

Simmons	Tauscher	Wasserman
Simpson	Taylor (NC)	Schultz
Skelton	Terry	Watt
Slaughter	Thomas	Waxman
Smith (NJ)	Thornberry	Weiner
Smith (TX)	Tiahrt	Weldon (FL)
Smith (WA)	Tierney	Weldon (PA)
Snyder	Towns	Wexler
Sodrel	Turner	Wilson (NM)
Solis	Upton	Wilson (SC)
Souder	Van Hollen	Wolf
Stark	Visclosky	Woolsey
Stearns	Walden (OR)	Wynn
Sullivan	Walsh	Young (AK)
Sweeney	Wamp	

NAYS—47

Baird	Holt	Sanchez, Loretta
Baldwin	Kucinich	Schakowsky
Brady (PA)	Larsen (WA)	Strickland
Capuano	Larson (CT)	Stupak
Costello	Latham	Tanner
DeFazio	LoBiondo	Taylor (MS)
Filner	Marshall	Thompson (CA)
Ford	McCotter	Thompson (MS)
Fossella	McDermott	Tiberi
Green, Gene	Miller, George	Udall (CO)
Grijalva	Moran (KS)	Udall (NM)
Gutknecht	Nadler	Waters
Hart	Oberstar	Weller
Hastings (FL)	Peterson (MN)	Whitfield
Hefley	Ramstad	Wu
Hinchey	Sabo	

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—15

Brown, Corrine	Hunter	Velázquez
English (PA)	Kennedy (RI)	Watson
Fattah	Menendez	Westmoreland
Gutierrez	Rothman	Wicker
Hooley	Spratt	Young (FL)

So the Journal was approved.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to House Resolution 232, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as these preparations are complete, the House will immediately resume its actual session for the taking of the photograph.

About 5 minutes after that, the House will proceed with the business of the House.

For the information of the Members, when the Chair says the House will be in order, we are ready to take our picture. That will be in just a few minutes.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess while the Chamber was being prepared.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order at 11 a.m.

(Thereupon, the Members sat for the official photograph of the House of

Representatives for the 109th Congress.)

RECESS

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

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1115

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 11 o'clock and 15 minutes a.m.

PROVIDING FOR CONSIDERATION OF H. RES. 22, EXPRESSING THE SENSE OF THE HOUSE THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 235 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 235

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 22) expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights. The amendments to the resolution and the preamble recommended by the Committee on Small Business now printed in the resolution are considered as adopted. The previous question shall be considered as ordered on the resolution and preamble, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business; and (2) one motion to recommit, which may not contain instructions.

The SPEAKER pro tempore. The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), 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, H. Res. 22 calls for a commonsense Small Business Bill of Rights that spells out urgent actions that Congress should take to allow small businesses to thrive.

Ninety percent of all employers in our country are small businesses, and 70 percent of all new jobs created in America are created by these small locally owned businesses. Small businesses, stores, manufacturers, and farms drive the economic engine of

many communities across the country. They truly are the backbone of America.

Many obstacles confront a small business owner looking to expand his or her company to provide more jobs and investment.

Frivolous lawsuits are a constant and a costly threat to small businesses across the country. The rising cost of health care has made it difficult and, in many cases, impossible for small business owners to offer health care to their employees. Today, over 60 percent of small business employees do not have health insurance.

Soaring energy costs make it difficult for small manufacturers to produce goods at a competitive price. The cost of natural gas and other feedstocks is taking up a larger and ever-growing share of the budget of manufacturers.

In the 109th Congress, the People's house has already acted on several of the items called for in this resolution. Two weeks ago, we passed legislation to permanently repeal the death tax, a tax that puts a huge burden on small business owners and takes away resources that are vital to families seeking to keep farms and businesses in their family.

Last week, we passed the Energy Policy Act of 2005 to help reduce the cost of energy. The legislation provides money for clean coal technology that will help coal continue to provide low-cost energy while protecting our environment. Provisions will also open new refineries and new oil reserves into the market. All of these measures will help lower the cost of energy for small businesses.

