

EXPRESSING SENSE OF THE HOUSE THAT AMERICAN SMALL BUSINESSES ARE ENTITLED TO A SMALL BUSINESS BILL OF RIGHTS

Mr. KELLER. Mr. Speaker, pursuant to House Resolution 235, I call up 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, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of House Resolution 22 is as follows:

H. RES. 22

Whereas more than 90 percent of all American employers are small businesses;

Whereas small businesses generate approximately 70 percent of the new jobs created in the United States each year;

Whereas small businesses are crucial to the American economy and account for a significant majority of new product ideas and innovations;

Whereas small businesses, together with innovation and entrepreneurship, are central to the American dream of self-improvement and individual achievement;

Whereas 60 percent of the 45,000,000 Americans without health insurance are small business employees and their families;

Whereas most small businesses do not provide health insurance to their employees, primarily because of the surging cost;

Whereas the death tax causes one-third of all family-owned small businesses to liquidate after the death of the owner;

Whereas frivolous lawsuits and the rising costs of liability insurance represent serious threats to small business owners;

Whereas burdensome regulations and paperwork cost small businesses more than \$5,500 per employee; and

Whereas Congress can help small businesses grow by establishing a climate to encourage small businesses to create jobs and offer more affordable health insurance to employees: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that American small businesses are entitled to the following Small Business Bill of Rights:

(1) The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health care coverage.

(2) The right to tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow.

(3) The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs.

(4) The right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small businesses while hurting production and preventing job creation.

The SPEAKER pro tempore. Pursuant to House Resolution 235, the amendments to the text and preamble printed in the resolution are adopted.

The text of House Resolution 22, as amended, is as follows:

H. RES. 22

Whereas more than 90 percent of all American employers are small businesses;

Whereas small businesses generate approximately 70 percent of the new jobs created in the United States each year;

Whereas small businesses are crucial to the American economy and account for a significant majority of new product ideas and innovations;

Whereas small businesses, together with innovation and entrepreneurship, are central to the American dream of self-improvement and individual achievement;

Whereas 60 percent of the 45,000,000 Americans without health insurance are small business employees and their families;

Whereas most small businesses do not provide health insurance to their employees, primarily because of the surging cost;

Whereas the Internal Revenue Code of 1986 is exceedingly complex, making it difficult for small businesses to understand it and comply with its requirements;

Whereas the Internal Revenue Code of 1986 discriminates, in many instances, against small businesses and self-employed persons by limiting the availability of certain tax incentives to larger firms or corporations;

Whereas the death tax causes one-third of all family-owned small businesses to liquidate after the death of the owner;

Whereas frivolous lawsuits and the rising costs of liability insurance represent serious threats to small business owners;

Whereas burdensome regulations and paperwork cost small businesses more than \$5,500 per employee;

Whereas adequate, affordable, and reliable energy supplies are essential to the success of small businesses, especially small manufacturers;

Whereas lack of access to capital and credit stifles new business growth and economic opportunity;

Whereas both unsound contract bundling or consolidation and the failure of various Federal agencies to closely monitor the small business goals and subcontracting plans of large businesses have dried up many procurement opportunities for small businesses; and

Whereas Congress can help small businesses grow by establishing a climate to encourage small businesses to create jobs and offer more affordable health insurance to employees: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that American small businesses are entitled to the following Small Business Bill of Rights:

(1) The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health care coverage.

(2) The right to simplified tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow.

(3) The right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them from creating new jobs.

(4) The right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small businesses while hurting production and preventing job creation.

(5) The right to relief from high energy costs, which pose a real threat to the survival of small businesses, to be accomplished by reducing the Nation's reliance on imported sources of energy and encouraging environmentally-sound domestic production and conservation of energy.

(6) The right to equal treatment, as compared to large businesses, when seeking access to start-up and expansion capital and credit.

(7) 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 Federal contracts.

The SPEAKER pro tempore. The gentleman from Florida (Mr. KELLER) and

the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the goal of the Small Business Bill of Rights is to provide a blueprint for Congress to help small business employers create more jobs. A job is the best social program in the world. It provides income, health insurance, and dignity.

Significantly, 70 percent of all new jobs in the United States are created by small business people. In light of the fact that small business employers are the engine that drive this economy, I decided to meet with 20 very successful small business people in Orlando, Florida, to learn firsthand what, if anything, Congress could do to help small business employers create even more jobs.

I learned a lot by sitting down and listening to small business people. First, I learned that the number one issue facing small business people today is the skyrocketing cost of health insurance. In fact, a growing number of small businesses today are not able to provide health insurance to their employees, primarily because of the surging cost. Of the 45 million Americans without health insurance, 60 percent are small business employees and their families.

Right now, small businesses are unable to achieve the bargaining power of large corporations when negotiating with insurance companies to obtain affordable health insurance for their employees. The premiums that small businesses pay are typically 20 to 30 percent higher than those of large companies.

According to the Congressional Budget Office, small businesses that obtain insurance from association health plans can save up to 25 percent.

These small business people told me that they needed the right to be able to join together to purchase affordable health insurance for their employees so their workers have the opportunity to get the same health care benefits now reserved for those employees of Fortune 500 companies.

The second thing I learned is that many of these small businesses are family owned. Unfortunately, the death tax causes one-third of all family-owned businesses to liquidate after the death of the owner. If Congress does not undertake any meaningful reforms of the death tax laws, then small businesses will go back to paying up to 55 percent in tax rates in the year 2011. Unfortunately, the only small family-owned business in America that knows for sure whether they will die in the year 2010 is the Sopranos.

Understandably, these small business people want the right to tax laws that allow family-owned small business people to survive over several generations and offer them incentives to grow.

The third thing I learned is that frivolous lawsuits and the rising cost of liability insurance represent a very serious threat to small business owners. Unlike large, multinational corporations, small business owners do not have the resources to defend themselves against frivolous litigation and are often forced, for business reasons, to settle a claim for \$5,000 to \$10,000 rather than pay a defense attorney \$100,000 to successfully defend them in court.

Finally, I learned that burdensome regulations and paperwork cost small business more than \$5,500 per employee, and these small business owners understandably want the right to be free of unnecessary, restrictive regulations and paperwork which end up wasting their time and energy and prevent them from creating additional jobs.

After listening to the challenges and solutions proposed by various small business people, I worked with some of my Democrat colleagues to craft a Small Business Bill of Rights.

□ 1415

I want to particularly thank the gentleman from Alabama (Mr. CRAMER) for being an original cosponsor of H. Res. 22.

Now, we had a hearing on the Small Business Bill of Rights last month. At that 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 today, according to the surveys of their members.

After the hearing, we added language relating to the importance of lower energy costs, increasing access to capital, and opening access to government contracts for small business. To my left here is a chart which shows the Small Business Bill of Rights.

Number one. The right to join together to purchase affordable health insurance for small business employees, who make up a large portion of the millions of Americans without health insurance.

Number two. The right to simplify tax laws that allow family-owned small businesses to survive over several generations, and offer them incentives to grow.

Number three. The right to be free from frivolous lawsuits, which harm law-abiding small businesses and prevent them creating new jobs.

Number four. The right to be free of unnecessary restrictive regulations and paperwork which waste the time and energy of small business people.

Number five. The right to relief from high energy costs, which pose a real threat to the survival of small businesses.

Number six. The right to equal treatment as compared with large businesses when seeking access to start-up and expansion capital and credit.

Number seven. 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 Federal contracts.

Now, if someone is not in favor of the Small Business Bill of Rights, if they would be voting "no" on this, then what would they be voting in favor of? In favor of higher health insurance costs, higher taxes, more frivolous lawsuits, more paperwork and regulations, higher energy costs, more obstacles to getting capital, more obstacles to getting Federal contracts for small business people?

In fact, the Small Business Bill of Rights, as you might imagine, passed the Committee on Small Business on a voice vote. Not a single Republican or Democrat member voiced opposition to this. There is nothing here at any time that any Republican or Democrat during the markup process or the Committee on Rules or anywhere else sought to remove. There is no controversy that has been articulated so far about these seven things.

To the extent people may have criticisms, it is criticism of what is not on here. Some folks wish that there were a couple of things that were added that were not here. I can tell you that when I met with small business people, various of them told me different items that were not on here. But when I interviewed 20 people and then had testimony from the witnesses of large organizations, I tried to put together the top-tier issues that affect people across the board in the United States. And while some issues may affect this person or that person, these are the top-tier issues.

Now, it does not list every issue in the world affecting small business people. This is merely a blueprint. If I put every single issue affecting small business people, all people, then what we would probably have is something that is as thick as a phone book. But what we have here are some consensus non-controversial items, and I urge my colleagues to vote "yes" in favor of H. Res. 22.

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

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

As we are in the middle of recognizing National Small Business Week, most small business owners are going forward with their daily routine; waking up, heading into work, opening up their stores, and figuring out ways to pay their bills, manage their employees, and satisfy their customers.

