocery store workers are female, as are 8 in 10 retail workers at other essential businesses. Women comprise three-quarters of hospital workers and more than 80 percent of long-term care staff.

Even as they've been asked to shoulder the risks and burdens associated with the pandemic, the majority of frontline workers have continued to be paid low wages and are granted few workplace protections.

Dr. Mason, are women on the front lines of the pandemic earning less than their male counterparts? Can you speak to that?

Ms. MASON. So, are women earning less than men in these essential jobs, as you call them? So, you just stated that women are overrepresented in the sector, but even in instances—in some instances where women are overrepresented, men still out earn women in these sectors. What's really important to know is that, not only are these lower wage, lower paying jobs, but these are also jobs with few benefits, no time off, no healthcare, and so it really exacerbated the economic precarity that women were facing, you know, when the pandemic hit.

And so, when we look across who's been most impacted in this moment, it is these lower wage workers and women of color specifically. And, again, when we think about recovery, it's really important to target our policy strategies, even our infrastructure bills around those who've been most impacted in this moment. And, again, it's women and women of color.

Mr. SARBANES. I appreciate that. That gets to the structural dimension of this that was being discussed by some of my colleagues earlier. It seems that however you want to slice or dice or frame the work force, you will discover that there is this inequity in pay that cannot be justified by any particular lens you would put on it, other than the fact that people are not getting equal pay for equal work.

And you touched on the fact that frontline workers are less likely to have access to paid sick or family leave. They're less likely to be able to telework. They have fewer workplace protections. So, you're layering on top of this wage gap and pay gap all of these other additional burdens, which often disproportionately impact women in the work force, which creates that significant burden.

Ms. Jabola-Carolus, as your report notes, many public sector workers are women of color. Can you speak briefly about how the pandemic has impacted the health and economic security of these women? And then as we recover from the pandemic, how can we best support women working in both the public and private sectors?

Obviously, a lot of attention to workers in certain jobs because of the pandemic, the test for the Nation as public policymakers is whether we learn those lessons, carry them forward, and build a different kind of economy on the other side of the pandemic. So, if you could speak to that briefly, I'd appreciate it.

Ms. JABOLA-CAROLUS. Thank you. You're absolutely correct that certain sectors were in overdrive, particularly the public sector, when we were characterizing, you know, the economic outlook as a shutdown. And in the public sector, it's really important for government to lead and be an example of what these rights should look like, but we've still seen a very punishing impact on women. You know, there have been telework policies that are overtly sexist, that prohibit caregiving and telework that caused confusion in Hawaii and needed to be corrected in quick time. And that's one of the things that we've seen is this hesitancy to go against productivity and use excuses like productivity and liability to not create a more flexible structure in government at the local level.

So, we're seeking those things currently in Hawaii, but, absolutely, public sector workers have not been exempt from this, and particularly women have been suffering.

Mr. SARBANES. Thank you. I yield back.

Chairwoman MALONEY. Ms. Kelly, have you corrected your audio now? Ms. Kelly? There appears to be difficulty.

We are now going to the gentlelady from New York. Ms. Ocasio-Cortez is now recognized.

Ms. KELLY. Do I sound better? It's hard for me to tell.

Ms. OCASIO-CORTEZ. Are we through? Are we going back to Ms. Kelly? OK.

Chairwoman MALONEY. Ms. Ocasio-Cortez, you're now recognized.

Ms. OCASIO-CORTEZ. Thank you so much, Madam Chairwoman.

Ms. Jabola-Carolus, I was wondering if we could dive into a little bit a lot of the unrecognized but very real work that's been happening, especially during the pandemic, especially that's been borne by women and caregivers in general. I was wondering if you

could kind of talk to us a little bit about that. What have been some of the expansions and increases in work that women have increasingly been bearing and creating and undergoing throughout the pandemic? How is it being undervalued and underrecognized, and also, how is it critical to us keeping our economy going? And I was wondering if you could kind of set the stage for us to kind of discuss about how we are not recognizing some of the critical work that's happening in our economy that's critical to its functioning.

