

**ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE**

The SPEAKER pro tempore (Mr. BONILLA). Earlier the Chair had announced that one-minute speeches would be limited to 10 Members per side prior to business. However, there has been a misunderstanding, apparently, and in light of that, the Chair will recognize two additional speakers on each side.

**THE PRESIDENT'S TAX CUT**

(Mr. THOMPSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of California. Mr. Speaker, Americans deserve a tax cut, but they also deserve a Congress that carefully considers and balances all of our budget priorities, including Social Security, Medicare and debt reduction. Tomorrow we will vote on the first part of the President's tax cut proposal. This vote will be premature. The administration is not submitting the details of the budget until spring. Congress has yet to debate and adopt a budget resolution. Without a budget framework, we are forging into the great unknown. It is bad public policy and it is political hocus-pocus to pass any bill costing this much without first having a budget. Some are urging quick action in order to give the economy a boost. However, the economic prosperity of recent years has been due in part to fiscally conservative policies that, coupled with the hard work of the American people, turned deficits into surpluses and reduced our debt.

I agree that taxpayers should benefit from the budget surplus, and I will support a tax cut but one that is fair and one that we can afford. We need to be fiscally responsible and we need a bipartisan budget before we can consider any specific spending measures or cuts. The American people deserve no less.

□ 1030

**EVEN CBO SAYS IT WOULD NOT  
BET ON ITS OWN BUDGET NUMBERS**

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, introducing a trillion dollar tax bill without a budget framework is like going to the racetrack and putting all your money on the long shot. The leaders of this House only win their wager if the Congressional Budget Office's surplus projections are accurate for the next 10 years, but even CBO says it would not bet on its own budget numbers. CBO says its surplus estimate for the next year has a 50 percent chance of being wrong by more than \$97 billion. For

years 6 through 10, CBO says the odds are even longer. This is a big problem, because two-thirds of the \$5.6 trillion surplus are supposed to materialize in years 6 through 10.

Mr. Speaker, almost 20 years ago Congress made another gamble on the projected budget surpluses and it lost. That is exactly the way then-Senate Majority Leader Howard Baker described the 1981 tax cut. He called it a riverboat gamble.

We lost enough money on that bet. Let us pass a budget resolution before we take up tax and spending bills.

**EASING REGULATORY BURDENS  
AND LOWERING TAXES CREATES  
MORE FREEDOM FOR THE AMERICAN PEOPLE**

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, these are interesting times. We are going to have a good battle and discussion on things that conservatives have fought for for many years: Easing the regulatory burdens, lowering taxes. Although some of my friends on the other side seem to be frustrated with this, it should come as no surprise; easing regulatory burdens, lowering taxes creates more freedom for the American people.

I will stand on the side of freedom and individual responsibility and individual initiative every day of the week. It is a sound foundation. It is solid ground.

Let me address the issue of 10-year projections. I used to be a schoolteacher. Everybody does long-term projections. Corporate entities do long-term projections. To base a debate on the ability of not taking into account long-term projections does not understand the real world in corporate America or local taxing districts.

I look forward to having these votes. I look forward to providing more freedom to the American people.

**REQUEST FOR ADDITIONAL ONE  
MINUTES**

Mr. STENHOLM. Mr. Speaker, I ask unanimous consent that in light of the misunderstanding that occurred regarding the number of one minutes, that any additional Members on either side that wish to deliver one minutes might be able to do so.

The SPEAKER pro tempore (Mr. BONILLA). The Chair appreciates the sentiment of the gentleman from Texas (Mr. STENHOLM), but the Chair has already tried to exercise a little flexibility in light of the misunderstanding this morning. The Chair does not recognize for that unanimous consent request at this time.

**PARLIAMENTARY INQUIRY**

Mr. STENHOLM. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas (Mr. STENHOLM) will state his parliamentary inquiry.

Mr. STENHOLM. If we all understand, both sides of the aisle, the procedures of the day in which it was announced there would be unlimited one minutes, under what procedure is this able to be changed?

The SPEAKER pro tempore. The Chair announced earlier that there would initially be ten Members per side recognized. Precedents under clause 2 of rule XVII commit that matter of recognition entirely to the discretion of the Chair. Again, the Chair tried to exercise some flexibility in light of the miscommunication.

