

E PLURIBUS UNUM

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, what a wonderful country that we live in. It is wonderful because we have come—maybe some because of the Statue of Liberty's wonderful words or others who have come in different ways, we are different, but we are one.

Tonight in his message, wouldn't it be well to focus on our unity and not our divisiveness?

Since the election, there have been 1,000 hate crimes. And, of course, in the last 72 hours to last week, two Indo Americans—Indians—engineers, one dead, one shot. And the perpetrator indicated in his words: I shot two Middle Easterners.

What kind of hate is being generated?

It has been generated, and it needs to cease. We need to have a speech tonight that will speak to the unity, speak against anti-Semitism and the attacks that are going on the Jewish community. We need to recognize the distinctions and the differences. We need to stop the siege against Hispanics, mass deportation, African-American discrimination and others, women and many others.

This needs to be a time of unity, respect, and dignity. I will be waiting to hear and to see what kind of America are we going to be guided by and what kind of America will we live in?

I hope for the best.

ACCESS TO QUALITY HEALTH CARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, health care is important to every family in America. The Affordable Care Act increased access to health care for about 20 million Americans.

Is the Affordable Care Act perfect?

No bill that has ever been debated on this floor and passed is perfect.

Let's make our goal not to have anyone who received access to health care to lose it. We need to make it better and to guarantee access to quality health care for all Americans. America can do better.

PRESIDENT TRUMP NEEDS TO WORK WITH ALL PEOPLE

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

Mr. ENGEL. Mr. Speaker, I have long prided myself on working across the aisle to get things done for my constituents and all the American people. That is what the American people want: a government that grapples with tough issues in a constructive way.

Unfortunately, since January 20, the new administration has shown no interest in working with the Congress on both sides to tackle problems, including Russia's unlawful interference in last year's election. That is why I decided not to stand on the aisle in the House Chamber to shake the President's hand during the joint session of Congress, as I have done in the past through Democratic and Republican administrations alike. This will be the first time during my 29 years in this House I have made this decision.

I have deep respect for the Presidency, and I will attend the joint session, but that respect between the branches must be mutual. The President has attacked the free press by calling it the enemy of the people. He has rejected America's traditional role welcoming refugees who have helped to make our country great. He has cozied up to Vladimir Putin, the strongman who attacks our democracy. He has moved to gut the Affordable Care Act. He has looked the other way when threats against the Jewish community have increased in the recent year.

This isn't part of our normal political discourse. This goes beyond ideological and political differences. The President needs to work with all people. Therefore, I will listen to what he has to say today, but I will not greet him and shake his hand.

□ 1215

PROVIDING FOR CONSIDERATION OF H.R. 998, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 83, DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 150 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 150

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 998) to provide for the establishment of a process for the review of rules and sets of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be

considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 150, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 998, the SCRUB Act, and H.J. Res. 83, a resolution disapproving a Department of Labor rule relating to employee recordkeeping.

The rule provides for 1 hour of debate for each piece of legislation, equally divided between the chairman and ranking member of the Committee on Oversight and Government Reform and the

chairman and ranking member of the Education and the Workforce Committee. The rule also provides for a motion to recommit for both pieces of underlying legislation. Additionally, the rule makes in order 12 amendments—11 from our friends across the aisle—to the SCRUB Act.

Yesterday, the Rules Committee had the opportunity to hear from Chairman CHAFFETZ and Congressman CARTWRIGHT on behalf of the Oversight and Government Reform Committee, and Congressmen BYRNE and COURTNEY on behalf of the Education and the Workforce Committee.

Both pieces of legislation before us today take steps to remove unnecessary burdens that the government has levied on hardworking Americans from coast to coast. The regulatory burden in this country is staggering. In fact, the Code of Federal Regulations spans more than 178,000 pages and contains more than 1 million regulatory restrictions.

Let's let that sink in for just a moment, Mr. Speaker. Let's think about that for a second. 178,000 pages and over 1 million regulatory restrictions. An average of nearly 12,000 new restrictions are added each year.

Let me be clear. Some regulations are necessary. They are completely what we need to have. I don't believe that all regulation is bad. So before we go down that path, let me just say that this is a fact, and we can continue this.