In February, President Bush signed the Class Action Fairness Act into law. This law is a strong first step in limiting frivolous lawsuits that burden our economy and destroy job growth.

There is still much more to be done. In the past two Congresses, we passed legislation allowing for Association Health Plans. These plans would permit small businesses to join together through trade associations across State lines to gain purchasing power in the health insurance market.

Health insurance is the biggest challenge facing small business today, hands down. Many small business owners want nothing more than to offer affordable health care to all of their workers. These owners know their employees personally and know their employees' spouses and children, making that decision not to offer health coverage an agonizing one. Yet many small business owners make this choice because of the rising cost of health care.

We must pass legislation to allow small businesses to have the same purchasing power as large corporations in the health insurance market.

With millions of small business employees among the uninsured, association health plans are one of the most important things Congress can do for our Nation's workers.

In order for small business to grow and produce more jobs in local economies, we must have pro-growth policies. A national energy policy, association health plans, and legal reform are some of the important steps that will benefit small business owners and their employees alike.

This resolution is an opportunity for Members to show their support of small business to continue moving forward on crucial issues to protect existing jobs and spur economic development. I urge my colleagues to join me in supporting the rule and the underlying resolution.

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

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding me this time, and I yield myself such time as I might consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks, and include extraneous material.)

Ms. MATSUI. Mr. Speaker, I rise today in opposition to this closed rule. Once again, the majority has muted debate on a piece of legislation for no legitimate reason. The resolution has not been fully debated before the committee of jurisdiction and, as a result, it fails to include a number of priorities important to small businesses.

Mr. Speaker, small businesses are the engine of America's economy, representing more than 95 percent of all employers, creating half of our gross domestic product, and creating 3 out of 4 of new jobs nationwide. Small business owners are leaders in innovation, creating new technology, new products, and more effective business operations. The government should help small business owners achieve their goals, not stand in their way. I think this is something all Members can support.

There are some very good elements of this "small business bill of rights" resolution that I support. I believe small business should not be hampered with unnecessary restrictive regulations and paperwork. I support the provision insisting that small businesses have the right to equal treatment and should have expanded access to capital and credit.

Opening up assets to government contracts for small businesses should be a top priority for Congress. I support the principle in House Resolution 22 that we must consider legislation to create a fair and open Federal contracting system to make sure that everyone has a fair shot in winning a Federal contract. There must be an end to the practice of awarding "mega contracts" that take opportunities away from small businesses at no savings to the taxpayer. We must institute a fair contracting appeals process for small businesses to be heard.

I also support expanding contract opportunities for women, low-income individuals, and minorities by strengthening such key business development programs as 8(a). These actions will re-

duce current barriers and ensure small businesses have access to perform Federal contracts.

But small businesses have expressed additional priorities, and I wish we would have included them in the resolution. Instead, the majority chose to insert partisan agenda items.

During the committee markup, the chairman restricted debate time on all amendments to 4 minutes per side. After considering the first 5 amendments, the chairman moved to cut off debate, which passed on a strict party-line vote. This was done despite having two Democratic amendments still pending before the committee.

One of these amendments, offered by the gentleman from Georgia (Mr. BARROW) and the gentlewoman from Wisconsin (Ms. MOORE), would have strengthened programs for minority entrepreneurs. The other, offered by the gentlewoman from California (Ms. LINDA SÁNCHEZ), would express support for the microloan program which the administration eliminated in its fiscal 2006 budget.

I understand that the chairman had only allotted an hour for the committee markup, but we have an opportunity today with this rule to provide time for the debate we should have had. These thoughtful amendments should be heard. So far this year, the Committee on Rules has only reported one open rule, just one, out of 21 rules. It is time to allow Congress to do its job, and part of that job is to openly discuss the priorities facing our Nation.