All day today we have been hearing about the numbers of challenges facing small firms, and we will continue to hear about these challenges over and over again. But the sad reality is that small businesses are facing tougher times today, now more than ever. With skyrocketing health care, energy and gas prices, rising interest rates and a

\$427 billion budget deficit, there are already restrictions facing those entrepreneurs who want to start and expand their business ventures.

And now I want to ask, what is Congress' answer to all this, to all these challenges facing small firms? The answer is: Give small businesses some rights. You should have the right to access health care, the right to be relieved of regulatory burdens, and the right to tax simplification. This is all good when it is said and done, but what is Congress going to do to carry through on those promises? What action is going to be taken to back up the rhetoric?

Supporters of this bill will tell you that opposition to this resolution is opposition to helping small businesses. However, the truth is that if you votes "yes" on House Resolution 22, you have voted to do nothing more than offer empty promises to small businesses, empty promises that Congress probably will not keep.

This is because tonight, when this Nation's small business owners go home, probably somewhere around 10 or 11, well after we have been done and gone for the day and after having missed a family dinner and maybe even a Little League game because they believe so much in their business venture, not one of their challenges will be solved because we voted "yes" for House Resolution 22. Today's actions will not fix even one of the problems that most small business owners went to work with this morning.

The Small Business Bill of Rights will not provide health care, it will not give entrepreneurs more access to capital, it will not relieve them of regulatory burdens, and it definitely will not help minority- and women-owned firms to grow a successful business. So continue talking about what you want to do for small businesses today, keep talking about what the challenges are, but what I want to know is when my colleagues on the other side of the aisle are going to stop talking and start taking action.

The bottom line here is that voting for House Resolution 22 today will not make a single thing better for this Nation's small businesses. It might make a great press release for some and another opportunity to boast support for entrepreneurs, but, sadly, that is all it will be.

This Small Business Week all that our Nation's entrepreneurs will be getting are more empty promises. By voting for House Resolution 22, you are voting to make more empty promises to small businesses this week. What we need now is for small businesses to see some well-deserved and long-overdue action taken to address their challenges. No more rhetoric. That is the least we can do for this Nation's small businesses this week.

This should be seen for what it truly is, a sham, and it should be voted down.

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

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume to briefly address some of the items raised by the gentlewoman from New York. This bill, House Resolution 22, is what it says it is, a blueprint for Congress to follow; that, if followed, will help small businesses create additional jobs. She says, well, it is not enough just to have a blueprint, we should do something about some of these things; and why has this Congress not done anything about it?

I had to smile when hearing that, and I will give three examples of why. The very first thing in the Small Business Bill of Rights says the right to join together to purchase affordable health insurance for small business employees. Now, I happen to be a cosponsor of that legislation, the Association Health Plans, as is the gentlewoman who uttered that statement. And, in fact, Congress has just acted on that bill on the Committee on Education and the Workforce, on which I serve, and we will be bringing that bill up to the floor for a vote in the future where it will surely pass the House of Representatives. I recently met with President Bush about that issue and asked him to help push this issue in the Senate.

The second issue mentioned in the Small Business Bill of Rights is the right to simplify tax laws that allow family-owned small businesses to survive over several generations and offer them incentives to grow. Why have we not done anything about that? In fact, just last week we passed a law repealing the death tax. In fact, I cosponsored that legislation.

The third issue was the right to be free from frivolous lawsuits which harm law-abiding small businesses and prevent them creating new jobs. In fact, the gentleman from Texas (Mr. SMITH) has filed legislation called the Lawsuit Abuse Reduction Act, which I have cosponsored, which says we will have mandatory sanctions for frivolous lawsuits, and three strikes and you are out for those attorneys who file frivolous lawsuits. This is not really a Republican issue, but as well as having support of people like myself, it had the support of Senator JOHN EDWARDS and Senator JOHN KERRY on the campaign trail, who said we should have tough sanctions and a three-strikes-and-you-are-out penalty. That is legislation that passed the House last time and we will surely seek to pass it this time.

So, Mr. Speaker, we have laid out the blueprint here and then said we are creating order out of chaos. Of all the different myriad issues, these are the top-tier issues, and now we must take action to pass these pieces of legislation. And in fact this Congress is committed to doing that and has already done that in the three instances I have talked about.

Mr. Speaker, I am going to insert for the RECORD a copy of the exchange of letters between the chairman of the

Committee on Small Business, the gentleman from Illinois (Mr. MANZULLO); the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS); and the chairman of the Committee on Government Reform, the gentleman from Virginia (Mr. DAVIS) regarding H. Res. 22.

And I will also insert into the RECORD a statement by the chairman of the Committee on Small Business, the gentleman from Illinois (Mr. MANZULLO).

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 26, 2005.

Hon. DONALD A. MANZULLO,
Chairman, Committee on Small Business,
Washington, DC.

DEAR CHAIRMAN MANZULLO: I am writing concerning H. Res. 22, a resolution “[e]xpressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights,” which was reported by the Committee on Small Business on Thursday, April 21, 2005.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. The second resolution clause referring to the “right” afforded to small businesses to simplified tax laws would require changes to the Internal Revenue Code, and thus clearly falls within the jurisdiction of the Committee on Ways and Means. However, the Committee will not take action on this particular resolution. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H. Res. 22, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 26, 2005.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN THOMAS: Thank you for your letter regarding H. Res. 22, which expresses the sense of the House of Representatives that American small businesses are entitled to a “Small Business Bill of Rights.” As you noted, some of the provisions of the bill fall within the Rule X jurisdiction of the Committee on Ways and Means. I appreciate your willingness to forgo consideration of the bill, and I acknowledge that by agreeing to waive its consideration of the bill, the Committee on Ways and Means does not waive its jurisdiction over these provisions.

A copy of your letter and this response will be included in the Congressional Record during consideration of H. Res. 22 on the House floor.

Thank you for your assistance in this matter.

Sincerely yours,

DONALD A. MANZULLO,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, April 27, 2005.

Hon. DONALD A. MANZULLO,
Chairman, Committee on Small Business,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Government Reform Committee in matters being considered in H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights.

I recognize the importance of H. Res. 22 and the need for the legislation to move expeditiously. Therefore, while the Committee has a valid claim to jurisdiction over certain provisions of the resolution, I have not requested a sequential referral of H. Res. 22. My decision to forego a sequential referral does not waive, reduce or otherwise affect the jurisdiction of the Government Reform Committee. I respectfully request that a copy of this letter and of your response acknowledging our valid jurisdictional interest will be included in the Congressional Record when the bill is considered on the House Floor.

Thank you for your cooperation in this matter.

Sincerely,

TOM DAVIS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, April 27, 2005.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Government Reform Committee’s jurisdictional interest in H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights, and your willingness to forego consideration of H. Res. 22 by the Government Reform Committee.

I agree that the jurisdiction of the Government Reform Committee will not be adversely affected by your decision to not request a sequential referral of H. Res. 22. As you have requested, I will include a copy of your letter and this response in the Congressional Record during consideration of the legislation on the House floor.

Thank you for your assistance, as I work toward the passage of this resolution.

Sincerely,

DONALD A. MANZULLO,
Chairman.

STATEMENT OF THE HONORABLE DONALD A. MANZULLO ON H. RES. 22

Mr. Chairman, I am pleased that the House is taking up this resolution that essentially lists the small business priorities for this Congress. It is particularly fitting that on Small Business Week, we take time out of our busy schedule to honor small businesses and list their top priority issues. Representative Ric Keller has authored a commendable resolution, based on input he has received from his small business constituents, which expresses the sense of the House of Representatives that the top challenges facing small businesses are: staggering health care costs; a high tax, regulatory and paperwork burden; frivolous lawsuits; growing energy costs; inadequate access to capital and to federal procurement opportunities. Surveys of small businesses continually show similar priorities, which was reflected in the hearing the Small Business Committee held last month. These priorities should be the focus of Congressional action to improve the climate for small businesses.

On many fronts, Congress is making progress addressing these issues. In February, we were finally able to break the log-jam in the Senate on class-action litigation reform and it is now the law of the land.

This Committee held two hearings on health care in recent weeks and I am optimistic that we can build on the success in the previous Congress that established Health Savings Accounts to break the impasse in the Senate on Association Health Plans and medical liability reform.

I am pleased that the President's Fiscal Year 2006 budget request and the House FY '06 Budget resolution includes making the tax cuts we already passed into law permanent, which helps about 85 percent of all small businesses that pay their taxes on an individual—not corporate—basis. Two weeks ago, the House passed making permanent repealing the estate or "death" tax repeal so that small businesses can be passed on to the next generation.

I am going to work very hard this Congress to see meaningful reform of the Regulatory Flexibility Act (RFA) to insure that no federal agency bypasses the concerns of small business in the regulatory process. As a first step, the Committee held a hearing on legislation to improve the RFA last month.

Last week, the House passed a comprehensive energy bill that is one part of the solution to help lower the price of energy in the United States through increasing supply and encouraging conservation.