I believe we need clean air, clean water, smart standards for how we handle nuclear energy, and worker protections, just to name a few. I also believe that we have allowed the regulatory scheme to run amok. Congress has ceded power to agencies, which have implemented more and more regulations, oftentimes with less and less benefit to Americans.

Far too many regulations offer our citizens minimal benefits at confounding cost. Taxpayers and businesses alike are withering under regulations that are outdated, irrelevant, and nonsensical.

Do we really need a regulation to mandate what kind of latch a baker uses on a flour bin? Do we really want to tell people that their dishwashers are forbidden to use enough water to actually clean their dishes, forcing them to wash their dishes twice rather than it actually conserving water?

Unfortunately, these stories aren't works of fiction. They are real regulations put in place by Federal agencies. We have to take steps to restore common sense to the regulatory process and clean up the regulation roster.

It is time we identify and abolish those regulations that are pointless, those that prevent people from doing their jobs, and those that are inefficient and ineffective. The SCRUB Act, Mr. Speaker, takes steps to do just that and contributes to our efforts to rein in overregulation.

The SCRUB Act, introduced by my friend from Missouri, Congressman

JASON SMITH, establishes a bipartisan Retrospective Regulatory Review Commission to identify unnecessary rules that are hindering economic growth. The commission will then identify which rules need to be repealed immediately and which ones can be addressed by more flexible procedures outlined in the legislation.

The commission will report these findings to Congress, and Congress can then vote on these recommendations and take steps either to begin immediately repealing regulations or implementing a CutGo process.

Importantly, the commission created by the SCRUB Act will also ensure that redundant regulations from different agencies will be reviewed. Currently, agencies implement their directives absent a systemwide view, meaning that overlapping and even conflicting regulations are enacted far too often.

From conversations with my constituents in northeast Georgia, I have witnessed how overregulation is stifling growth in our communities. The remedy for this economic anemia is to get unnecessary regulations off the books and, instead, focus on enforcing regulations that are actually achieving benefits for our neighbors.

The second piece of legislation that this rule provides for also returns us to reasonable policies that reinstate the spirit of the law. H.J. Res. 83, introduced by my fellow Rules Committee member, Congressman BYRNE from Alabama, utilizes the Congressional Review Act to overturn a rule from the Occupational Safety and Health Administration, or OSHA.

Worker protections are critically important, yet they lose their purpose when they fail to protect workers and jobs effectively. Too often, OSHA forgets that mission, and the rule we are talking about today is the latest example of misguided regulatory zeal.

In the waning days of the previous administration, OSHA put forth a final rule implementing punitive standards on employers, a move that contradicts the underlying statute. Under the law, employers are required to record and maintain logs of workplace injuries and illnesses that occur during a 5-year period; however, the employers can only be cited for recordkeeping violations within a 6-month time period.

Now, think about what was just said here. They have to keep it for 5 years, but they can only be cited for violations within a 6-month time period.

This arrangement is constructive. Logs should be kept up to date so that businesses can make informed decisions about health and safety in the workplace. This requirement encourages businesses to improve safety measures in a timely manner. However, the previous administration decided to rewrite the law through regulation in a way that penalizes and burdens small businesses without achieving meaningful benefit. OSHA finalized a rule that would extend the threat of penalty for recordkeeping violations up to 5 years.

Aside from ignoring existing law and court decisions that directly contradict this new regulation, OSHA has chosen to punish small businesses for paperwork violations rather than focusing resources on improving worker safety.

We can agree that keeping our workplaces safe is nonnegotiable, but OSHA has repeatedly overstepped its mission in order to collect fines and apply oppressive rules at the expense of opportunities to cultivate healthier working conditions. It is time to bring this regulatory mischief to an end, which is why I am glad to see this resolution of disapproval to overturn the most recent OSHA overstep.

Mr. Speaker, both the SCRUB Act and the resolution of disapproval provided for by this rule take commonsense steps to unlock the regulatory shackles Federal agencies have put on our economy and taxpayers.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia, my friend, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise to debate the rule for consideration. As my friend across the aisle has already noted, this rule bundles together two unrelated pieces of legislation. We are developing a pattern here of doing that in the Rules Committee.