Ms. JABOLA-CAROLUS. Thank you for that question. Women are absolutely the scaffold of the economy, and mothers in particular. You know, we are born into a society that is profoundly patriarchal, and so motherhood is almost totally invisible. I didn't even notice it until it happened to me, quite frankly. And the amount of work, the grueling work that is shrouded as love is painful to experience because it is so demanding and requires so much sacrifice. And during the COVID-19 pandemic, you know, we've seen this being put on women, and because women already make lower wages, you know, it's logical for them to be the one to take the hit and exit the workplace. I ask myself every day whether I should quit my job, and I am the executive director of the Commission on Women.

So, rather than throw statistics at you, I would just share what we've been hearing from our community, which is just overwhelming mental health stress from women who are taking on these burdens. The exodus from the workplace is true, even though it's being denied and cast as voluntary. And we will see the impact of this in the data shortly, I'm sure, but that is what I can share with you from Hawaii.

Ms. OCASIO-CORTEZ. First of all, thank you. Thank you for sharing that.

And one of the questions that I've kind of been asking is, how do we better recognize this work through policy, compensate for it? And do programs like Medicare for All and guaranteed childcare, healthcare, et cetera, does this go some of the way in helping recognize this work, alleviate for it? And also, what are some real policy initiatives that we should be looking at to actually formally recognize, potentially compensate in one way or another for this kind of work, and make being a mother a realistic possibility that doesn't come at the expense of women's well-being mentally or physically in a disproportionate way?

Ms. JABOLA-CAROLUS. The United States has a lot of catch-up to do. There are countries around the world that provide pensions for housewives. These are the things that we should absolutely make fundamental as part of the recovery and before, right. But for me, I think, and for our plan, it was really important to go beyond just compensation. We really want equal leisure time. We want that labor to be able to be just love. We want shared responsibilities rather than it just having to be on us, so a paycheck will not be enough for that.

So, I think that, you know, Medicare for All, Medicaid for all, childcare, universal childcare, no means testing, just free and available to everyone, these types of things will allow women to really

be free from the demands that are put on them to sacrifice themselves for our economy.

Ms. OCASIO-CORTEZ. And you bring up a point that I think is so important, which is leisure time. You know, I think in our society, especially in U.S., an American society, it's almost seen as sinful. And I was wondering if you could expound on that and how this is actually important, critical, and element that should be afforded to all of us. I was wondering if you could expound on that aspect of things a little bit because it's so rarely named and even discussed in public policy.

Ms. JABOLA-CAROLUS. Yes. And I think it's really important in terms of reordering the economy around, you know, endless growth and consumption and extraction is reducing work time, valuing the time that we have to be in relationship with each other. And so if we can move in that direction, which is already in vogue in other countries to reduce work hours, those things should just be fundamental to us because, you know, if the economy is not creating well-being, what is the justification for it anyway.

Ms. OCASIO-CORTEZ. Thank you.

Ms. JABOLA-CAROLUS. Thank you.

Chairwoman MALONEY. The gentlelady yields back.

The gentlewoman from Michigan, Mrs. Lawrence, is now recognized. Mrs. Lawrence.

Mrs. LAWRENCE. Thank you so much, Madam Chair, and I want to thank you for having this very timely and important discussion.

As the co-chair of the Democratic Women's committee, we have been working very hard on supporting bills that will bring our economy back, and it's critical for us that all women have the opportunity to thrive. For example, the Paycheck Fairness Act takes us closer to closing the gender pay gap, and the FAMILY Act established a comprehensive national family leave program, and the Child Care for Working Families increased affordable childcare.

Dr. Mason, how can these pieces of legislation ensure that when we bring this economy back, that it's an equitable, economic recovery for women, and particularly women of color? And while I'm there, I also want to ask you about the generational impact of what we do in America by having this big pay gap for women and Black women, particularly, generation after generation? Thank you.

Ms. MASON. So, these bundle of policies that you just mentioned and the ones like the Domestic Workers Bill of Rights and, you know, thinking about universal childcare, these bundle policies are really important to our short-term recovery but also women's long-term economic security, well-being, and stability.

For far too long, women have been struggling to make ends meet. These systems have been broken for so long, and so we have an opportunity, again, once-in-a-generation opportunity, at least not seen in my lifetime, to create and build a more equitable economy that works for everyone, not just business owners and entrepreneurs, but women and families, women workers who are the backbones of the economy, women are the economy.