Finally, various SBA programs can help improve access to capital and procurement opportunities for small business. Now that the 7(a) loan guarantee program is on a stable footing, it has grown by 27 percent during the first six months of this fiscal year as compared to a similar period last year. It is on track to reach a record level of usage both in terms of the number of small businesses served and the dollar amount loaned out. The 504 Certified Development Company (CDC) and the Small Business Investment Company (SBIC) programs also play critical roles in meeting the expansion and venture capital needs of small business. In addition, SBA oversight over many of the federal procurement programs has produced positive results for small businesses—for the first time in many years, the federal government met its overall 23 percent small business goal by providing \$65.5 billion in prime contracting opportunities for small business in FY 2003.

I encourage my colleagues to support H. Res. 22 and commend Representative Keller's leadership in offering this initiative.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself 20 seconds. I would say that a blueprint is important, but at some point we need to start building a house.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, it is ironic, or perhaps hypocritical is the right word, to be passing a Small Business Bill of Rights when in fact our Republican friends are gutting the very programs that support small businesses in this country. We will very likely pass this so-called bill of rights, but the danger is that in this Congress, this will become a smoke screen for inaction or worse.

The Bush administration can find a trillion here and a billion there for tax cuts of questionable benefit to the economy, but they cannot find the funds necessary to help our small businesses that have time and time again proven their power to create jobs and spur economic growth.

The Small Business Administration budget proposed by President Bush would provide the SBA with just over half the funds they had during the final year of the Clinton administration. That is like taking money right out of the hands of our small business owners.

One out of every three small business loans in this country has been provided by 7(a). Last year the Bush administration eliminated funding to subsidize this critical program, and for the life of me I cannot figure out why.

The return on this government investment is staggering. In 2004, 7(a) loans returned an estimated \$12 billion on an \$80 million investment. That is a more than a 100-fold return to the economy. It does not take a genius to realize that is good business and it is good common sense.

Despite this, the President says he thinks it is not the government's business to support this program. Instead, he wants to pass the cost along to small business owners, significantly raising the fees they pay to use the program, up to \$50,000 in some cases. That is ironic coming from a President who claims that any change in his tax policy will stall our economic recovery.

Mr. Speaker, Democrats understand small businesses and their need for accessible capital. In vote after vote, we are willing to support this vital sector of our economy. If the Republican leadership of this body feels the same, I suggest we stop wasting our time with feel-good resolutions and start putting our money where our mouth is.

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

Mr. Speaker, I recognize how important access to capital is to America's small businesses. That is why we listened to small business owners when they testified here last month and included language in this bill emphasizing the importance of capital and credit to small business growth. I am very happy that the 7(a) program, referenced by the gentleman, is not only thriving but that it is self-sufficient, operating at a zero subsidy and saving American taxpayers millions of dollars.

With the passage of the Small Business Bill of Rights, we will be emphasizing Congress' commitment to access to capital for small businesses.

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

□ 1430

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

This is very interesting, this is a resolution, sense of the Congress. It is all the good things one can imagine. They have also just recently called it a blueprint. What it is not is action. It is not concrete action to solve the problems of the small business community, and that is what Democrats are trying to say today.

If we look at it, and this is the irony, some of the things they are trying to advocate have already been passed. They talk about tort reform, and they passed some tort reform. This House has passed association health plans. I am for them; the gentlewoman is for them.

My point is they are talking about things that have passed or things that they have no intention of passing. They have had every opportunity to do something about bundling, the consolidation of Federal contracts. They have not done a thing. Democrats have been talking about this for years.

There are a lot of things in this bill that on its face are not necessarily objectionable, they are not so bad, but they do not mean anything. At the end of the day, they are empty platitudes. I do not take great offense at these platitudes, but Congress has to be candid with the American people and the American small business community and say these are platitudes that do not do anything. It is time we do something.

Let me mention one other item, and that is what is not in this bill of platitudes, and that is it does not address the concerns of the minority community. The minority community in America is about 32 percent of our population, 13 percent of our companies. The Democrats said, look, let us not just do platitudes, let us do some things to improve the condition of minority businesses, let us improve those government programs that are targeted at the minority communities, such as the 8(a) program. Let us streamline it and let us modernize it. They were not interested in that. The gentleman from North Carolina (Mr. PRICE) just pointed out we need to beef up the 7(a) program. The administration is trying to zero out that program so we do not have loans for small businesses.

What we have here is a bill of platitudes that sound nice that ignores the minority community and does not really do anything except rehash some of the ideological positions of the Republican side of the aisle, without really offering the business community any real meat.

Mr. Speaker, I urge Members to reject this bill of platitudes, and let us do something for small businesses.

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

Mr. Speaker, again I have to smile listening to the gentleman's comments because he said this is a bill of platitudes that is a partisan Republican agenda, and then he turns around and

said that he proudly supports association health plans, along with the ranking member, and we need action on them. I think that is a bit inconsistent, although I will agree with the gentleman, association health plans are very important. I think it is fair to say that they will pass overwhelmingly in the House. We want to make that a priority. I think it is fair to say the Senate has not taken them up, should have taken them up, and darn well better take them up and finally pass them this term. I think we want to send a strong message that the House considers this a top priority of small businesses.

With respect to the other issues, certainly we want to focus on the top-tier issues, such as repealing the death tax, and not just a platitude. We want it to pass and we took action last week, and it is going to come back in the form of a conference report. We want the small business community to be on record as saying that we think that is important that we finally repeal the death tax once and for all.

With respect to frivolous lawsuits and liability concerns, we will have an opportunity to address that this Congress. We want this country to know we are listening to small business people when they say that they are concerned about frivolous lawsuits and there should be some sanctions. So we have simply taken many, many issues, identified them in this blueprint by saying these are the top-tier issues that the NFIB says are the top issues to their members, the Chamber of Commerce says, and the regular people that I have interviewed say, and say, we hear you, we know you want action, and we are identifying these top priorities, and we intend to take action on those top priorities.

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

Mr. Speaker, yes, I agree with the gentleman that we have association health plans, and that is a bipartisan issue that has support; but we have voted in this House four times on that issue. How many more times do we need to vote in the House? The other side controls the White House and the Senate. On the one issue where there is bipartisan support, the other side cannot get the President to call the Senate and get this legislation passed. That is how much the other side of the aisle cares about access to health care for small businesses.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I thank the gentlewoman for yielding me this time.

The resolution we are talking about today is supposed to express the sense of Congress that we are committed to meeting the needs of small businesses. But, frankly, as we fiddle away, we ignore that small businesses need action now. We have been speaking of the

most glaring example, where Congress and the administration have been long on promises and very short on action. A comprehensive health care reform for small business needs to be a priority.

The number one challenge facing our Nation's businesses today is inability to access affordable health care. The problem has deepened in the past 5 years, an increase in cost of over 60 percent over the past 5 years. While it seems that everybody recognizes there is a problem, there has been no major reforms in the last 5 years. Since 2001, the President has repeatedly talked about bringing down health care costs for small businesses, but he has done little in the way of making any real changes.

In the meantime, we have passed a bankruptcy bill, four tax cuts, a Medicare bill, a class-action bill; but the number one problem facing small businesses continues to see no action. Meaningful support means a comprehensive approach to health care reform for small business and not merely an unworkable gesture. Bringing down health care costs for small business and the self-employed is and should be a top priority. Unfortunately, Congress and the President have failed to do so. That means health care costs are going to continue to skyrocket.

We need to end the back and forth. We need comprehensive health care reform and to start taking steps forward to implement a solution that is workable and actually helps small business owners.

As the economic engines of this great Nation, small businesses deserve to be confident in their ability to provide health care for themselves, their families, and their employees. I urge a "no" vote on this resolution.

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

Mr. Speaker, the gentleman from Arizona (Mr. GRIJALVA) just urged a "no" vote. Now what does that mean: A Member is not for the things that we have here in the bill of rights, seven things that no person at any time on the Committee on Small Business has ever moved to strike, and we are voting on this Small Business Bill of Rights. We are not voting on what is not here; we are voting on what is in front of us.

I want to be very clear to Members who are heeding this gentleman's advice that they should vote "no." If a Member votes "no" on what we are advocating, you are voting "yes" for higher health insurance costs, "yes" for higher death taxes, "yes" for more frivolous lawsuits, "yes" for more paperwork, "yes" for higher energy costs, "yes" for more obstacles to getting capital, and "yes" for more obstacles for getting contracts from the Federal Government for small businesses.

I believe the appropriate vote here is a "yes" vote to send a message to the small business people in this country that we appreciate the fact that they are creating 70 percent of all the new

jobs in this country. We hear their concerns. We want to help them. We have listened to their top priorities; and by golly, we are going to work to pass each and every one of these items in this Congress.

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

Ms. VELAZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, today we are going to vote on a resolution that will do nothing to help small businesses in Nevada and throughout this country. My friends on the other side of the aisle call this resolution the Small Business Bill of Rights; yet in my opinion this is another case where their rhetoric does not match the reality.

Small business is very important to me. Half of the businesses in Nevada are small businesses. We are all concerned about the cost of health care to small businesses. We are all concerned about the amount of paperwork that small businesses are deluged by, and we are all concerned about the skyrocketing costs of energy for all business, including small business.