**THE JOURNAL**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STENHOLM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 337, nays 72, answered "present" 1, not voting 22, as follows:

[Roll No. 28]  
YEAS—337

Abercrombie	Brown (SC)	Culberson
Akin	Bryant	Cummings
Andrews	Burton	Cunningham
Army	Buyer	Davis (CA)
Bachus	Callahan	Davis (FL)
Baker	Calvert	Davis (IL)
Baldacci	Camp	Davis, Jo Ann
Baldwin	Cannon	Davis, Tom
Ballenger	Cantor	Deal
Barcia	Capito	DeGette
Barr	Capps	Delahunt
Barrett	Cardin	DeLay
Bartlett	Carson (IN)	DeMint
Barton	Carson (OK)	Deutsch
Bass	Castle	Dingell
Bentsen	Chabot	Doggett
Bereuter	Chambliss	Dooley
Berkley	Clayton	Doolittle
Berman	Clement	Doyle
Biggert	Clyburn	Dreier
Blagojevich	Coble	Duncan
Blumenauer	Collins	Dunn
Blunt	Combest	Edwards
Boehlert	Conyers	Ehlers
Boehner	Cooksey	Ehrlich
Bonilla	Cox	Emerson
Bono	Coyne	Engel
Boswell	Cramer	Eshoo
Boyd	Crenshaw	Etheridge
Brady (TX)	Crowley	Evans
Brown (FL)	Cubin	Everett

Fattah	Lampson	Reyes
Ferguson	Lantos	Reynolds
Flake	Largent	Rivers
Fletcher	Latham	Rodriguez
Foley	LaTourrette	Romer
Fossella	Leach	Rogers (KY)
Frank	Lee	Rogers (MI)
Frelinghuysen	Levin	Rohrabacher
Galleghy	Lewis (KY)	Ros-Lehtinen
Ganske	Linder	Ross
Gekas	Lipinski	Rothman
Gibbons	Lofgren	Roybal-Allard
Gilchrest	Lowey	Royce
Gillmor	Lucas (KY)	Rush
Gilman	Lucas (OK)	Ryan (WI)
Goode	Luther	Ryun (KS)
Goodlatte	Maloney (NY)	Sanchez
Gordon	Manzullo	Sawyer
Goss	Markey	Saxton
Graham	Mascara	Scarborough
Granger	Matheson	Schiff
Graves	Matsui	Schrock
Green (WI)	McCarthy (MO)	Sensenbrenner
Greenwood	McCarthy (NY)	Serrano
Grucci	McCollum	Sessions
Hall (OH)	McHugh	Shadegg
Hall (TX)	McInnis	Shaw
Hansen	McIntyre	Shays
Harman	McKeon	Sherman
Hart	McKinney	Sherwood
Hastings (WA)	Meeck (FL)	Shimkus
Hayes	Meecks (NY)	Simmons
Hayworth	Mica	Simpson
Hefley	Millender-	Sisisky
Heger	McDonald	Skeen
Hilleary	Miller (FL)	Skelton
Hinojosa	Miller, Gary	Smith (MI)
Hobson	Mink	Smith (NJ)
Hoefel	Mollohan	Smith (TX)
Hoekstra	Moran (KS)	Smith (WA)
Holden	Moran (VA)	Snyder
Honda	Morella	Solis
Hooley	Murtha	Souder
Horn	Myrick	Spence
Hostettler	Nadler	Spratt
Houghton	Napolitano	Stearns
Hoyer	Neal	Stump
Hutchinson	Nethercutt	Sununu
Hyde	Ney	Tanner
Inslee	Northup	Tauscher
Isakson	Norwood	Tauzin
Israel	Nussle	Taylor (NC)
Issa	Obey	Terry
Istook	Ortiz	Thomas
Jackson (IL)	Osborne	Thornberry
Jackson-Lee	Ose	Thune
(TX)	Otter	Thurman
Jefferson	Owens	Tiahrt
Jenkins	Oxley	Tiberi
John	Pascrell	Tierney
Johnson (CT)	Pastor	Toomey
Johnson (IL)	Paul	Towns
Johnson, E. B.	Payne	Traficant
Johnson, Sam	Pelosi	Turner
Jones (NC)	Pence	Upton
Kanjorski	Peterson (PA)	Vitter
Kaptur	Petri	Walden
Keller	Phelps	Wamp
Kelly	Pickering	Watkins
Kennedy (MN)	Pitts	Watts (OK)
Kennedy (RI)	Platts	Weldon (FL)
Kerns	Pombo	Weldon (PA)
Kildee	Pomeroy	Wexler
Kilpatrick	Portman	Whitfield
Kind (WI)	Price (NC)	Wicker
King (NY)	Pryce (OH)	Wilson
Kingston	Putnam	Wolf
Kirk	Quinn	Woolsey
Kleczka	Radanovich	Wu
Knochenberg	Rahall	Wynn
Kolbe	Regula	Young (AK)
LaHood	Rehberg	Young (FL)

