

Woodall Yoho Young (IA)
Yoder Young (AK) Zeldin

NOT VOTING—4

Capuano Pelosi
Hudson Scott, David

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1500

Messrs. COFFMAN, DESJARLAIS, and Mrs. COMSTOCK changed their vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. RASKIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 185, not voting 4, as follows:

[Roll No. 114]

AYES—240

Abraham Denham Johnson, Sam
Aderholt Dent Jordan
Allen DeSantis Joyce (OH)
Amash DesJarlais Katko
Amodei Diaz-Balart Kelly (MS)
Arrington Donovan Kelly (PA)
Babin Duffy King (IA)
Bacon Duncan (SC) King (NY)
Banks (IN) Duncan (TN) Kinzinger
Barletta Dunn Knight
Barr Emmer Kustoff (TN)
Barton Farenthold Labrador
Bergman Faso LaHood
Bilirakis Ferguson LaMalfa
Bishop (MI) Fitzpatrick Lamborn
Bishop (UT) Fleischmann Lance
Black Flores Latta
Blackburn Fortenberry Lewis (MN)
Blum Foxx LoBiondo
Bost Franks (AZ) Long
Brady (TX) Frelinghuysen Loudermilk
Brat Gallagher Love
Bridenstine Garrett Lucas
Brooks (AL) Gibbs Luetkemeyer
Brooks (IN) Goodlatte MacArthur
Buchanan Gosar Marchant
Buck Gottheimer Marino
Bucshon Gowdy Marshall
Budd Granger Mast
Burgess Graves (GA) McCarthy
Byrne Graves (LA) McCaul
Calvert Graves (MO) McClintock
Carter (GA) Griffith McHenry
Carter (TX) Grothman McKinley
Chabot Guthrie McMorris
Chaffetz Harper Rodgers
Cheney Harris McSally
Coffman Hartzler Meadows
Cole Hensarling Meehan
Collins (GA) Herrera Beutler Messer
Collins (NY) Hice, Jody B. Mitchell
Comer Higgins (LA) Moolenaar
Comstock Hill Mooney (WV)
Conaway Holding Mullin
Cook Hollingsworth Murphy (FL)
Costa Huizenga Murphy (PA)
Costello (PA) Hultgren Newhouse
Cramer Hunter Noem
Crawford Hurd Nunes
Cuellar Issa O'Halleran
Culberson Jenkins (KS) Olson
Curbelo (FL) Jenkins (WV) Palazzo
Davidson Johnson (LA) Palmer
Davis, Rodney Johnson (OH) Paulsen

Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)

NOES—185

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Espoo
Español
Esty
Evans
Foster
Frankel (FL)

NOT VOTING—4

Hudson Rogers (KY)
Pelosi Scott, David

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

□ 1507

Ms. BLUNT ROCHESTER changed her vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1004, REGULATORY INTEGRITY ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 1009, OIRA INSIGHT, REFORM, AND ACCOUNTABILITY ACT

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 156) providing for consideration of the bill (H.R. 1004) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and providing for consideration of the bill (H.R. 1009) to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 189, not voting 7, as follows:

[Roll No. 115]

YEAS—233

Abraham Collins (GA) Gowdy
Aderholt Collins (NY) Granger
Allen Comer Graves (GA)
Amash Comstock Graves (LA)
Amodei Conaway Graves (MO)
Arrington Cook Griffith
Babin Costello (PA) Grothman
Bacon Cramer Guthrie
Banks (IN) Harper
Barletta Culberson Harris
Barr Curbelo (FL) Hartzler
Barton Davidson Hensarling
Bergman Davis, Rodney Herrera Beutler
Biggs Denham Hice, Jody B.
Bilirakis Dent Higgins (LA)
Bishop (MI) DeSantis Hill
Bishop (UT) DesJarlais Holding
Black Diaz-Balart Hollingsworth
Blackburn Donovan Huizenga
Blum Duffy Hultgren
Bost Duncan (SC) Hunter
Brady (TX) Dunn Hurd
Brat Emmer Issa
Bridenstine Farenthold Jenkins (KS)
Brooks (AL) Faso Jenkins (WV)
Brooks (IN) Ferguson Johnson (LA)
Buchanan Fitzpatrick Johnson (OH)
Buck Fleischmann Johnson, Sam
Bucshon Flores Jones
Budd Fortenberry Jordan
Burgess Foxx Joyce (OH)
Byrne Franks (AZ) Katko
Calvert Frelinghuysen Kelly (MS)
Carter (GA) Gaetz Kelly (PA)
Carter (TX) Gallagher King (IA)
Chabot Garrett King (NY)
Chaffetz Gibbs Kinzinger
Cheney Gohmert Knight
Coffman Goodlatte Kustoff (TN)
Cole Gosar Labrador

Pallone	Ryan (OH)	Thompson (CA)
Panetta	Sánchez	Thompson (MS)
Payne	Sarbanes	Titus
Pelosi	Schakowsky	Tonko
Perlmutter	Schiff	Torres
Peters	Schneider	Tsongas
Peterson	Schrader	Vargas
Pingree	Scott (VA)	Veasey
Pocan	Serrano	Vela
Polis	Sewell (AL)	Velázquez
Price (NC)	Shea-Porter	Visclosky
Quigley	Sherman	Walz
Raskin	Sires	Wasserman
Rice (NY)	Slaughter	Schultz
Richmond	Smith (WA)	Waters, Maxine
Rosen	Soto	Watson Coleman
Roybal-Allard	Speier	Welch
Ruiz	Suozzi	Wilson (FL)
Ruppersberger	Swalwell (CA)	Yarmuth
Rush	Takano	

NOT VOTING—15

Bass	Gabbard	Lieu, Ted
Cleaver	Green, Al	Marshall
Correa	Gutiérrez	O'Rourke
Costa	Himes	Pascrell
Duncan (TN)	Hudson	Scott, David

□ 1520

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.