Why not make time for this debate? The Members that were denied debate in committee came before the Committee on Rules last night to urge their amendments be made in order. Several other amendments were also offered. I cannot help but point out that our legislative schedule this week has plenty of room in it. Not surprisingly, however, the majority chose not to have a full debate and ignored amendments that could have improved this legislation.

Mr. Speaker, I believe that the amendments blocked from consideration today would have made House Resolution 22 a complete bill of rights. For instance, small business owners need access to capital and technical expertise if they are to make the most of their opportunities. The Small Business Administration provides this critical assistance to small business owners. The gentlewoman from California (Ms. Sánchez) and the gentlewoman from Illinois (Ms. BEAN) offered amendments recognizing that we should be supporting all of SBA's programs, including the microloan and 7(a) lending programs. But, again, this rule risks leaving a gaping hole in this list of rights.

House Resolution 22 could also be strengthened to ensure that minority business owners retain their place as a vibrant part of the U.S. economy. The Barrow-Moore amendment, if made in

order, would do just that. While minority individuals comprise nearly one-third of the population, only 15 percent of businesses are minority-owned. These businesses employ 5 million people and generate nearly \$600 billion in revenue. Given the gap between the number of individuals and the business ownership rate, it is clear that an entrepreneurial divide exists in this country. One of the most significant reasons for this divide is the fact that minority-owned companies have not seen legislative updates for nearly 20 years. Congress must bring these programs into the 21st century. Minority business owners deserve the right to have these important initiatives modernized.

The only way to achieve a complete bill of rights is to include all of the rights small businesses are asking for. A closed rule does not do this. An open rule, a better rule, would allow full debate on small business priorities. An open rule today would allow the House of Representatives to consider the importance of such issues as access to affordable capital and changing the Federal marketplace to meet the needs of small business. I urge my colleagues to vote no on this closed rule.

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

Mrs. CAPITO. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. KELLER), the author of the resolution and a champion of small business.

Mr. KELLER. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding me this time, and I rise today in strong support of the rule and H. Res. 22.

The purpose of the small business bill of rights is to provide a blueprint for Congress to follow to help small business employers create even more jobs. A job is the best social program in the world. It gives a person income and health insurance and dignity. Since 70 percent of all new jobs in this country are created by small businesses, I met personally with 20 very successful small business employers in central Florida to learn firsthand what, if anything, Congress can do to help them create more jobs. Four top-tier issues consistently emerged from these meetings.

First and foremost, they had the problem of addressing skyrocketing health costs, and they wanted the ability to join together to negotiate lower prices.

Second, family-owned businesses, we are seeing one-third of them having to liquidate because of the death tax, and they needed some commonsense reform there.

Third, they had a problem with frivolous lawsuits and skyrocketing liability insurance. Unlike a big corporation, if someone sues them, they do not often have \$100,000 to successfully defend the claim, even if frivolous. They have to settle it for a nominal amount, \$5,000 or \$10,000.

The fourth problem they mentioned over and over was paperwork and red tape.

After listening to their concerns, I joined with my original cosponsor, a Democrat, the gentleman from Alabama (Mr. CRAMER), and wrote and filed House Resolution 22.

We have given plenty of opportunity for people to be heard on H. Res. 22. For example, other nonbinding House resolutions sometimes go right to the floor with no hearings, no markups, no motion to recommit. They just get an up-or-down vote on a Suspension Calendar, with no chance to amend at any point. Well, that is not what happened here. In this particular instance, the minority requested that we have a hearing. We readily agreed and had a hearing. At this hearing, witnesses from NFIB and the U.S. Chamber of Commerce testified that the four issues identified in the small business bill of rights were, in fact, the top four issues affecting small businesses in the United States right now.

□ 1130

The minority was allowed to call witnesses at that hearing, and they did. Every member of the hearing, Republican and Democrat, was afforded two full rounds of questioning. Afterwards, the minority said, well, now we want to have a markup on this nonbinding resolution. We agreed to that as well.