But the bill before us does a disservice to small business. It fails to recognize the importance of women-owned small businesses. This is especially important in Nevada which has over 50,000 women-owned small businesses and has the fastest growing number of women-owned small businesses in the country.

The number one issue for the women in Nevada that own small businesses is access to capital. It is the number one issue for women. It is the number one issue for women-owned businesses. Gutting the 7(a) loan program and microloans is a disaster for these businesses.

House Resolution 22 also fails to condemn the illegal practice of Federal Government contract bundling. When small business owners come to see me, one of the first issues they bring up is lack of access to Federal contracting opportunities. Contract bundling shuts small businesses out of the marketplace and should certainly be included in any genuine Small Business Bill of Rights.

Nevada has been rated among the best States for entrepreneurs to start a small business. These businesses must have opportunities in the Federal marketplace. Increasing small business participation in Federal contracts will result in lower cost to taxpayers and give small businesses more opportunities in the Federal marketplace. Small businesses make up 97 percent of all business in the United States; yet the Federal Government does more than 77 percent of its business with only 3 percent of our Nation's companies.

Mr. Speaker, I urge my colleagues to vote "no" on House Resolution 22 and "yes" on the Velazquez motion to recommit.

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

Mr. Speaker, I do not know if the gentlewoman from Nevada (Ms. BERKLEY) had the opportunity to read the bill. She said it does not say anything about access to capital or contract bundling. In reality, it specifically says small businesses shall have the right to equal treatment as compared to large businesses when seeking access to start-up and expansion capital and credit. It says small businesses should have 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 Federal contracts.

We specifically added those provisions knowing that they were of concern to the minority members on the Committee on Small Business.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Speaker, there are some things in this resolution I agree with, and there are some things that I do not agree with; but the real problem that I have with the resolution is it does nothing. It is just a bunch of rhetoric. Where I come from, we say it is a lot of words with sound and fury signifying nothing. Nothing will be done for small businesses at the end of the day under this bill.

Why we need a blueprint or a road map to address something in Congress escapes me. This bill does nothing.

The 20 businesses the gentleman from Florida (Mr. KELLER) says he talks to obviously did not include any minority businesses, and the number one issue that minority people are indicating to us as members of the Congressional Black Caucus is they cannot even get into business.

Mr. Speaker, that is 21 percent of the population, 7 percent of the small businesses, 7 percent of the businesses in this country; and yet when we tried to offer amendments to this bill to address the access to capital needs, 8(a), 7(a) and the things that are important to incentivizing minority businesses, the committee objected to including those things in this bill, and the Committee on Rules said, no, you cannot offer those amendments.

We want access to capital. We want the ability to just be able to get into business. We want access to contracts; and while the bill talks about unbundling Federal contracts, nobody on the other side of the aisle has done anything about unbundling contracts.

We have met with administration officials time after time after time, and they have done nothing. This resolution does nothing, and I encourage my colleagues to vote against it.

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

Mr. Speaker, I certainly respect the gentleman from North Carolina (Mr.

WATT) and appreciate the gentleman agreeing with at least some of the positions in here, although the gentleman's position is somewhat interesting to me because on the one hand he is demanding that certain items be included that are not included, and on the other hand he says the resolution is meaningless.

□ 1445

So if in reality the resolution is meaningless, then why is it so key to him to have those things included?

The second thing he mentioned is we must not care about minority- or women-owned businesses. There is not one single thing in the Small Business Bill of Rights that says anything bad about women or minority businesses. I have not heard from any colleague any ill feelings to any women or minority businesses. There is language talking about equal access to capital and government contracts.

His saying next, I believe, we must not have talked to any folks representing minority-owned businesses, in reality we had testimony from the Chamber of Commerce at this hearing which said they represent 3 million businesses, testimony from NFIB representing 600,000 small businesses, small business owners, white, black, Hispanic and others; and they gave us their top four issues as surveyed by their own members as association health plans, repealing the death tax, cracking down on frivolous lawsuits, and reducing paperwork. So these were the top-tier issues of these organizations, which do include small businesses.

Mr. WATT. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from North Carolina.

Mr. WATT. Mr. Speaker, I appreciate the gentleman's yielding to me.

I just want to be clear on whether this committee considered any amendments dealing with 8(a) or any of the incentivizing provisions and what disposition this committee made and what disposition the Committee on Rules made of efforts to amend this resolution to include some incentives for minority business participation that would close the gap that exists between minority individuals in business and other individuals in business. Did they consider anything?

Mr. KELLER. Mr. Speaker, reclaiming my time, with respect to what was considered by the committee, the committee, minority members included, got a full hearing. Everybody got to ask questions twice. They then had three provisions added to the original Small Business Bill of Rights by me through substitute amendments, and then they got a vote on four of their six amendments before time expired. No, there was not a vote on the 8(a) program. There is nothing in here that says 8(a) is bad or good.

Ms. VELÁZQUEZ. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, two things. Only one person, one witness, testified on behalf of the 8(a) program. So she represented 100 percent of minority businesses in this country. Secondly, is it not true that in the list of priorities for NFIB, frivolous lawsuit does not make the top 50, it does not rank?

Mr. KELLER. Mr. Speaker, reclaiming my time, and certainly she can get her own time to respond, but, no, there was a lady who was invited to testify before the committee representing herself. She certainly did not represent 100 percent of all minorities in the country. She did not pretend to represent any minorities other than herself.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I thank the gentlewoman from New York (Ms. VELAZQUEZ) for yielding me this time.

Mr. Speaker, I rise in opposition to H. Res. 22, the so-called Small Business Bill of Rights. There is nothing that is right about this resolution since it does not recognize the right of small businesses to have access to capital that meets their needs.

Last night I offered an amendment to the Committee on Rules that recognized the right of small businesses to have access to capital; and I am extremely disappointed that, despite valiant efforts on the part of Democrats, this amendment was not made in order. Small businesses need the 7(a) loan program, the microloan program, and other SBA access to capital programs that help them maintain and expand their businesses.

My amendment would have also recognized the importance of the microloan program, which provides small loans to startups that are not served by traditional lenders. I know for a fact that access to capital programs are vitally important to small businesses in my district because when I held a small business roundtable meeting, access to capital was the number one issue each business brought forward as being an obstacle; and I know that this is the number one issue across the country.

Why are we not helping small businesses? They produce two-thirds to three-quarters of all the new jobs in this country, and they are the backbone of our economy. Unfortunately, many small businesses continue to face barriers to accessing the capital they need.

And I believe that Congress needs to take a stand today and strengthen these programs. It is time for Congress to go on the record in support of access to capital programs, like the microloan program, like the 7(a) loan program. Small businesses need more than just rhetoric and good intentions. They need action by this Congress.

So I urge my colleagues to oppose this resolution because it leaves out this critical priority.

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

I will respond to the comments of the gentlewoman from California. Mr. Speaker, no one, no one, at the hearing of this resolution, either submitted written testimony or spoke about the Small Business Administration's microloan program. That is not to say that the program is unimportant. The Committee on Small Business has argued against eliminating the microloan program in the past. However, the main purpose of this resolution is to include only those issues that affect a broad cross-section of all small businesses. The microloan program serves a small niche marketplace. Access to capital issues are already addressed in the Small Business Bill of Rights. We specifically say small businesses should be entitled to the right to equal treatment as compared to large businesses when seeking access to startup and expansion capital and credit.

Again, this is an example of someone criticizing the resolution not for what it says. They do not disagree with what it says. It is something that is not even there in it, and it confounds me a little bit. And I have to tell my colleagues when I interviewed various businessmen, they had a lot of ideas that they thought should be included and focused on in Congress that, frankly, I did not include in this resolution, even though I like them and they are sincere and it is important to them, because it was not a top-tier issue. It did not affect a broad cross-section of people. It was not a consensus noncontroversial issue.

Just to give one example, one of the businessmen I interviewed was Mr. Bruce O'Donohue, who installs traffic lights. He says the biggest frustration as a small business person is getting reimbursed from the local, State, and Federal Government when they install traffic lights. It has a big impact on a small business guy to do work and then wait 4 or 5 months to get paid much more than it does a Fortune 500 company. I am sure for him this is more important than death tax laws and association health plans and frivolous lawsuits, and I do not doubt the sincerity. But I did not include it because it was the only time I heard it. It did not come up in the hearing. It was not a broad consensus issue.

So I could have made this piece of legislation as thick as a phone book and included everything in the world, but then nothing would ever get done. Instead, we decided to go with a blueprint of the top-tier issues that essentially says to Congress these are important; and if we do nothing else, let us at least achieve these top priorities.

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

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

Mr. Speaker, I just would like to say that more than 50 percent of the microloan program loans went to minority entrepreneurs, making it a critical source for funding for new minority-owned firms. That is quite a niche for us. It might not be for the other party.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I am sitting here listening to the information being disseminated in regards to small business.