The first of these is H.J. Res. 83, a Congressional Review Act resolution of disapproval that seeks to overturn a Department of Labor rule on workplace injuries, undermining workplace safety and health in the process.

The second measure is H.R. 998, the SCRUB Act, which establishes a new commission to review Federal regulations with the aim of needlessly politicizing and, thereby, undermining the regulatory framework that keeps our air clean and our water safe to drink.

I note that my friend on the other side of the aisle did not mention that this commission will cost \$30 million for work that last night's presenter at the Rules Committee said that Congress can do, the argument being that Congress doesn't have enough staff so we are going to send it over to nine people and pay \$30 million, starting, to have them do the work that we in Congress should be doing.

Beginning with the CRA resolution—the 14th such resolution considered by the House this month—the Republican leadership is continuing its onslaught against well-thought-out and measured regulations. I get it. Republicans control the House, the Senate, and the White House. They are desperately trying to ram through their priorities before anyone notices what they are doing.

It is interesting to me, Mr. Speaker, where the Republican majority has focused its attention throughout the past month. I can't help but notice that 40 days into Donald John Trump's administration, he has not put forth one single jobs measure. Democrats, on the

other hand, continue to talk about the need for good, well-paying jobs. The United States Senate put out the Democrats' trillion-dollar jobs plan that anybody can read on their website on where we stand when it comes to well-paying jobs.

Yet, as we advocate for our plan to rebuild our Nation's infrastructure and create over 15 million jobs in the process, Republicans pass measures to drug-test applicants for unemployment insurance and repeal rules that require Federal contractors to disclose violations of Federal labor and worker safety laws.

This resolution repeals a Department of Labor rule pertaining to the Occupational Safety and Health Administration. The rule in question requires employers to keep and maintain accurate records of every recordable injury and illness in federally mandated logs for a period of 5 years.

It is worth mentioning that this policy has been upheld in cases dating back to 1993. The rule, when implemented, added zero new compliance obligations, zero new reporting obligations, and cost a total of—you guessed it—zero dollars. Yet, once again, this is what we are spending our time on this week: repealing a thoughtful rule designed to protect workers.

I am particularly concerned by this resolution as it actually jeopardizes workplace safety by allowing employers to avoid penalties for the underreporting of injuries over many years. Longstanding workplace hazards will and can certainly be masked.

□ 1230

This makes it less likely that employers or employees will take corrective actions or that OSHA will find the hazards when they do an inspection, leaving workers in danger.

It is also worth noting that due to its very small budget, OSHA is only able to inspect a workplace, on average, once every 140 years. You heard me correctly, once every 140 years. That makes data even more important. Yet, by diminishing the reliability of a worksite's injury data, which some employers systematically underreport, this resolution also takes away OSHA's ability to protect workers from the most significant hazards.

Mr. Speaker, throughout the past week, concerned Americans attended town halls across the country, and for those who were actually able to meet with their Republican representative in Congress, the conversations focused on protecting health care, creating jobs, and protecting the environment. At these meetings, constituents did not ask for fewer workplace protections, they did not ask for Congress to act to make it easier for people with severe mental illness to purchase guns, they didn't ask for Congress to ease disclosure requirements for oil companies making payments to foreign governments, and yet these are the things the Republican majority has already chosen to focus on this month.

Watching the news, I did not hear one person say: if only Congress would repeal anticorruption rules, undermine my retirement security, and then allow endangered animals on national wildlife refuges to be killed using inhumane methods, if only Congress would do these things, my life would be better. Not one person, Mr. Speaker. Yet, in the past month, the House voted to do all of the things that I just mentioned. I submit to the American people watching at home right now that this is the face of today's Republican Party. Tell me who you think is really on your side.