And so recognizing that for women of color, and Black women specifically, making sure that, you know, the ways in which they're overrepresented in the service sector and lower wage jobs, women of color, in general, Black women specifically, and so making sure

that those jobs are quality jobs, jobs that have security, benefits, and so that, you know, women are able to take care of their families. And, again, righting some of the historic wrongs, like home ownership, looking at other things that we know will make the difference in women's long-term economic security.

Mrs. LAWRENCE. Thank you.

And, Ms. Carolus, if you could comment on the generational impact of this crisis that I feel we have in America with gender inequality.

Ms. JABOLA-CAROLUS. Thank you for the question. Well, I'm coming from Hawaii into this conversation, and gender equality was forced from women by the United States, and that's an important history that we need to remember and need to resolve. And it's our responsibility to use that as a frame. And I think that if we are not able to reallocate power to women and leave them to the devices of, you know, this recovery, then that will be less power for each subsequent generation.

And so, it's really leveraging this moment to create these structural changes that we've been waiting for for so long and fighting for for so long and advocating for for so long, and so this is the moment to do that. We can't even risk entertaining what the consequences will be down the line.

Mrs. LAWRENCE. I just want to say thank you again to our chair. And this is an opportunity that we have where the intersection of generational wealth, generational opportunities that we can make a difference. I want to thank everyone that's here, and we need to continue to keep our voices raised.

And thank you so much. And I'll yield back.

Chairwoman MALONEY. The gentlelady yields back.

The gentleman from Kentucky, Mr. Comer, is now recognized. Mr. Comer.

Mr. COMER. Thank you, Madam Chair.

As I said in my opening statement, women were making huge gains in the American work force prior to the pandemic. In January 2020, for the second time in history, women outnumbered men in the U.S. paid work force. Women outnumbered men in earning college degrees. But when the pandemic hit, the Nation shut down, women have been most adversely affected.

Ms. Onwuka, can you explain why women have lost more jobs than men since last February?

Ms. ONWUKA. Thank you, Ranking Member. Yes. Women tend to be aggregated in the service industry, in the leisure—in any areas that have not surprisingly been hit tremendously hard by coronavirus closures—restaurants, bars, working in the travel industry. So, when you are a hotel worker and there are no travelers, then you are out of work. And so, it's not surprising that we've seen over 2 million, going on 3 million, women leave the work force, and particularly even women who are moms who have children under 18 years old. You've seen them leave the work force, unfortunately, because for many of them, they have to balance, you know, virtual school and ensuring that their kids' education and their household chores, you know, everything is taken care of. And it's unfortunate, but I'm hopeful that as the economies, particularly the state and

local levels continue to reopen, that you'll see women begin to reenter the work force.

Mr. COMER. That leads me to my next question. What can we do in Congress to ensure that women reenter the work force as quickly as possible?

Ms. ONWUKA. Well, there are some things that you can do and not do. One is not in pass legislation that would, unfortunately, remove flexible work opportunities for women. There is a bill pending, it's been passed by the House, unfortunately, the Protecting the Right to Organize Act, or the PRO Act, that has tucked in there a piece of remeasure that would inevitably reclassify millions of workers across the country from being independent contractors to employees.

We've seen in California some more legislation passed and it, unfortunately, hit many women who are choosing to be independent contractors, small business owners. They're not employees, not W-2 employees, but, you know, they're 1099 workers and they enjoy that flexibility. And so I think at the Federal level, we've got to be careful about legislation that would make it difficult for, you know, workers who may be in those industries that are going to start to reopen to be able to have that independent work/contract work available to them.

Mr. COMER. That's a great point. I couldn't agree more. This committee, the Republican members anyway on this committee, have been very vocal about reopening our schools. And one of the things that I would like to point out in this hearing is that, obviously, when you have virtual learning, it's not the same quality as the in-person learning. And could you touch on the fact that, you know, we've affected, in my opinion, future female leaders, because our schools have been shut down over the past year, especially in the bigger cities where the teachers' unions are more prevalent and more adverse to keeping the schools shut down? Could you touch upon that?

Ms. ONWUKA. Absolutely. I mean, I think there is a dearth of data that looks at the educational attainment levels of young-of-children, how they're doing because of the coronavirus pandemic, being out of schools. And it's not surprisingly that you have many American kids who have fallen behind, and for Black and Brown children, they have fallen far behind, and it's going to be difficult for them to catch up.