I have been for many years a small business entrepreneur, if the Members will. I have sat on the committee for 6 years and have seen how the funding for some of the programs that are most helpful to minority business and other small business have dwindled and we have had to fight, especially for women-owned businesses. One year it was from 8 million, increased by 3 million to all of 11 million for the whole of the United States. Yet women-owned businesses were the biggest growing segment of new business in the United States.

So here we have areas that need help. The ability for some of our small business to grow, to be able to start up, grow, to be able to expand, to create the jobs. Small business is the recovery engine of our United States; and yet we are saying these are important things, that it does not really say anything about it, it just does not say anything about them to help them grow in these hard economic times that we are facing right now. When we are talking about the reimbursement of business license, that is a local issue. That is local government. It has nothing to do with the Federal Government. Those are reimbursement issues that procurement at the local level is handling. That has nothing to do with assistance in programs that will enable small business to be able to produce the jobs that we need to recover.

And, yes, there are a lot of other issues that I could bring up, but I stand here and cannot help but wonder why they are so adamantly opposed to add provisions in a bill this year that we can institute to be able to further along our engine of recovery through our small business assistance.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I rise in support of today's Small Business Bill of Rights, but I feel it necessary to address the concerns of the one small business community whose concerns are not addressed in this resolution, America's minority-owned businesses. This is not a small part of the small business marketplace. It is not a niche market, though this resolution treats the minority small business market as though it were a niche market.

Despite the fact that nearly one-third of America's population consists

of minorities, these individuals own only 15 percent of America's small businesses.

Earlier this month, the gentlewoman from Wisconsin (Ms. MOORE) and I attempted to offer an amendment to address this disproportion. Our amendment was simply a call for modernizing and streamlining the eligibility criteria of the Small Business Administration's 8(a) program so that minority-owned small businesses had substantially the same eligibility criteria that we use to serve the rest of the small business community.

The 8(a) program was created nearly 40 years ago, and it is the major business development program that this government offers to help minority business development.

Currently, businesses applying for 8(a) certification have to meet a number of restrictive criteria. These include a net worth cap of \$250,000; a 9-year maximum time in the program; a weaning off of government contracts; having been in business for 2 years prior to entering the program; and having to show written proof of "prospects for success."

Today these restrictions apply only to the 8(a) program. The eligibility criteria for the 8(a) program has not been updated, revised, or changed at all in the last 17 years. During that time, we have seen many other improvements in the Federal marketplace, including three new procurement programs targeting specific sectors of the small business community: the HUBZone program, the Women's Procurement program, and the Small Disadvantaged Business program. These are good initiatives that help America's small businesses; but in order to qualify for them, they do not have to jump through the same hoops they have to jump through to get 8(a) certification.

Mr. Speaker, 17 years without a legislative update is the equivalent of repeal by neglect. Instead of ensuring that minority entrepreneurs have equal access to Federal contracts and subcontracts, this resolution does nothing to eliminate out-of-date and unnecessary obstacles for minority-owned companies.

Mr. Speaker, this amendment was not even given the chance to be considered in committee. Just when it was time for us to introduce our amendment, a motion for previous question was made, preventing us from even introducing our amendment.

Yesterday, I argued before the Committee on Rules that this amendment be considered today, and that request too was denied.

Mr. Speaker, I understand that this is a House of procedure and protocol. But the curious and unusual procedure and protocol afforded this amendment has been unfair and unjust.

This resolution offered us an opportunity to help remove antique barriers that limit the potential of our Nation's minority-owned businesses. Until this Congress addresses the fact that minority small businesses have to jump

through hoops that do not apply in other small business programs, minority small businesses will continue to be second-class concerns.

A bill of rights for small businesses ought to fix that.

□ 1500

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

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire of the Chair how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida (Mr. KELLER) has 9 minutes remaining; the gentlewoman from New York (Ms. VELÁZQUEZ) has 8 minutes remaining.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I want to, so the world knows, speak in support of all of the work that the gentlewoman from New York (Ms. VELÁZQUEZ) has done on behalf of small business across this country. Without her leadership, small businesses might not have a voice in this Congress.

I rise to speak in opposition to this resolution and, specifically, on the importance of tax relief for American small businesses. This bill specifies that small businesses have “the right to be free of unnecessary, restrictive regulations and paperwork which waste the time and energy of small business, while hurting production and preventing job creation.”

My only question is, what have the Republicans done since they took the majority in 1994 to relieve the tax burden on small business? Over a decade ago, when Republicans took control of the House, they promised that they would make our tax laws more simple and fair. Former Committee on Ways and Means Chairman Bill Archer promised on many occasions that he was going to rip the code out by its roots and replace it with a simpler one. This has not happened.

Actually, Mr. Speaker, the truth is no action has been taken. The Republicans have done the very opposite of what they promised.

Here are some disturbing facts. The IRS estimates that the average taxpayer with self-employed status has the greatest compliance burden in terms of preparation: 59 hours. This is about 10 hours longer than in 1994. According to the GAO, in 2000 and 2001, small businesses overpaid their taxes by \$18 billion because of return errors and complexity in the Tax Code. The Small Business Act of 1996 made 657 Tax Code changes that expanded the code by more than 50 pages. The Job Growth and Tax Relief Act of 2003 made 51 Tax Code changes and expanded the Tax Code by nearly 12 pages. During the 108th Congress, the Republicans orchestrated nearly 900

changes to the Tax Code. And it goes on.

I just rise to say, Mr. Speaker, that I rise in opposition to the legislation. Small businesses need a simplified Tax Code.

An analysis of the legislation by the Joint Committee on Taxation describes how the new law will require more than 10 percent of all small businesses to keep additional records, result in more disputes with the IRS, increase tax preparation costs, and require additional complex calculations.

Mr. Speaker, small businesses are the foundation of our economy. They need a tax system that frees resources for investment and encourages job creation. We must support small businesses and American entrepreneurship.

When this resolution before us states that small businesses have “The right to be free of unnecessary, restrictive regulations . . .,” we can’t help but question the sincerity of that declaration.

Since they took the majority in 1994, Republicans have enacted 42 new tax laws. These new laws contain 4,268 changes to our tax code, resulting in over 500 additional pages to our tax code. These changes have made the tax code significantly more complex for Americans and small businesses, with no serious effort to provide tax simplification.

Mr. Speaker, when we say that small businesses have the right to be free from unnecessary regulation and deserve tax simplification, we cannot just “talk the talk.” We must also “walk the walk.” This is the time in which we need to initiate fundamental tax reform; it has become vital to our small businesses and American entrepreneurship. We must act now.

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume, just to respond to one allegation by the gentlewoman which essentially was that Republicans have been in power for a while and have done nothing to help small businesses with respect to tax relief. I would dispute that pretty vigorously, and I do not need to look for too many examples of that.

When I was elected to Congress in the year 2000, small businesses, most of which are subchapter S pass-through entities, were paying a tax rate of 40 percent. On the other hand, the Fortune 500 corporations were paying a corporate tax rate of 35 percent. President Bush thought that was unfair, and we passed President Bush’s tax relief initiative and brought small businesses from 40 percent down to 35 percent. We have seen 2 million new jobs created in the past year in large part because of that tax policy, and, in fact, 70 percent of those new jobs were created by small business people.

He also thought it was important that people have incentives to invest, so he asked us and we complied, and we lowered the capital gains tax from 20 percent down to 15 percent. We have had extraordinary tax growth. So I think the President has taken the lead with respect to tax relief, and the Congress has agreed with him, and we have had some pretty good success with that.

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

Ms. VELÁZQUEZ. Mr. Speaker, small businesses got only \$500. That is nothing compared to the \$3,000 that they have to pay in fees through the 7(a) program.

Mr. Speaker, I yield 2 minutes, 15 seconds to the gentlewoman from Wisconsin (Ms. MOORE).

(Ms. MOORE of Wisconsin asked and was given permission to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I will not repeat the many cogent remarks that my colleagues have made, but I would like to address some of the things that the gentleman from Florida has said.

First of all, minority- and women-owned businesses are very, very proud to have contributed to this economy. The 3 million businesses with close to 5 million workers have generated close to \$600 billion in revenue. My concern is that there will be a serious attrition because, in fact, the programs that have helped to create these businesses are being gutted and have not been improved in 17 years. As a result of our not modernizing these programs, there has been a loss of \$10 billion in Federal contracting opportunities.

I would also like to address the gentleman’s remarks about no one having a complaint about things in this bill. I suppose, Mr. Speaker, that the welcome for me, a new Member of Congress, is that I was not even allowed to debate my amendment, something that I regret, because I feel that I am a great contributor.

Mr. Speaker, I would just like to share a few of the staggering economic statistics in my district of Milwaukee, Wisconsin. In the past 5 years, the city of Milwaukee has lost 33,000 manufacturing jobs. We have had an 80 percent unemployment increase among residents in the city of Milwaukee. According to the Bureau of Labor Statistics, 59 percent, 59 percent of African American males are unemployed, and 92 percent of them live in the city of Milwaukee.

The late great Ronald Reagan once said anecdotally, the best way to address minority business unemployment is to create minority businesses. I could not have said it better.