Turning our attention to the SCRUB Act, this bill would establish a \$30 million commission with unlimited subpoena authority that is empowered to dismantle long-established, science-based public health and safety standards. The SCRUB Act would undermine the ability of agencies to react to immediate public health threats by adopting the regulatory CutGo process. The CutGo system is, in my opinion, completely detached from reality. This requirement will prohibit agencies from issuing any new rules, even in the case of emergencies or imminent harm to the public, until they repeal an existing rule to offset the cost. Along with bills that have already come to the House floor under this Republican Congress, as well as Donald Trump's executive actions mandating a regulatory freeze, this legislation demonstrates a continued attack on standards set in place to protect American families.

I guess it is not all that surprising that my Republican friends are pushing through legislation that prioritizes corporate profit over health and safety of the American people. Whether it is denying access to women's health care or rolling back environmental protections, Republicans are making it clear where their allegiances lie. For a party that prides itself on being anti-red tape, the SCRUB Act strangely duplicates existing requirements to conduct retrospective reviews of rules, rules on top of rules on top of rules. Our regulatory system should work for all American families and encourage companies to run safe, forward-thinking businesses. This legislation would move us in the opposite direction.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I enjoy coming down here. I love being a part of debating and coming here to the floor. My friend from Florida and I do that quite regularly in the Committee on Rules, and it is a good thing. He has brought up a lot of bills over the last month. He listed out a list of horrors that was all discussed on this floor. I would encourage everyone to go back and look at the other side, as Paul Harvey used to say, and the rest of the story. So for all the list of horrors, Mr. Speaker, we also

need to balance on the votes that were cast on this floor and the debate had on this floor was not a one-sided affair. It was two, and the applicants were going.

The other thing that just struck me, Mr. Speaker, was this, especially dealing with the CRA, the records. It was interesting to see that this was a carefully thought-out proposal. It was not a carefully thought-out proposal. It was a reaction to a 2012 court case, the *Volks* case, in which the three D.C. Appellate Court judges, including Henderson, Brown, and Garland, said: OSHA, you can't do this, you can't go back and maintain the records and then only be able—what the law actually says is, punish within 6 months of this.

So this is not long and thought out. It was a way, as was established in the *Volks* case, actually the case said: "We do not believe Congress"—these were the judges speaking—"expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it."

So this goes back to the heart, Mr. Speaker. If we are wanting to discuss the face of a Republican majority that is listening to the Constitution and the American people saying we need relief from some of these regulatory burdens in which good people—I will never not state that good people work in these agencies, but when you give good people a job, and you tell them to go do something and to sit in their cubicles or sit in their offices and say how can I come up with more regulatory, they are going to do it. Americans are the best workers in the world. They are going to use their talents.

The problem is when you put them in a position in which many times their talents do not equal what is happening in the real world. Mr. Speaker, you have seen that in your State. I have seen that in my State. In fact, we have seen it in Florida, as well, and other States. It is simply bringing us back to commonsense reasoning in this in saying why, when you cannot by law punish this, why are you keeping it?

The court actually also made an interesting statement as well in this, and in one of the footnotes it said: "That OSHA did not cite *Volks* for a failure to retain injury records when that is the only conduct for which the statute of limitations would not have clearly expired suggests that OSHA had, at some point, correctly understood that an unmade record cannot be said to have not been retained and that an employer's obligations with respect to making and keeping records are distinct."

The idea that you are somehow going to harm recordkeeping here—which is a separate violation, by the way, which has nothing to do with the keeping of the records 5 years, let's at least get this process straight here. If you do not, as an employer, record workplace injuries and record these incidents, you are in an issue there. You are violating the law there. So let's look at this.

OSHA has a great place. It should be the teaching arm. It should be the encouraging arm for every employer to look to for best practices and standards on how to do what I believe every employer here inherently gets up every morning wanting to do. They do not want to have a workforce that is hurt, maimed, or put at risk in their jobs every day.

Instead, OSHA has morphed, over time, and this body is partially to blame. It has morphed into something that, frankly, has left its Occupational Safety and Health Administration. It has become punitive. It has become a way of not being helpful, but yet actually hurtful in the marketplace.