So, I think it is important that American children are able to be back in the classroom. I hesitate to say that virtual learning is all bad, because I think it's how different school systems have implemented virtual learning and virtual education that has made some of the difference. I mean, there's certainly been online schools that have been tremendously successful. So, you know, I think we want to ensure that our kids are learning in the best environments possible. And when you look at measures, not just about their educational attainment, but also their mental and emotional health, we see that a lot of students are struggling.

And so, I do think it's important that our lawmakers make it a priority and that our school systems make it a priority to reopen, to reopen safely, and they can do so. We've seen it in the private sector, and we've seen it in other countries.

Mr. COMER. Absolutely. Just a couple more things real quick. My time's running out. There's been a lot of discussion today, obviously, about how achieving equal salaries between men and women will prove we've been successful in closing the pay gap. Do you think that's true?

Ms. ONWUKA. I don't. I mean, I think from a broader perspective, I'm about ensuring everyone has equal opportunities, not just equal—not just looking at it from a wage gap or raw data perspective, because I think that we want to ensure every woman has the opportunities, has the choices that are best for them, and those low-earning women are able to move up the economic scale and economic ladder and I don't think there's been enough discussion about how we do that. Not just supporting them at a level of basic needs, but how do we give people a pathway forward and a path up the economic ladder to really achieve their American dream.

Mr. COMER. And, Madam Chair, last question, because I think this is very important to the purpose of this hearing.

What's the best way to gauge workplace equity—or workplace equality rather? Yes, sorry.

Ms. ONWUKA. I mean, I think—

Mr. COMER. How do we gauge that?

Ms. ONWUKA. I think you have, you know, research agencies or institutes like Pew that looks at—it actually asks people, you know, how are they doing in the workplace? Are they getting the salaries or are they getting the flexibility, whatever it is that they value most, are they able to achieve that? And as we measure that, I think that tells us more about the health of the American worker than just a raw average, you know, gap that is not even apples-to-apples comparison.

Mr. COMER. Thank you very much, Madam Chair. I yield back.

Chairwoman MALONEY. And the gentleman from California, Mr. DeSaulnier, is now recognized. Mr. DeSaulnier.

Mr. DESAULNIER. Thank you, Madam Chair. Thank you for this very, very important hearing.

Dr. Mason, I wanted to ask you two questions, two areas of questions. In this historic period of, unfortunately, inequality where access to capital and savings is so disproportionate, it's more disproportionate than any other time in our history when you measure the percentage of capital in our GDP versus wages.

So, we know from your work and others that this inequality is particularly difficult for women and women of color. I think your research says that the median savings for a single White American woman is \$15,000; for a Hispanic/Latino single woman, it's \$200; and for an African-American single woman, it's a hundred dollars.

So, we know wages, if you don't have enough in wages in addition to high cost areas, like the one I live in in San Francisco where transportation, housing costs are so—such a challenge that all of this compresses the opportunity.

So, that's one response that I'd like you to tell me about is this problem with getting access to capital, particularly in a country where access to capital, if you have a lot of money, America's not a bad place to live right now. And the Trump tax cuts, 90 percent of the benefit of that went to people who make over \$500,000 a year who are predominantly White. So, there's that.

And the second one that always troubles me is, I don't think Americans realize with the advent of two incomes in the work force from households, and America was a leader in this, we didn't provide the infrastructure to help with that. The employers got most of the benefit. And I think of reading the book *Perfect Madness* in 2004 by Judith Warner, and rereading that, and just being shocked at her experience and her research when she moved from Washington and then went to Europe and saw what they had done providing universal quality childcare, access to transportation, and those things.

So, those two areas, I'd really like to hear your response. And that's for Dr. Mason.

Ms. MASON. Sorry. So, the No. 1 barrier to escaping poverty is poverty, and that includes low wages, housing insecurity, food insecurity, and all those things have been exacerbated, you know, during the pandemic. And what we have also seen during the pandemic is that people who were doing well before the pandemic are doing extremely well right now. And women—and people who were struggling are sinking. And so, wages have not kept pace with inflation and, again, workers are the ones that are disproportionately suffering.