Mr. Speaker, small businesses create nearly 75 percent of all new jobs, account for 99 percent of all employers, and make up half of our nation’s Gross Domestic Product, GDP. Many people of color have embraced the idea of the American dream through business ownership, as minorities own more than 3 million businesses with close to 5 million workers and generate close to \$600 billion in revenue.

However, despite the fact that minorities make up one-third of the population, minority-owned businesses account for only 15 percent of all U.S. companies. It seems that an ownership divide exists in this country and more of an effort should be made to encourage minority entrepreneurship. Unfortunately, H. Res. 22 does not adequately reflect the challenges facing many of today’s minority entrepreneurs.

Let me briefly run down a few staggering statistics in terms of my district:

Since 1999, the number of unemployed residents in Milwaukee has increased by close to 80 percent.

According to the 2000 census, 59 percent of African American working age males in Milwaukee are either unemployed or out of the workforce.

In the past 5 years, the city of Milwaukee has lost 33,000 manufacturing jobs.

Ninety-two percent of the Metropolitan Milwaukee area's African American labor force lives in the city of Milwaukee.

I know the creation of a handful of new small businesses in my district would be a step in the right direction towards addressing some of the eye-opening figures I mentioned a moment ago. But the resources have to be made available in order to make this happen. Sadly, the actions of the federal government indicate the opposite.

It concerns me that programs established by Congress to promote minority business development, such as the SBA's 8(a) program, have been ignored and allowed to fall behind the times—with no action taken during the past 17 years to ensure that these vital services are able to meet the demands of today's small business marketplace. This is unacceptable.

In the meantime, numerous reforms occurred in the federal procurement process that made it quicker and easier to participate in contract practices. Regrettably, minority-owned firms were unable to capitalize on these improvements due to the outdated procurement initiatives offered through minority business development programs. As a result, these companies lost out on nearly \$10 billion in Federal contracting opportunities.

In addition, there are significant racial disparities in Small Business Administration's lending practices. The average loan size for 7(a) loans is \$170,000. However, the average 7(a) loan for African American-owned companies is \$86,000, and the average 7(a) loan for Hispanic-owned businesses is \$128,000.

The Federal Government has also added to the barriers to success already facing minority small business owners though the shutdown of the Small Business Investment Company's, SBIC, Participating Securities program. In 2003, 14 percent of all SBIC's program financings in 2003 went to minority-owned businesses. Entrepreneurs now have one less avenue for capital.

Furthermore, the administration also recommended eliminating the SBA's MicroLoan and PRIME programs, which provide financing and technical assistance to budding minority entrepreneurs. Given the importance of small businesses to the American economy and the serious problems facing urban communities, Congress should take proper action to accommodate the needs of small business owners.

Mr. Speaker, along with my colleague from Georgia, Representative BARROW, I made a good faith effort to introduce an amendment during the Small Business Committee Markup of H. Res. 22 which would have added the concerns of minority small business owners. Unfortunately, we were never granted the opportunity to offer our amendment.

To paraphrase former President Reagan, "the best way to increase employment in minority communities is to increase the number of minority-owned businesses." I couldn't have said it better myself.

This Small Business Bill of Rights does not accurately reflect the concerns of all small

businesses in my district. Therefore, I cannot support the resolution. I urge my colleagues to vote "no" on H. Res. 22.

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

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire how much time is left.

The SPEAKER pro tempore. The gentlewoman from New York has 3½ minutes remaining; the gentleman from Florida has 7½ minutes remaining.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, in my community, there is an old saying that goes: After all is said and done, much more is said than done.

Now, we have heard a great deal about what some people have called the do-nothing, the empty-promises Small Business Bill of Rights. The gentleman from Florida asked the question, if you vote against this, what are you really voting against? What you are voting against is the gamesmanship of playing games with the needs of small businesses.

Yes, small businesses need some things. They need access to capital, money, cash. They need venture capital, money, cash to expand and grow their businesses. They need protection from the inopportunities to do business. They need the big contracts broken up, unbundled, so that they can compete. So they need assistance. They do not need rhetorical commentary, they do not need advice, they need help.

I am afraid that my colleagues have been correct. This legislation is full of empty promises. As my colleague from North Carolina said, sound and fury signify nothing.

We all love small businesses, but we want them to know the truth. The Bible says, "Know ye the truth, and the truth will set you free."

The truth is, this administration has not been supportive of small businesses.

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

Again, I respect the comments and enthusiasm of the gentleman from Illinois, and I wish I had his wonderful voice, by the way; maybe I would be more persuasive.

We hear criticisms that, well, this is just a blueprint, we need action. And then it is criticized because it does not have a thing or two that they want in there. So if it is, in fact, a meaningless blueprint and does not in fact do what I say it does, and that is provide a blueprint of action for this Congress, why are they so desperately trying to get their provisions in here?

I have to tell my colleagues that there are some folks who do not agree with their characterization that this is not important. The NFIB, which represents 600,000 small businesses, sent

out a letter yesterday to every Member of Congress, please vote for the Keller Small Business Bill of Rights. This is important to us to have this blueprint.

The Chamber of Commerce sent out a letter on April 25, 2 days ago, which represents 3 million people, asking each Member of Congress, please vote for this Small Business Bill of Rights. This is a blueprint that is critical to have on the record so that this Congress will follow it.

I believe that we do need to have action after this. I believe that the gentlewoman from New York (Ms. VELÁZQUEZ) was smart and right to co-sponsor the Association Health Plans. I share her criticism as to why the Senate has not acted, but we are going to act on this, and we are going to demand they act.

She inquired of me earlier, well, you, and I assume she meant my party, control the White House and the Senate; why do you not do something and get the President to act? I have to share with my colleagues that on March 18, just a little while ago, I had the happy privilege of flying down to my home district of Orlando with President Bush on Air Force One and he invited me up to his cabin there where his mom, Barbara Bush was, and I got the chance to chat with them, just he and I and Senator MARTINEZ, for an hour. He said, if you could have me do anything, what would you want me to do? I said, sir, I want you to use your bully pulpit to help us pass association health plans in the Senate. He said he supports it and he would agree to do that.

So I do not know what more I can do, other than asking the Commander in Chief, one on one, and getting his commitment that he is going to push for that. But I have tried. I wish I were a dictator for a day sometimes, because if I was, we would have association health plans.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 1 minute to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I rise today to address a provision of H. Res. 22 that states that small businesses have a right to be free from unnecessary regulation and paperwork. Small business is important to me, Mr. Speaker, since 95 percent of the businesses in Guam are small businesses. My concern is the practical aspect of including this language in a bill that is meant to serve essentially as a statement of legislative goals for the 109th Congress.

The Regulatory Flexibility Act is routinely ignored by Federal agencies who are supposed to review regulations every 10 years. The Office of Advocacy and the Office of Information and Regulatory Policy are the offices assigned to review proposed regulations.

The point is that sufficient authority exists to protect small businesses against unnecessary regulatory burdens but, unfortunately, Mr. Speaker,

these laws are not being carried out to the intended level by the executive branch. I agree with the regulatory provision of H Res. 22. However, this issue should remain where it belongs: in the committee's oversight plan.

Mr. Speaker I, therefore, support House Resolution 22.

Mr. Speaker, I rise to address a provision of H. Res. 22 that states that small businesses have a right to be free from unnecessary regulation and paperwork. My purpose is not to judge the merits of this provision in the rhetorical sense, as I too agree that we need to do more to relieve the regulatory and paperwork burden on small businesses. My concern is the practical aspect of including this language in a bill that is meant to serve essentially as a statement of legislative goals for the 109th Congress, particularly a bill such as H. Res. 22 that has unfortunately poisoned some of the bipartisan spirit that I believe made the Small Business Committee so strong and effective in past Congresses.

Section 610 of the Regulatory Flexibility Act requires federal agencies to review regulations every ten years in order to strike or revise those provisions which are obsolete or for which a more modern perspective would lead to a better rule. This Act is routinely ignored by federal agencies. The Office of Advocacy and the Office of Information and Regulatory Policy are the offices assigned to review proposed regulations for their impact on small businesses and to ensure that agencies comply with the Regulatory Flexibility Act and the paperwork Reduction Act. Both offices have been provided fewer resources than in previous years, with the administration now proposing to eliminate the line item for advocacy's research budget.

The point is that sufficient authority exists to protect small businesses against unnecessary regulatory burdens, but unfortunately these laws are not being carried out to the intended level by the executive branch. I agree with the regulatory provision of H. Res. 22 in substance, however, this issue should remain where it belongs: in the committee's oversight plan. As the ranking member of the Regulatory Reform and Oversight Subcommittee, I am very much looking forward to conducting oversight hearings on the challenges facing the Federal agencies in complying with existing mandates. The chairman of my subcommittee is a good man, with whom I know there exists much common ground for which we can work on a bipartisan basis.