At the markup, in an effort to reach out, I offered a substitute amendment which addressed three additional issues that the minority thought were important to them, issues relating to energy costs and access to capital and contract bundling. The substitute amendment I offered was approved by a voice vote.

Even though I had already included these three additional issues at this markup, the minority offered amendment after amendment after amendment after amendment. For example, one of the amendments called for Members to take a controversial stand on whether or not people agreed with the personal retirement accounts under President Bush's Social Security proposals. Things like that ate up time. The four amendments offered by the minority were defeated. But each time they insisted on calling for a roll call vote which ate up additional time.

Now, it is my understanding that the minority Members had two more amendments that they wished to offer, but the chairman had only scheduled an hour for the markup under the understanding that the minority would have few amendments.

So what exactly did the minority get in terms of due process here? They got a full blown hearing. They got three additional issues added to the original resolution, and they got votes on four of the six amendments they offered.

H. Res. 22 was passed by the full committee on a voice vote. Not a single person on the committee, Republican or Democrat, voiced opposition to H.

Res. 22 during that voice vote, and the reason is it represents a noncontroversial consensus of what small business employers tell us they need.

Now, what are the Small Business Bill of Rights? There are seven: first, the right to join together to purchase affordable health insurance for small business employees. The right to simplify tax laws that allow family owned businesses to survive over several generations. The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs. The right to be free of unnecessary restrictive regulations and paper work which wastes the time and energy of small businesses while hurting production and preventing job creation. The right to relief from high energy costs which pose a real threat to the survival of small businesses. The right to equal treatment as compared to large businesses when seeking access to capital and expansion capital and credit. The right to open access to the government procurement marketplace through the breaking up of large contracts to give small business owners a fair opportunity to compete for the Federal contracts.

This is what the small business people in America tell us that they want. This is what we learned from the hearing, and this is what is included as the top tier issues in the Small Business Bill of Rights affecting small business people.

Now, if someone is opposed to this Small Business Bill of Rights, what would they be for? They would be for higher health insurance costs, higher taxes, more frivolous lawsuits, more paper work and red tape, higher energy costs, more obstacles to getting capital and more obstacles to getting government contracts.

Now, significantly, at no time in this process, during the markup or otherwise, has there been any attempt to strip away one of these seven rights. To the extent the minority has a controversy with this, it is not anything that is on the board here. It is they think one or two additional things should be there.

Well, let me remind you. The Small Business Bill of Rights is a blueprint that lists the top tier issues facing small businesses in the United States. It does not list every small business issue known to man. If it did, this thing would be as thick as a phone book, and it would not list the priorities.

Some of the business people I met with had things that I did not list because, while it was important to that person or this person, it was not something that was a consensus issue affecting the small business people across the country.

Now, if a Member has some issue that was not included, and they think it is a real important issue, then there is nothing preventing them from filing their own nonbinding House resolution and having that proceed under the regular order.

I urge my colleagues to vote "yes" on the rule. Plenty of opportunity has been heard for both sides to give their input to the Small Business Bill of Rights. It is a bipartisan Small Business Bill of Rights from the get-go when it was filed by a Democrat and myself, and I urge my colleagues to vote "yes" on the Small Business Bill of Rights, H. Res. 22.

Ms. MATSUI. Mr. Speaker, I yield 7 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentlewoman from California for yielding.

As we take this week to honor our Nation's small businesses, it is important to notice the everyday challenges that are standing in their way. As the main job creators and stimulators of the economy, there are far too many obstacles that still remain.

Small businesses have received a number of promises over the last 4 years. But as the ranking member on the House Small Business Committee, I can tell you that what entrepreneurs need now is no more rhetoric. What they need is more action. Unfortunately, rhetoric is all that they have gotten up to this point.

One of the most obvious challenges is that a number of small businesses are not able to access health care. Six out of every 10 uninsured families are headed by a small business employee. This is simply unacceptable. Yet Congress has passed no solutions to the health care crisis.