When we looked at—we just did a recent survey, speaking of surveys, and we found that women do want the government to play an active role in ensuring pay equity and passing policies that are fair and equitable. And we also learned, through the survey, is that most women in their savings and checking account have less than a thousand dollars in both accounts and 15 percent of women had less than \$400.

So, when we look at inequality, we have to understand that this is historic, this is compounded, and it's cumulative. And we actually in this moment need clear structural and institutional changes to make sure that we can build a more equitable and fair economy.

Mr. DESAULNIER. And then to followup the *Perfect Madness* question. Just what the rest of the industrialized world has done to help women, knowing that our issues around women of color are even worse.

Ms. MASON. Yes, sir.

Mr. DESAULNIER. I don't think Americans realize how far behind we are.

Ms. MASON. We are really far behind. In fact, when we think about our care policies, the U.S. spends less than one percent of its GDP on family and care policies. We're only above Ireland and—excuse me—Ireland and Turkey. And if we had labor force participations, you know, as high as Denmark for women, we would see \$16 billion added to the GDP.

So, we have clear decisions to make. And this is not about, you know, whether it's a hoax or not. These are the facts on the ground, and we need to make and take this opportunity to correct some of the issues that we've been raising during this hearing.

Mr. DESAULNIER. Thank you, Doctor. Thank you for all your work in this field. It's really important. And I do think the competitive advantage that I hear from a lot of my friends across the aisle in terms of global economy is one that is missing as well for the morality of what we need to do in this country and the acknowledg-

ment of the historic and implicit biases and prejudice. The only way for us to fix this is to acknowledge that, and then pursue policies that other countries have that put them at a competitive advantage over us. Thank you.

I yield back the balance of my time.

Chairwoman MALONEY. Vice Chair Gomez is now recognized.

Mr. GOMEZ. Thank you, Madam Chair.

I've heard almost everything in this committee. When I started, my colleagues on the other side of the aisle, the Republicans, would say that climate change didn't exist. Last year, the beginning of the pandemic, they were trying to make arguments and convince Dr. Fauci that COVID-19 wasn't as deadly as just the normal flu. Yes, that sounds—as preposterous as that sounds, that's the argument that they were making just last year, and now we have 530,000 Americans who have died of COVID-19. On an average year, anywhere from 30-to 60,000 Americans die from the flu. But they were making that argument.

And now, the argument we're hearing is that they're trying to make the argument that the gender pay gap doesn't exist, and if it does, it's really small, and if it does exist, it's because women made certain choices, certain choices. And I want to be very, very clear for everyone out there. Until there is a choice that a man can have babies and women don't have to have the babies, then there's no real choice at all, right. At all. So, this is something that they're trying to convince people is that these choices have led to this decision. I think it is completely preposterous.

Also, women have been fighting to create equal pay and equal benefits and to have the same kind of status in their employment as men for decades. I used to work for a nurse's association, the United Nurses Association of California. They formed in 1972. And the reason why they formed is because the doctors had healthcare benefits and dental benefits and they did not. Nurses that worked for Kaiser did not have dental benefits back in 1972. Simple things like that that right now would be like, duh, but those disparities existed. And then even if you look at different programs out there, you see those disparities.

Also, my colleagues, they talk about how they want flexibility. People want flexibility. Why does only flexibility matter when it comes to a woman and not a man? Nobody ever asks the man, hey, do you want flexibility so you can take time off to care—take care of a sick family member or a child? Nobody asks the man that. But it—when it comes to women, that's the one factor that they care most about, which is preposterous, right.

Because we've seen that when we give choices, even in California where we expanded paid family leave, that women take it at a higher rate than men. I'm proud to say that men are starting to take it more and more and more, which is great, but it's still the caregiving. When somebody gets sick, it is women that take that burden, so you take them out of the work force. So, it is preposterous.

And then when they had a chance to help millions of women by raising the minimum wage, they voted in masse against it. Against it, right. So, when my mother was working four or five jobs a week, it wasn't much of a choice because we were struggling on a hun-

dred percent of her salary to make ends meet, to put food on the table and a roof over our head. So, this whole red herring that it's a choice is just BS, right. BS.