PERSONAL EXPLANATION

Mr. MARSHALL. Mr. Speaker, I was talking to constituents and reached a time when a very personal issue arose. Had I been present, I would have voted “yea” on rollcall No. 115 and “yea” on rollcall No. 116.

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. BYRNE. Mr. Speaker, pursuant to House Resolution 150, I call up 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”, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 150, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 83

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves 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” (published at 81 Fed. Reg. 91792 (December 19, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Alabama (Mr. BYRNE) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.J. Res. 83.

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

There was no objection.

Mr. BYRNE. Mr. Speaker, I rise today in strong support of H.J. Res. 83, and I yield myself such time as I may consume.

Mr. Speaker, America’s workers deserve responsible, commonsense, regulatory policies to ensure safe and healthy working conditions. Let me say that again. America’s workers deserve responsible, commonsense regulatory policies to ensure safe and healthy working conditions.

They deserve a Federal Government that holds bad actors accountable, and a government that takes proactive steps to help employers improve safety protections and prevent injuries and illnesses before they occur. Just as importantly, they deserve to know that Federal agencies are following the law.

For years, Republicans have called on OSHA to reject a top-down approach to worker protections and, instead, collaborate with employers to identify gaps in safety and address the unique challenges facing workplaces.

Unfortunately, under the Obama administration, our concerns usually fell on deaf ears. In fact, one of the administration’s parting gifts to workers and small businesses was a regulatory scheme that reflects not only a backwards, punitive approach to workplace safety, but one that is completely unlawful.

Here’s why. Under the Occupational Safety and Health Act, employers have long been required to record injuries and illnesses and retain those records for 5 years. The law explicitly provides a 6-month window under which OSHA can issue citations to employers who fail to maintain proper records; 6 months. It is written in the law. This approach helps ensure workplace hazards are addressed in a timely manner.

However, in 2006, OSHA took action against Volks Constructors for record-keeping errors that occurred well beyond what the law allows, well beyond 6 months. The errors were from nearly 5 years earlier. That is why a Federal appeals court unanimously rejected OSHA’s overreach. The opinion for the Court stated: “We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it.” Even President Obama’s Supreme Court nominee, Judge Garland, agreed OSHA’s action was “not reasonable.”

What came next was an outright power grab. OSHA decided to take its unlawful action one step further. This time it would not only ignore the law, but rewrite it. The agency finalized the “Volks” rule, unilaterally extending

the statute of limitations from 6 months to 5 years. OSHA undertook for itself the power that only this Congress has to write laws.

The agency created significant regulatory confusion for small businesses. Many would likely face unwarranted litigation because of unlawful regulatory policies. Of course, further judicial scrutiny also means hardworking taxpayers will foot the bill when OSHA is forced to defend its lawless power grab once again.

Simply put, OSHA had no authority to do this. We have a Constitution that grants Congress, not Federal agencies, the power to write the law. But that is not the only reason we are here today. We are also here because this rule does nothing to improve workplace safety.

Maintaining injury and illness records is vitally important and can help enhance worker protections. But that is not the goal of this rule. This rule only serves to punish employers. As we have said repeatedly, OSHA should, instead, collaborate with employers to help them understand their legal responsibilities and ensure safe measures are in place to prevent workplace hazards in the future.

Fortunately, Congress has the authority to reject this failed approach to workplace safety and block an abuse of executive power that began under the Obama administration.

I urge my colleagues to support this resolution, and I hope we can all work together to encourage a more proactive approach that prevents injuries and illnesses from happening in the first place.

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

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

Mr. Speaker, I rise in opposition to H.J. Res. 83, the Congressional Review Act resolution of disapproval that will undermine workplace safety and health. It does so by overturning a clarifying rule issued by OSHA on December 9, 2016, to ensure accurate occupational injury and illness reporting.

Now, first of all, it is strange that we are reversing a rule through the Congressional Review Act that creates no new compliance or reporting obligation, imposes no new costs. It simply gives OSHA the tools to enforce an employer’s continuing obligation to record injuries and illnesses.

Spurred by the court of appeals decision, which blocked OSHA from citing continuing violations outside the 6-month statute of limitations, OSHA updated its recordkeeping rule. This new rule makes it clear that employers have a continuing obligation to record serious injuries and illnesses on an OSHA Log if they failed to comply with the requirement to record the injury at the time the injury or illness occurred.

Since the enactment of OSHA in 1970, accurate data on workplace injuries and illnesses has been recognized as an