So as we look at this, as we talk about this—and I appreciate my friend from Florida, and he makes a good case for his side—I am going to simply make the case for our side that when you look at regulatory burdens that shouldn't be there, when you are looking at it, as we just talked about, where every regulatory burden does not come down to clean air and clean water. Every regulatory burden we talk about does not come down to clean water, clean air, or working on airplanes or anything else. There are some that just simply are in the way in business. Like I mentioned earlier in my talk concerning how the linchpin on a baker's can actually should work. Really, Mr. Speaker?

So in this issue, let's continue to move how we are, let's continue to put forward commonsense regulations. We can disagree, and that is why that vote total on that board will show up in just a little while. But at the end of the day, who is on your side? It is the Republican majority who says: let's get to work safely, helpful, let's make sure everybody has the opportunity to continue to do what they intended to do, but do so in a sense that makes sense and doesn't continue to be punitive.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the passion of my friend from Georgia. I would suggest to him that I am amused that he would get in the weeds in a rather substantial legal opinion. A portion of it he correctly cited, but he omitted the continuing part of the judge's remarks that said that, indeed, you could go back and put forth a resolution.

I find it particularly amusing that my friends on the other side, after not granting that judge a hearing so that he could become a Supreme Court Justice, now want to say what a great judge he is and what a great amount of work he does. Shame on everyone who did not give him an appropriate hearing. But I understand what it is to steal a Justice of the Supreme Court, and that is what my friends on the Republican side did. This judge's opinion continued on to say that you could establish regulations.

Mr. Speaker, up until now, every President since Gerald Ford has dis-

closed his tax return information. These returns have provided a basic level of transparency that has helped to ensure the public's interest is placed first. The American people deserve the same level of disclosure from Donald John Trump. If they continue to refuse to provide it, it is incumbent upon us, as the people's elected representatives, to hold the executive branch accountable.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring Representative ANNA ESHOO's bill which would require Presidents and major party nominees for the Presidency to release their tax returns.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from California (Ms. ESHOO), my good friend and classmate, to discuss our proposal.

Ms. ESHOO. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS), my friend, classmate, and wonderful colleague, for yielding time to me.

I rise today in opposition to the rule and the underlying bills. I urge my colleagues to defeat the previous question so that this bipartisan bill that I have written, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

The Presidential Tax Transparency Act would require the President and all future Presidents and Presidential nominees of the major parties, Democrats and Republicans, to publicly disclose their tax returns. It came as a surprise to many Americans, during the 2016 campaign, that this disclosure was not required by law. Instead, we have had a tradition of voluntary disclosure among every President of both parties since the post-Watergate era. Until now, our Presidents have recognized that those who seek or hold the most powerful office in the world should be held to the highest standard of transparency.

Donald Trump is the first President to refuse to release his tax returns since Gerald Ford, a man of the House. I remember when his remains were brought to the Capitol where he rested in the rotunda but came by the doors of the House. He was a man of the House and a man of integrity.

□ 1245

He along with a host of others, Democrats and Republicans, voluntarily released their tax returns. But Mr. Trump's 2016 candidate filing with the Federal Election Commission shows that he has 564 financial positions in companies located both in the

United States and around the world, including relationships with state-affiliated businesses in several countries.

Why is this important to note? The President had an opportunity to resolve these potential conflicts of interest by divesting and placing his business assets into a true blind trust, as other Presidents have done, Republicans and Democrats. Instead, he chose to turn over control of his business to his sons in an arrangement that the Director of the nonpartisan Office of Government Ethics called "wholly inadequate" and "meaningless from a conflict of interest perspective." Since he is taken office, these ethics concerns have been borne out in the form of his and his campaign's connections to Russia, deeply, deeply troubling to all of us and to the American people, legitimately so; his family's potential new business dealings in the Dominican Republic and Uruguay; and the hiring of a "director of diplomatic sales" at his Washington, D.C., hotel to attract high-priced business among foreign diplomats. This is deeply unsettling, to say the least.

Simply put, the President's business empire makes him more susceptible to conflicts of interest than any other President in the history of our country. Three of the President's nominees have already withdrawn their names from consideration due to potential financial conflicts of interest. Only a full release of the President's tax returns will provide the public with clear information as to his potential conflicts of interest and his potential entanglements with foreign governments and foreign businesses.