So, I know the benefits of a strong paid family leave program. It can be tremendous, but how do we actually do it in a way that is equitable? How do we do it in a way that benefits everybody? That's something that I've learned here in California. We need to make sure that they have job protection below—for smaller employees. They need to have—make sure that they can return to their job. They have also wage replacement that is sufficient for a worker to take that time off. And then, at the same time, we want to make sure that they also know about the program. That's one of the things that we need to do.

So, I just want to say, I want to thank all the witnesses here today. Equal pay for equal work is still a real thing. I believe everybody asked the questions on paid family leave, but we need to make sure that we have a robust paid family leave protection, we implement laws that also don't discriminate against individuals who took lower-paying jobs in the past. Like not revealing your salary data from previous employers makes a difference, because often women and people of color often get, I don't want to say screwed, but they get screwed when it comes to that first job out of college, right, and then that sets the scale for how they get raises in the future. There's so many different things than policy.

I want to say thank you for attending, and this was—I'm glad we had this hearing, but there's—my colleagues on the other side of the aisle need to see the light when it comes to a lot of these issues, including the gender pay equity gap. Thank you so much.

And I yield back to the chair.

Chairwoman MALONEY. The gentleman yields back.

And, without objection, the following items supporting legislative proposals to close the gender pay gap will be entered into the record: A report from the TIME'S UP Foundation entitled, "It's Time to Care"; a letter from the National Partnership for Women and Families; a statement by Professor Julie Suk; a report from IWPR submitted by Dr. C. Nicole Mason.

Before we close, I'd like to offer the ranking member an opportunity to offer any closing remarks that he may have.

Ranking Member Comer, you are now recognized. Mr. Comer.

Mr. COMER. Thank you, Madam Chair.

And, again, we want to thank all the witnesses for being here today. And, certainly, I think the one thing that we all agree on is that women should receive the same amount of pay as men for the same type of work and the same type of work product. The question is, who determines what equal pay is? Who determines what the same amount of work is? These are the questions that we've tried to ask. These are the problems with the bill. These are the concerns that people in the private sector have.

You know, I like to point out that I was Commissioner of Agriculture for four years. I led an agency of probably, on average, 275 employees. The three highest employees in my agency were females. They were non-merit employees that I hired. I have a congressional office, what do we have, 14 employees. My two highest

paid employees are female. That's not because they're female; it's because they're the best employees.

And I have a private sector business. My highest paid employee is a female, not, again, because the government told me to, not because that's the law, because I want the best employees. And I think that in the private sector, supply and demand usually plays out with credible companies that want to hire the best people.

I think we live in a new normal because of COVID. I think there's going to be more work from home. I think this is a situation that's going to create opportunities for some. And I'm more than willing to work with the committee on solutions moving forward, but I do think that this was a productive hearing.

I congratulate you all on having some great witnesses. We're proud of our witness too and look forward to, hopefully, future hearings on things like border security because we have a crisis at the border. Hopefully, if these schools aren't reopened in some of these bigger cities, that we'll have hearings to discuss the science of that. And I think that we have a lot of great opportunities moving forward, Madam Chair. With that, I yield back.

Chairwoman MALONEY. Thank you. The gentleman yields back.

I now recognize myself for a closing statement.

We've heard some sobering testimony today from a truly impressive and diverse group of women. I applaud their hard work and continued fight for equality. We know that the pay gap exists. We know that it impacts women over their entire lifetimes, resulting in older women being the largest segment of poverty in our country.

We know the coronavirus pandemic is hitting women the hardest, precisely because we have not addressed these systemic inequalities. Let's not wait until the next crisis hits to act. Let's get at the root of the problem now, for ourselves, for our mothers, our daughters, our sisters, our neighbors, and for those who are suffering much more than we can ever, ever imagine.

I have seen so much progress for women during my lifetime and my tenure in Congress, but we still have a far, long road to go. Let this be the last equal pay day we ever have to commemorate, because hardworking people of all genders deserve to be fairly compensated for their work.

In closing, I want to thank our panelists for their remarks, and I want to commend my colleagues for participating so strongly in this important conversation.

With that and, without objection, all members have 5 legislative days within which to submit additional written questions for the witnesses to the chair which will be forwarded to the witnesses for their response. I ask our witnesses to please respond as promptly as you can.

This hearing is adjourned.

[Whereupon, at 12:44 p.m., the committee was adjourned.]