Last year, we worked on a bipartisan basis to advance an SBA reauthorization that had many important provisions. We worked together on a number of other items such as small business health care and restoring funding for the 7(a) Loan Program that we felt were of mutual interest to small businesses despite objections from other members of our own parties. Unfortunately many of the bipartisan points were scuttled, including a very important provision for my district, and many of the issues for which there is not as strong a consensus are now being advanced. I don't question the commitment to small businesses of those supporting or not supporting H. Res. 22. I do however question whether or not this strategy is conducive to what we really need to be doing as a committee and as a Congress in advancing the interests of our small business community, particularly those issues on which we all agree.

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

Ms. VELÁZQUEZ. Mr. Speaker, who was the right to close?

The SPEAKER pro tempore. The gentleman from Florida has the right to close.

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent for an additional 1½ minutes for myself.

Mr. KELLER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

The SPEAKER pro tempore. The gentlewoman is yielded an additional 1 minute then, for 2¼ minutes.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the remaining time.

My colleagues have all heard about the challenges facing small business today during this debate. It has become very clear that House Resolution 22 will do nothing to address these issues, and it is nothing more than pure rhetoric.

This resolution fails terribly in providing strong solutions and action items to help this Nation's small businesses. It also fails terribly in representing the needs of all sectors of the small business community. With all the respect due to the main sponsor of this resolution, 20 small businesses from his district do not represent 20 small businesses in my district, or 20 small businesses in any other Members' district. By voting for House Resolution 22, you are merely casting a blank ballot. This bill of rights is nothing more than empty promises to our Nation's small businesses.

I am going to request a motion to recommit this bill back to the committee. By voting for this motion to recommit, you will be voting to give small businesses the opportunity to truly receive more capital through SBA lending programs and to protect them from free trade agreements. Most importantly, you will be voting to make the needs of women- and minority-owned businesses a true priority. These are critical provisions that need to be addressed.

□ 1515

This resolution does not represent the needs of all our Nation's small businesses. In order to enhance House Resolution 22, I urge you to vote "yes" on the motion to recommit this legislation to the committee. And I urge you to vote "no" on final passage.

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

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Florida has the right to close.

Mr. KELLER. Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 4½ minutes remaining.

Mr. KELLER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, let us talk a little bit about this Small Business Bill of Rights and whether or not it accurately represents small business people. When I was assigned to the Small Business Committee, before accepting my Chair there, I decided to personally go interview small business people in my district.

I did not pretend to have any idea as to what their top issues were. I just knew that they were creating 70 percent of all new jobs in this country; and I wanted to see what, if anything, I and other Members of Congress could do to help them. I went into those meetings with an open mind. I then came out learning that the skyrocketing health insurance was the number one issue, and they wanted association health plans.

I learned their number two issue was small family-owned businesses wanting to pass the businesses from one generation to the next under some reformed death tax laws. Right now what we have was unacceptable.

I have learned that they had concerns about frivolous lawsuits, and their liability premiums were going up, and that it was hard for them to defend a case in court, even if they were not at fault, because attorneys are so expensive, and so they would rather pay 10 grand to settle a case where they did nothing wrong rather than pay \$100,000.

I also learned that they were spending about \$5,500 per employee on unnecessary paperwork and regulations. I learned from these meetings that, in fact, those were not only the top four issues, but in about that order.

And then later, when the gentlewoman from New York (Ms. VELÁZQUEZ) said that she wanted to have a hearing on this matter, we had the majority and minority call witnesses. And I did not know what these witnesses were going to say at that hearing.

But when we got to the hearing, we had the U.S. Chamber of Commerce, which does represent 3 million businesses, and not just the 20 I spoke of, say that, in fact, according to the polls of those members, those four issues that consistently came up in my district of Orlando were the top four issues in the country facing small businesses.

We then had a gentleman testify on behalf of NFIB named Jerry Pierce. And he testified those were the top four issues according to him and NFIB. And so, in fact, we had isolated the top four issues affecting small businesses, and they rightfully deserve to be there.

So we put together this Small Business Bill of Rights; did not do it alone, sat down and talked with a Democrat colleague of mine who is the original cosponsor of this, the gentleman from Alabama (Mr. CRAMER), and put together what we thought were the top four issues.

We then had a hearing. And the minority said, well, there are some other issues that are also important dealing

with energy costs and access to capital and contract bundling. We put those there as well.

And so we came up with this Small Business Bill of Rights, not by accident or witchcraft or consulting some psychic. We came up with these issues by talking directly to business people out in the field, in congressional hearings, and listening to what they said in their surveys. And we came up with a pretty good bill that almost everyone, Republican and Democrat, should support.

Now, there is a reason not to support this; and I will tell you, in the interest of straight talk. If you disagree with what this says, and you believe there should be higher health insurance, then do not support it. If you think there should be more taxes, then do not support it. If you think we should have more frivolous lawsuits, do not support it. If you want more red tape and paperwork, do not support it. If you want higher energy costs, do not support it. If you want more obstacles to getting contracts, do not support it. If you want it to be harder to get access to capital, do not support it. But if you are a small business person and you represent small business people, realize that this Small Business Bill of Rights represents what they tell us they want Congress to do.

During this week, National Small Business Week, let us send a message to small business people: we hear you, we have a resolution listing these as the blueprint for our priorities in Congress, and we are going to vote "yes", to send a message that we are going to get these things done, if nothing else.

With that, Mr. Speaker, I ask my colleagues on both sides of the aisle to vote "yes" on H. Res. 22 and vote "no" on the motion to recommit.

GENERAL LEAVE

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 22.

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

There was no objection.

Mr. UDALL of New Mexico. Mr. Speaker, thank you for allowing me the opportunity to offer my remarks today regarding H. Res. 22. As a member of the House Small Business Committee, small business creation and development is one area in which I take great interest. As the Representative from a largely rural district, I understand that small businesses are the livelihood of rural America. They bring goods and services to these communities, providing the foundation for local rural economies. They also are the main source of employment in many rural areas.

In many rural areas, it is a priority to ensure small businesses access to capital. Without access to financing, small businesses are unable to target new markets, grow, or even hire new workers. Often, undercapitalized businesses go bankrupt, leaving a void in rural communities across the country.

The Small Business Administration's 7(a) loan program was created to fill this void as

well as to ensure that small businesses would always have an available source of affordable capital. The program is administered by a network of lenders, which based on SBA rules, sets up its own processes. SBA provides a guarantee on a portion of the loan, and allows the bank to extend more capital than they would without the guarantee. The 7(a) loan program, which is the SBA's core lending program, is responsible for 30 percent of all long-term lending to small business owners.

Unfortunately, the Administration recently shifted the cost of the 7(a) program to small businesses and their lenders—raising fees on these loans for both the borrowers and lenders. Upfront fees were raised by nearly \$1,500 for smaller loans and as much as \$3,000 for larger loans. For the largest loans available, which are for \$2 million, these fees are now over \$50,000. This has doubled lenders' annual costs for making loans and reduced their incentives for participating in the program.

The Administration's actions are starting to take their toll. During the last quarter of FY04, when the program was operating unfettered and with lower fees in place, the program did \$3.94 billion worth of business. Recent quarterly figures show that this has dropped to \$3.42 billion—a 14 percent decline. And the Administration has now proposed more fees for next year. This will only serve to further harm small businesses and the communities that they are located in.

There are many creditworthy businesses that are in need of capital but that do not fit a lender's traditional underwriting standards. Some entrepreneurs put off needed improvements or forgo potential expansion. Others are forced to turn to costly lending alternatives and end up financially strapped with insurmountable debt before their companies have even had a chance to get off the ground.

To make things worse, credit conditions are tightening for small business owners. The Federal Reserve has just raised interest rates for the seventh time since last June. Many lenders have followed suit, lifting their prime lending rates to 5.75 percent. Small business loans are tied to the prime lending rate, and as a result many small businesses will face higher interest rates.

It is evident that many small business owners are unable to access the capital they need. This creates a situation where not only is the entrepreneur unable to achieve their goal, but our local communities lose out on the potential job creation and economic growth that these new firms bring with them.

Small businesses are critical to our nation's economy and we must ensure that they have access to capital. Yet, this resolution fails to call for Congress to help strengthen the SBA programs that best help small businesses. This resolution falls far short of helping small businesses. As such, I urge my colleagues to oppose H. Res. 22.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 235, the previous question is ordered on the resolution and the preamble, as amended.

MOTION TO RECOMMIT OFFERED BY MS.

VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the resolution?