My colleagues on the other side love to talk about how many times this House has passed association health plans. The bottom line is that Republicans control the White House, the Senate, and the House of Representatives. How many more times do we have to pass association health plans to get it done? Stop the rhetoric. What we need is action.

With the skyrocketing prices of gas and energy, small businesses are having an even more difficult time starting and expanding their ventures. Just last week the House passed an energy bill that does not do anything to help this Nation's small businesses. For the small business owner that works in the transportation industry, this bill has done nothing to help reduce the record highs in gas prices we are seeing today.

Compounding entrepreneurs' difficulties even further are regulatory burdens. Too often a small business owner does not have the resources to comply with a number of Federal regulations. Despite the promises made by this administration, small firms have seen little relief. The reality is that this administration holds the record for the single largest increase in paperwork burden in 1 year in our Nation's history. Again, the rhetoric needs to end.

Our Nation's entrepreneurs deserve to see some real action, some real solutions. And as we honor our Nation's entrepreneurs this week for National Small Business Week, all Congress is going to give them is this legislation, the Small Business Bill of Rights. Let me tell you, this Nation's small businesses deserve much more than some rhetoric included in House Resolution 22. And that is all this bill does. They deserve to be assured that Congress will work to address their challenges, that we will go on the record listing the priorities we will work to address for their businesses. Sadly, that is not what House Resolution 22 does.

Yes, the Small Business Bill of Rights contains some lofty rhetoric on taxes, regulations, and capital. But what it fails to do is really recognize the fact that small businesses do not get capital the same way that large businesses do. Small firms cannot head over to Wall Street. Instead, they rely heavily on loan programs. To tell them that loan programs are not important is disingenuous.

House Resolution 22 also says that some contract bundling is okay and that is okay for small businesses to lose out on contracting opportunities. The Small Business Committee has always been on the record protecting small businesses. Every economic analysis and indicator says that contract bundling is bad. Yet, this bill wants to say it is okay.

Most upsetting is that House Resolution 22 mentions absolutely nothing about the needs of minority and women business owners, the fastest growing sectors of our economy. This is despite the fact that the gentleman from Georgia (Mr. BARROW), the gentlewoman from Wisconsin (Ms. MOORE), and the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) all tried to include these provisions in a markup in which the chairman of the committee blocked these amendments from even being offered.

The gentleman from Florida (Mr. KELLER) spoke about due process that was provided. What the gentleman does not tell you is that the chairman took the unprecedented step of moving the previous question. I will challenge any chairman to come to the floor and talk about when they moved the previous question to block the minority from offering amendments. They were then rejected again by the Rules Committee.

Despite the overwhelming growth of minority- and women-owned businesses, this Small Business Bill of Rights tells them that their needs are not a top priority, and that is ridiculous.

This is Small Business Week, and all we are giving to our Nation's entrepreneurs, the main job creators, are some promises in House Resolution 22. These promises are not helping to give small businesses more loans. They are not opening up the fair marketplace, and they are certainly not giving small firms any solutions to the health

care crisis. Maybe next time Congress can promise to help small businesses to pay their bills and again follow through with no action.

This rhetoric needs to end. Our Nation's small businesses deserve much more than rhetoric this week. They deserve commitment and action all year long to address their challenges. Clearly, House Resolution 22 will not do that. We should vote down this rule, and we should not be passing promises without action in the House of Representatives.

Mrs. CAPITO. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA).

(Mr. GRIJALVA asked and was given permission to revise and extend his remarks.)

Mr. GRIJALVA. Mr. Speaker, let me thank the gentlewoman from California for yielding this time. And I would also like to thank the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, for her consistent and valuable advocacy on behalf of the small businesses in this country. It is an honor to serve with the gentlewoman.

It is a funny situation to be here today during Small Business Week speaking on a resolution that is intended to benefit our Nation's small businesses; but, in reality, this resolution ignores a pressing issue that has the potential to very severely burden the small business community of our country.