Last night, here on the floor, the House voted along party lines, unfortunately, to block an effort to obtain the President's tax returns under the House's existing authority. Today, we have another chance to honor the will of the American people and write this important disclosure tradition into law—into law.

According to a recent Washington Post/ABC News poll, 74 percent of Americans believe the President should release his tax returns—74 percent. The top petition on the White House website has over 1 million signatures to it, calling on the President to release his tax returns.

I think the voice of the people, the American people, is clear. As their representatives, they deserve to have us take action on this because we all want a conflict of interest-free President.

I urge my colleagues to reject the previous question so we can hold an immediate vote on the Presidential Tax Transparency Act.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As my friend from Florida just said, I think we can sum it up very easily right here on this discussion. And, no, I did not choose not to continue the other quotes in the ruling which were, again, pretty amazing. I will just say

this. The reason is because I was saving it for now.

They said: Well, you can go ahead and do a new regulation you can make them keep for 5 years. But as an Old Scripture taught me years ago: all things may be lawful, but not all things are profitable. You can do some things, but, in the end, are they really getting at the end result of what OSHA is supposed to do? Are you protecting employers and employees? Are you making the workplace safer? And right here, we are just not seeing that.

I think what is also interesting as we look at this is let's just have common sense in this. You still cannot punish up to 6 months. The court actually even said also, as well, as much the same on page 13 of their opinion.

I think what we have to look at here is, in looking at this, let's talk about the issues of common sense; let's talk about regulatory burden that works instead of regulatory burden that does not.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

This evening, Donald John Trump will address a joint session of Congress. I expect we will hear some version of the same message we have heard throughout the first month of his chaotic administration—talk of jobs and American workers and protecting our country—but that is all it has been up to now, just talk. Instead of actually doing any of those things, Republicans are sowing chaos trying to turn their absurd campaign speeches into something that resembles policy; and, frankly, that just will not fly.

Donald John Trump's campaign rhetoric doesn't fit the actual challenges of governing, and I believe my friends on the other side of the aisle are starting to come to this realization. If they haven't, may I urge upon them that the rubber is going to hit the road with the debt ceiling and with tax reform and with repeal and replace of the Affordable Care Act. I ask the American public to watch the divisions on the other side when the rubber hits the road.

Mr. Speaker, with every action they take, reality and facts keep stopping them in their tracks. The un-American Muslim ban was put in check by the judicial branch. Their attempts to repeal ObamaCare have been checked by their own constituents at their own town-halls. The majority needs to wake up and realize that these are not sound policies, but reckless chaos.

It is past time for the majority to get serious about the serious business of governing. And yet, with these measures here today, all we continue to see are antiworker, antienvironment, and, in the final analysis, anti-American proposals. The American people want solutions, not a governing party that just checks the box of unrealistic, chaotic, and harmful campaign promises.

Mr. Speaker, I urge a "no" vote on the rule and the underlying measure.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As we come to the close of this time of rule debate, I think we have laid this out. I think, again, it is very clear, Mr. Speaker, what we determine and what we go forward with in the process.

As we move forward, it is interesting to me—and I would be, too, if I were in the minority and didn't really have a plan except the one that has been tearing up the health insurance market, that has been hurting others. And now as we look to actually make movement on a replacement and repeal of that, I would say that I would watch for divisions. I would watch for cracks and the fissures. I would do whatever I could.

But the truth of the matter is that, over the next month, in this body, we are going to move forward with what we have said we are going to do. We are going to be working on those aspects. We are going to be bringing it to the floor, and the American people can make the judgment for themselves.

People will continue to discuss. It is healthy in our country to have that discussion. It is healthy that we move forward. It is also healthy we examine all of the facts.

This rule today, though, simply deals with common sense. Let's look at our regulatory burden. Let's look at issues that—again, it is one thing to look at a rule that is there for protection. Workplace safety is enhanced by making you record what is going on and making you be able to then correct what may be a problem in your business. But simply keeping records for 5 years when you can't be punished but for 6 months of those is simply putting a burden on business to keep records that are really at the end of the day not accomplishing your bottom line.

