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Mr. HIGGINS of New York changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks on H. Res. 798.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 15, 2020, at 11:18 a.m.:

That the Senate passed S. 2547.

With best wishes, I am,
Sincerely,

CHERYL L. JOHNSON.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the Committee on Financial Services. It has been an honor to serve in this capacity.

Sincerely,

REP. PETER T. KING,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Homeland Security. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Education and Labor:

HOUSE OF REPRESENTATIVES,
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Education and Labor. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT

GENERAL LEAVE

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and insert extraneous material on H.R. 1230, the Protecting Older Workers Against Discrimination Act.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 790 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1230.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read for the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor.

The gentleman from Virginia (Mr. SCOTT), and the gentlewoman from North Carolina (Ms. FOXX) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of H.R. 1230, the Protecting Older Workers Against Discrimination Act, or POWADA.

I want to thank my colleagues, particularly the gentleman from Wisconsin (Mr. SENSENBRENNER), for working to pass this bipartisan proposal to restore workplace protections for older workers.

In 1967, Congress passed the Age Discrimination in Employment Act, or ADEA, which recognizes the Federal Government’s role in preventing older workers from being forced out of jobs or denied work opportunities because of their age.

Importantly, the ADEA was enforced using an evidentiary standard that gave older workers a fair shot at holding employers accountable for age discrimination. Under this standard, workers seeking to challenge age discrimination in employment only had to prove that age was a motivating factor or one of many motivating factors behind an employer’s discriminatory action.

For decades, this mixed-motive standard was consistent with the evidentiary standard in title VII of the Civil Rights Act of 1964, which covers claims of unlawful discrimination on the basis of race, sex, national origin, or religion.

Unfortunately, in 2009, in the Gross v. FBL Financial Services case, the Supreme Court upended decades of precedent, significantly raising the burden of proof for older workers.

In its 5-to-4 decision, the Court held that plaintiffs must prove that age was the decisive and determinative motivating factor for the employer’s conduct. Under this altered framework, older workers cannot prevail unless they can show that the adverse action would not have occurred but for the employee’s age.

This higher threshold not only makes it harder for workers who have suffered