I believe this resolution has less to do with priorities and more about a partisan political agenda that does not address a myriad of realities for small businesses. And I want to talk about one reality. The reality in this situation is this:

The President has spent millions of dollars pitching privatized personal accounts as the answer to Social Security. But he has failed to address how these personal accounts will adversely affect the administrative costs for small businesses.

Small firms are already responsible for withholding billions of dollars a year of payroll taxes for their employees. The creation of private savings accounts sticks them with a severe logistical headache, in fact an unfunded mandate.

Consider this: under a personal savings plan, small businesses would be responsible for everything from providing, collecting, filing paperwork, to establishing an accounting system to ensuring proper payment over time, to handling quarterly and annual reporting to the employee.

Furthermore, the administration has been telling Americans that this plan is only, is just like a Thrift Savings Plan. The truth of the matter is that there are tremendous costs associated with administering these types of plans, and most often those costs will fall on the employers.

And judging by the experience with TSPs and other retirement accounts, employees will look to their employers if there is a problem. Who knows how responsibility and liability will be determined? Small firms will be sued if anything goes wrong with an account or with the investment.

In light of the facts that I have laid out, Congress should be taking a harder look at the realities of having small businesses assume the administrative burden of collecting and paying out for private accounts. A proposed blueprint that does not address all the realities and the real needs of small businesses is once again a one-way street with a dead end.

I urge a "no" vote on the rule.

□ 1145

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

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to state my opposition to House Resolution 22 and the rule expressing the sense of the House that American small businesses are entitled to a small business bill of rights.

I want to especially thank my good friend, the gentlewoman from New York (Ms. VELÁZQUEZ) and applaud her for her hard work on behalf of small businesses. If the only rights small businesses are entitled to are listed in House Resolution 22, I feel sorry for all small businesses; because for all small businesses give to this country, this bill gives them nothing in return.

Small businesses, including minority- and women-owned businesses, are the backbone of this country, and most especially to my State of Texas. Where are the small businesses rights to, one, participation in the Federal marketplace; two, assistance from the government's lending programs which account for 40 percent of all long-term small business financing; three, targeted tax relief similar to that provided to the big corporations; and, four, strong technical assistance from the Federal Government that deals with issues faced by small businesses; and, five, protection from contract bundling, combining two and three contracts together to eliminate small businesses competition?

These are challenges and there are many challenges facing small businesses as they attempt to gain a foothold in this Federal marketplace.

We should be about the business of ensuring full and fair access for small firms. We should be about helping them overcome the obstacles in their way instead of coming up with the blank checks under the guise of giving them rights that large companies are afforded.

Vote against this rule. Vote against this bill, because it does nothing to allow for rights that small business need or the opportunities. Amendments

to correct all this were attempted in the Committee on Rules but denied. So I would say go and fix it or defeat it.

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

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I urge Members to vote "no" on the previous question so we can change this rule to include three very important Democratic amendments that were not allowed by the Committee on Rules last night. In fact, two of the amendments, one offered by my colleagues, the gentleman from Georgia (Mr. BARROW) and the gentlewoman from Wisconsin (Ms. MOORE), related to the rights of minority business owners. Another offered by the gentlewoman from California (Ms. LINDA SÁNCHEZ) relating to expanding the microloan program was denied not only in the Committee on Rules but in the Committee on Small Business as well.

The third amendment denied by the Committee on Rules, offered by the gentlewoman from Illinois (Ms. BEAN), would have put the House on record in support of the 7(a) loan program.

Mr. Speaker, this should not be about partisan politics. It is about fairness. It is bad enough that most Democratic amendments are blocked from floor considerations around here; now the Republican leadership does not even want them considered in the committees of original jurisdiction. I am very disturbed by the pattern of abuse that seems to be spreading in this House, first on the House floor and now in the committee process as well. This must stop.