Ms. VELÁZQUEZ. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. VELÁZQUEZ moves to recommit the bill, H. Res. 22, to the Committee on Small Business.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 188, nays 222, not voting 24, as follows:

[Roll No. 140]

YEAS—188

Abercrombie	Frank (MA)	Miller, George
Ackerman	Gonzalez	Mollohan
Allen	Gordon	Moore (KS)
Andrews	Green, Al	Moore (WI)
Baca	Green, Gene	Moran (VA)
Baird	Grijalva	Murtha
Baldwin	Gutierrez	Nadler
Barrow	Harman	Napolitano
Bean	Hastings (FL)	Neal (MA)
Becerra	Herseth	Oberstar
Berkley	Higgins	Olver
Berman	Hinchey	Ortiz
Berry	Holden	Owens
Bishop (GA)	Holt	Pallone
Bishop (NY)	Honda	Pascrall
Blumenauer	Hooley	Pastor
Boswell	Hoyer	Payne
Boucher	Insllee	Pelosi
Boyd	Israel	Peterson (MN)
Brady (PA)	Jackson (IL)	Pomeroy
Brown (OH)	Jackson-Lee	Price (NC)
Butterfield	(TX)	Rangel
Capps	Jefferson	Reyes
Capuano	Johnson, E. B.	Ross
Cardin	Jones (OH)	Roybal-Allard
Cardoza	Kanjorski	Ruppersberger
Carnahan	Kaptur	Rush
Carson	Kennedy (RI)	Ryan (OH)
Chandler	Kilpatrick (MI)	Sabo
Clay	Kucinich	Sánchez, Linda T.
Cleaver	Langevin	Sanchez, Loretta
Clyburn	Lantos	Sanders
Cooper	Larsen (WA)	Schakowsky
Costello	Larson (CT)	Schiff
Cramer	Lee	Scott (VA)
Crowley	Levin	Schwartz (PA)
Cuellar	Lewis (GA)	Serrano
Cummings	Lipinski	Sherman
Davis (AL)	Lofgren, Zoe	Skelton
Davis (CA)	Lowey	Slaughter
Davis (FL)	Maloney	Smith (WA)
Davis (IL)	Markey	Snyder
Davis (TN)	Marshall	Solis
DeFazio	Matheson	Spratt
DeGette	Matsui	Stark
Delahunt	McCarthy	Strickland
DeLauro	McCullom (MN)	Stupak
Dicks	McDermott	Tanner
Dingell	McGovern	Tauscher
Doggett	McIntyre	Thompson (CA)
Doyle	McKinney	Thompson (MS)
Edwards	McNulty	Tierney
Emanuel	Meehan	Towns
Engel	Meek (FL)	Udall (CO)
Eshoo	Meeks (NY)	Udall (NM)
Etheridge	Melancon	Van Hollen
Evans	Menendez	Velázquez
Farr	Michaud	Visclosky
Fattah	Millender-	Wasserman
Filner	McDonald	Schultz
Ford	Miller (NC)	

Waters	Waxman	Woolsey
Watson	Weiner	Wu
Watt	Wexler	Wynn
NAYS—222		
Aderholt	Gillmor	Nussle
Akin	Gingrey	Obey
Alexander	Gohmert	Osborne
Bachus	Goode	Otter
Baker	Goodlatte	Oxley
Barrett (SC)	Granger	Paul
Bartlett (MD)	Graves	Pearce
Barton (TX)	Green (WI)	Peterson (PA)
Bass	Gutknecht	Petri
Beauprez	Hall	Pickering
Biggert	Harris	Platts
Bilirakis	Hart	Poe
Bishop (UT)	Hastings (WA)	Pombo
Blackburn	Hayes	Porter
Blunt	Hayworth	Portman
Boehlert	Hefley	Price (GA)
Boehner	Herger	Pryce (OH)
Bonilla	Hobson	Putnam
Bonner	Hoekstra	Radanovich
Bono	Hostettler	Rahall
Boozman	Hulshof	Ramstad
Boren	Hunter	Regula
Boustany	Hyde	Rehberg
Bradley (NH)	Inglis (SC)	Reichert
Brown (SC)	Issa	Renzi
Burgess	Jenkins	Reynolds
Buyer	Jindal	Rogers (AL)
Calvert	Johnson (CT)	Rogers (KY)
Camp	Johnson (IL)	Rogers (MI)
Cannon	Jones (NC)	Rohrabacher
Cantor	Keller	Ros-Lehtinen
Capito	Kelly	Royce
Carter	Kennedy (MN)	Ryun (KS)
Case	Kildee	Salazar
Castle	Kind	Saxton
Chabot	King (IA)	Schwarz (MI)
Chocola	King (NY)	Sensenbrenner
Coble	Kingston	Sessions
Cole (OK)	Kirk	Shaw
Conaway	Kline	Shays
Conyers	Knollenberg	Sherwood
Costa	Kolbe	Shimkus
Cox	Kuhl (NY)	Shuster
Crenshaw	LaHood	Simmons
Culberson	Latham	Simpson
Cunningham	LaTourette	Smith (NJ)
Davis (KY)	Leach	Smith (TX)
Davis, Jo Ann	Lewis (CA)	Sodrel
Davis, Tom	Lewis (KY)	Stearns
Deal (GA)	Linder	Sullivan
DeLay	LoBiondo	Tancredo
Dent	Lucas	Taylor (MS)
Diaz-Balart, L.	Lungren, Daniel	Taylor (NC)
Diaz-Balart, M.	E.	Terry
Drake	Mack	Thomas
Dreier	Manzullo	Thornberry
Duncan	Marchant	Tiahart
Ehlers	McCaull (TX)	Tiberi
Emerson	McCotter	Turner
English (PA)	McCrery	Upton
Everett	McHenry	Walden (OR)
Ferguson	McHugh	Walsh
Fitzpatrick (PA)	McKeon	Wamp
Foley	McMorris	Weldon (FL)
Forbes	Mica	Weldon (PA)
Fortenberry	Miller (FL)	Weller
Fossella	Miller (MI)	Whitfield
Foxx	Miller, Gary	Wilson (NM)
Franks (AZ)	Moran (KS)	Wilson (SC)
Frelinghuysen	Murphy	Ney
Gallegly	Neugebauer	Northup
Garrett (NJ)	Neugebauer	Young (AK)
Gerlach	Norwood	Nunes
Gibbons	Young (FL)	Young (FL)
Gilchrest		

NOT VOTING—24

Brady (TX)	Hensarling	Rothman
Brown, Corrine	Hinojosa	Ryan (WI)
Brown-Waite,	Istook	Scott (GA)
Ginny	Johnson, Sam	Shadegg
Burton (IN)	Lynch	Souder
Cubin	Musgrave	Westmoreland
Doolittle	Myrick	Wicker
Feeney	Pence	
Flake	Pitts	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 1546

Messrs. KIND, THORNBERRY, LEACH, PETERSON of Pennsylvania and REGULA changed their vote from “yea” to “nay”.

Messrs. ENGEL, DAVIS of Tennessee and OBERSTAR and Mrs. MALONEY changed their vote from “nay” to “yea”.

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 140, had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

SUPPORTING GOALS OF WORLD INTELLECTUAL PROPERTY DAY

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 210) supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and worldwide.

The Clerk read as follows:

H. RES. 210

Whereas intellectual property is the backbone of our Nation's economic competitiveness and the only sector where the United States has a trade surplus with every nation in the world;

Whereas all nations can use the intellectual property system to achieve economic growth and cultural development;

Whereas intellectual property plays an important role in an increasingly broad range of areas, ranging from the Internet to health care to nearly all aspects of science and technology and literature and the arts, and understanding the role of intellectual property in these areas—many of them still emerging—often requires significant new research and study;

Whereas World Intellectual Property Day provides an opportunity to reflect on how intellectual property touches all aspects of our lives: how copyright helps bring music to our ears and art, films, and literature before our eyes, how industrial design helps shape our world, how trademarks provide reliable signs of quality, and how patenting helps promote ingenious inventions that make life easier, faster, safer—and sometimes completely changes our way of living;

Whereas World Intellectual Property Day is an opportunity to encourage young people everywhere to recognize the creator, the

problem-solver, and the artist within themselves, because the classrooms of today will produce the entrepreneurs, the scientists, the designers, and the artists of tomorrow;

Whereas the over-arching objectives for World Intellectual Property Day 2005 are to reach out to young people about the importance of intellectual property, to increase understanding of how protecting intellectual property rights helps foster creativity and innovation, and to raise awareness of the importance in daily life of patents, copyrights, trademarks, and designs;

Whereas April 26, 1970, was the date on which the Convention establishing the World Intellectual Property Organization entered into force;

Whereas in 2000, member states of the World Intellectual Property Organization established World Intellectual Property Day to celebrate the contribution made by innovators and artists to the development and growth of societies across the globe and to highlight the importance and practical use of intellectual property in our daily lives; and

Whereas April 26, 2005, has been designated as World Intellectual Property Day as a time to celebrate the importance of intellectual property to the United States and world economy: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of World Intellectual Property Day to promote, inform, and teach the importance of intellectual property as a tool for economic, social, and cultural development;

(2) congratulates the World Intellectual Property Organization for building awareness of the value of intellectual property and developing the necessary infrastructure to help citizens take full advantage of their own creativity;

(3) applauds the ongoing contributions of human creativity and intellectual property to growth and innovation and for the key role they play in promoting and ensuring a brighter and stronger future for the Nation; and

(4) recognizes that intellectual property continues to face serious, new challenges, which affect prospects for future growth of the United States economy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 210, currently under consideration.

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

There was no objection.

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

Mr. Speaker, the purpose of House Resolution 210 is to congratulate the World Intellectual Property Organization, commonly referred to as WIPO, for its work and to support the goals of World Intellectual Property Day, which include teaching the importance of intellectual property as a tool for