## NAYS—72

Aderholt	Costello	Gonzalez
Allen	Crane	Green (TX)
Baca	DeFazio	Gutierrez
Baird	DeLauro	Gutknecht
Berry	Dicks	Hastings (FL)
Bonior	English	Hill
Borski	Farr	Hilliard
Brady (PA)	Filner	Holt
Brown (OH)	Ford	Hulshof
Clay	Frost	Jones (OH)
Condit	Gephardt	Kucinich

LaFalce	Oberstar	Strickland
Langevin	Olver	Sweeney
Larsen (WA)	Pallone	Taylor (MS)
Larson (CT)	Peterson (MN)	Thompson (CA)
Lewis (GA)	Ramstad	Thompson (MS)
LoBiondo	Riley	Udall (CO)
McDermott	Sabo	Udall (NM)
McGovern	Sandlin	Velázquez
McNulty	Schaffer	Visclosky
Meehan	Schakowsky	Waters
Menendez	Scott	Watt (NC)
Miller, George	Stark	Weiner
Moore	Stenholm	Weller

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—22

Ackerman	Hinchev	Sanders
Becerra	Hunter	Shows
Bilirakis	Lewis (CA)	Slaughter
Bishop	Maloney (CT)	Stupak
Boucher	McCrery	Walsh
Burr	Moakley	Waxman
Capuano	Rangel	
Diaz-Balart	Roukema	

## □ 1057

Ms. VELÁZQUEZ and Mr. LANGEVIN changed their vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 28 I was inadvertently detained. Had I been present, I would have voted "yea."

Stated against:

Mr. CAPUANO. Mr. Speaker, today I was engaged in questions with the Department of Health and Human Services Secretary Tommy Thompson during a hearing of the Budget Committee and was therefore unable to cast a vote on rollcall 28. Had I been present, I would have voted in the following manner: "Nay" on rollcall 28.

PROVIDING FOR CONSIDERATION OF S.J. RES. 6, DISAPPROVING DEPARTMENT OF LABOR RULE RELATING TO ERGONOMICS

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 79 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 79

*Resolved*, That upon receipt of a message from the Senate transmitting the joint resolution (S.J. Res. 6) providing for congressional disapproval of the rule submitted by the Department of Labor under chapter 8 of title 5, United States Code, relating to ergonomics, it shall be in order without intervention of any point of order to consider the joint resolution in the House. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the cus-

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

Mr. Speaker, House Resolution 79 is a closed rule providing for consideration of S.J. Res. 6. This bill provides for congressional disapproval of the rule submitted by the Department of Labor relating to ergonomics.

Mr. Speaker, H. Res. 79 provides for 1 hour of debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule also waives all points of order against consideration of S.J. Res. 6 in the House. Finally, the rule provides for one motion to recommit with or without instructions, as is the right of the minority.

Mr. Speaker, the ergonomics rule finalized by OSHA on November 14, 2000 is fatally flawed. This unworkable rule would require employers to implement a full blown, company-wide ergonomics program based on the report of just one injury by one employee.

## □ 1100

The ergonomic symptom need not even be caused by work activity, as long as work activities aggravate it. Under this rule, employers could end up responsible for workers' injuries sustained on the softball field.

This regulation also undermines State workers' compensation laws by creating a Federal workers' compensation system for musculoskeletal disorders. The parallel workers' compensation system mandated by OSHA for ergonomics injuries tramples on the State's ability to define what constitutes a work-related injury.

It is important to understand that disapproving this regulation would not permit the Department of Labor from revisiting ergonomics. Secretary Chao has stated that she intends to pursue a comprehensive approach to ergonomics, including new rulemaking that addresses the fatal flaws in the current standard.

The Congressional Review Act was made for regulations like the Department of Labor's ergonomics rule. This overly burdensome and impractical ergonomics standard was imposed by the Clinton administration as part of the same pattern of regulatory overreach that held employers responsible for unsafe conditions in telecommuters' home offices. By disapproving the ergonomics standard, Congress can support the voluntary efforts of employers who have made real reductions in ergonomics injuries and allow OSHA to focus on developing reasonable and workable ergonomics protections for the workplace.

Mr. Speaker, some of my colleagues on the other side of the aisle will no