Vote "no" on the previous question so we can include these three thoughtful amendments. I want to make it very clear, that a "no" vote will not stop us from considering this legislation; however, a "yes" vote will block these amendments from any type of congressional action in the House.

Mr. Speaker, I ask unanimous consent to insert the text of the amendments immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, I yield back the balance of my time.

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

This resolution outlines the areas that the 109th Congress needs to highlight for all small businesses.

In previous Congresses we have initiated many areas of small business in terms of trying to help them grow and flourish where they are employing so many Americans. They are the very engine of our Nation's economy and it is time that we start acting on legislation to help them continue to do so.

I thank the gentleman from Florida for bringing the measure to the floor. I

urge a "yes" vote on the rule and the underlying resolution.

The material previously referred to by Ms. MATSUI is as follows:

PREVIOUS QUESTION FOR H. RES. 235 H. RES. 22—EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 22) expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights. The amendments to the resolution and the preamble recommended by the Committee on Small Business now printed in the resolution are considered as adopted. The previous question shall be considered as ordered on the resolution and preamble, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business; (2) the amendments printed in section 2, if offered by the Member designated or a designee, each of which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit, which may not contain instructions.

SEC. 2. The amendments referred to the first section of this resolution are as follows:

(1) Amendment by Representative Barrow of Georgia or Representative Moore of Wisconsin.

AMENDMENT TO H. RES. 22, AS REPORTED
OFFERED BY MR. BARROW OF GEORGIA AND
MS. MOORE OF WISCONSIN

Page 6, after line 7, insert the following:

(8) Minority business owners have the right to participate fully in the Federal marketplace and to receive the "maximum practicable opportunity" promised them under section 8 of the Small Business Act (15 U.S.C. 637). To accomplish this, programs aimed at minority business development must be modernized, adequately funded, and supported by the Small Business Administration. This will ensure that the Nation's minority entrepreneurs receive the support they need and rightfully deserve, allowing them to serve as an important catalyst to the economy.

In the fourteenth whereas clause, strike "and" at the end.

After the fourteenth whereas clause, insert the following:

Whereas a business ownership divide exists in this country. Despite the fact that people of color represent 32 percent of the United States population, these individuals own only 15 percent of businesses. These same barriers exist for minority-owned companies attempting to access the Federal marketplace. Today, fewer than 5 percent of Government contracts go to minority businesses. This is due, in large part, to a lack of support by Federal officials for key minority business development programs designed to assist this segment of the business population. Programs once embraced by agencies and administrations have stagnated and been allowed to deteriorate without legislative improvements for nearly 20 years, leaving minority business owners without the assistance they need to reach their full potential; and

(2) Amendment by Representative Sánchez. AMENDMENT TO H. RES. 22, AS REPORTED

OFFERED BY MS. LINDA T. SÁNCHEZ OF CALIFORNIA

In the fourteenth whereas clause, strike "and" at the end.

After the fourteenth whereas clause, insert the following:

Whereas traditional lenders do not make loans to many of the Nation's low-income entrepreneurs, which creates a gap in the capital markets; and

Page 6, after line 7, insert the following:

(8) The right to a strengthened and expanded microloan program under section 7(m) of the Small business Act (15 U.S.C. 636(m)), which will ensure that low-income small businesses can contribute to the economic development of local communities.

(3) Amendment by Representative Bean of Illinois.

AMENDMENT TO H. RES. 22, AS REPORTED

OFFERED BY MS. BEAN OF ILLINOIS

Page 6, line 3, insert before the period, "which would be accomplished by restoring funding for the loan program under section 7(a) of the Small Business Act (15 U.S.C. 636(a))".

Mrs. CAPITO. 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.

Ms. MATSUI. 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 motion will be postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1636

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1636.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 748, CHILD INTERSTATE ABORTION NOTIFICATION ACT

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 236 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 236

Resolved, That at any time after the 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. 748) to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, and for other purposes. The first reading of the bill