It goes back to what I said earlier, Mr. Speaker. I believe that OSHA is a valuable organization when doing what it is supposed to be doing: protecting workplace safety, doing things that actually matter, doing things that actually help. But many times in my businesses that I go to, they have put in rules over the years that say that we are now in a continuing violation.

In other words, if one time they come in and they say that an electrical outlet is not plugged in properly to an extension cord, you fix that. When they come back 2 or 3 months later and see something on the other side of the building that deals with electrical, then they will say, well, it is a continuing violation, not the violation previous, and they triple the fines.

OSHA now, and the good folks who work there, I believe, truly want to help. They truly have set out best practices. But they have grown to the point where we have allowed them to become not the help that they should be, but are basically and many times a hindrance and a menace to our businesses, from the farms to the factories, to the coal mines, all that. It has just gotten out of hand.

So my discussion, Mr. Speaker, is this. How do you get regulatory burden that actually makes sense?

We are not going to stand here and argue over a rule that makes sense. I will never sit here and say that we should not record workplace injuries and let businessowners then be fined if they are doing something wrong. We will never argue about that.

But when it comes to the point of excessive recordkeeping that, at the end of the day, does nothing except burden the business, how do you explain that as helping workplace safety? If my son is in the pool and can't get to the side and I do nothing, I can have great intentions; but unless I get in and bring him to the side, then I have actually done something.

A rule that has no end result to the bottom line of what you are doing is simply waving and saying, "Oh, I am doing something," instead of getting back to the purpose that OSHA should be about. When businesses and OSHA cannot work together collaboratively to seek and to set a process in which businesses are safer and employees are healthier, then OSHA is failing and they have become punitive in nature.

Why don't they come in and help businesses? Why don't they come in and start? And if there is a business that continues the process of being bad actors in the marketplace, then take them out, fine them, do what you need to do. But I, myself, believe that most businessowners—and I was one at one point—that we don't go in every day wanting to hurt employees. We don't want to do that. We want to have a safe workplace that presents a good product, that presents a good service, that presents the activity that continues our economic engine.

Let's quit defending rules that don't work. Let's quit wasting time defending rules and having our agencies in this city determine that all they want to do is generate rules because that is their job description. Let's see the things that actually work. If they want to be policy experts, then let them run for office. But if you are going to at least look at it, do it by the law.

Mr. Speaker, these rules before us today provide two very important bills that take steps to get our economic engine going again. They do, as we have talked about, look at unnecessary rules. They look at things that need to be examined.

But we also can't simply pretend existing nonsensical regulations don't exist, because they are being enforced at the expense of innovators and job creators across the country, and they are being enforced without using any common sense.

A case in point, did you know that trains have to have an F painted on the front of them so that people can tell which end is the front? I don't know about you, but I believe Americans can tell the front from the back of a train.

We have got to identify existing business regulations like this that are outdated and simply don't make sense

anymore and start taking steps to repeal them. The bills before us today are a step in the right direction.

Mr. Speaker, I urge my colleagues to support this rule and the underlying bill.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 150 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

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, February 28, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. 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 February 28, 2017, at 9:20 a.m.:

Appointment:

Senate National Security Working Group
for the One Hundred Fifteenth Congress.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

APPOINTMENT OF INDIVIDUAL TO
BOARD OF VISITORS TO THE
UNITED STATES AIR FORCE
ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 9355(a), and the order of the House of January 3, 2017, of the following individual on the part of the House to the Board of Visitors to the United States Air Force Academy:

Lieutenant Colonel Bruce Swezey,
U.S. Air Force, Retired, Franklin, Wisconsin

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 p.m.), the House stood in recess.

□ 1346

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 1 o'clock and 46 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 150; and

Adoption of House Resolution 150, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 998, SEARCHING FOR AND CUTTING REGULATIONS THAT ARE UNNECESSARILY BURDENSOME ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 83, DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "CLARIFICATION OF EMPLOYER'S CONTINUING OBLIGATION TO MAKE AND MAINTAIN AN ACCURATE RECORD OF EACH RECORDABLE INJURY AND ILLNESS"

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 150) providing for consideration of the bill (H.R. 998) to provide for the establishment of a process