

That was a projection that did not come true. My concern is that these projections, these economic projections, may also not materialize just like the snow did not. If that happens, we are going to be in deficit mode again. We owe it to our children, we have placed a \$5.7 trillion mortgage on their future, to start to pay down our debt and live within our means.

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 race-track 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 school-teacher. 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 flexi-

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

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

NAYS—72

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

LaFalce	Oberstar	Strickland
Langevin	Oliver	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	Velazquez
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 customary 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 doubt insist that the rule does not allow for sufficient time for debate. In fact, the question before us is straightforward. Does OSHA's ergonomics rule overly constrain employers without