

SMALL BUSINESS  
ADMINISTRATION EXTENSION

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3614) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:  
Strike sections 2 and 3.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

The legislation before us will ensure that a number of Small Business Administration programs can continue operating through the end of October. The House and the Senate have been working diligently on a comprehensive reauthorization of the SBA's programs. However, as we approach the deadline for when these programs will otherwise expire, this bill is necessary to keep the agency's programs running.

Some minor changes to the programs, which were contained in the extension that the House passed last week, are not in this measure. Although the Senate chose not to address these matters at this time, there is widespread support for these measures. I am hopeful that we can revisit those changes soon in future legislation.

In coming weeks the Small Business Committee will continue working with our Senate counterparts to modernize the SBA's programs, some of which have not been updated in 10 years. While we continue our work, this bill will allow the SBA's programs to continue operating and serving entrepreneurs.

I urge my colleagues to vote "yes."

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

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

I rise today in support of the chairwoman's request to suspend the rules and pass H.R. 3614, as amended. The bill extends until October 31, 2009, the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and

any program operated by the Small Business Administration for which Congress has already appropriated funds.

While the goal is to pass comprehensive legislation reauthorizing the SBA for a longer period, this short-term extension ensures that these programs will remain available to small businesses across the country.

Without enactment of this extension, a number of essential programs that the SBA operates would cease to function. Given the importance that small businesses play and will continue to play in the revitalization of the American economy, we cannot allow the SBA authorizations to run out.

Enactment of this legislation will enable the House and Senate to continue to work in a diligent manner to address necessary changes to SBA programs.

I urge all of my colleagues to suspend the rules and pass H.R. 3614.

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

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

Mr. WU. Mr. Speaker, I rise in support of H.R. 3614 and specifically those provisions which extend the SBIR and STTR programs.

Small businesses grow our economy and they innovate. The SBIR and STTR programs help small companies develop cutting-edge technologies for the marketplace.

However, these programs will expire at the end of this month, and H.R. 3614 temporarily extends the authorization of these programs while we work to finalize reauthorization efforts.

Both the House and the Senate passed legislation earlier this year to reauthorize SBIR and STTR. We have been working to find those areas of common ground on areas where we disagree, and while we have yet to reach a final agreement, we all have the same goal: to reauthorize important programs which drive our economy and drive job creation.

SBIR is a program for small business, and it is also an innovation program. It can and should serve both policy purposes. It should not be a stalking horse for Big Business nor should it become the preserve of only some small businesses while shutting out other small businesses who are frequently very good innovators in and of themselves.

We need to find the common ground that serves these policy objectives and serve them well for the good of our Nation, our economy, and job creation.

With that, I want to recognize the very good work of Chairwoman VELÁZQUEZ in this arena.

Mr. TURNER. Again, I urge all Members to support the passage of H.R. 3614.

Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3614.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 3 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 6 o'clock and 2 minutes p.m.

MOTION TO INSTRUCT CONFEREES ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. DELAURO. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. KINGSTON. Mr. Speaker, I offer a motion to instruct conferees.

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

The Clerk read as follows:

Mr. Kingston moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2997 be instructed to not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Georgia (Mr. KINGSTON) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

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

also want to thank the chairwoman of the Subcommittee on Agriculture, Ms. DELAURO. I have enjoyed working with her throughout this process. We've had a very good debate, we've had a number of good productive hearings, and we've had a lot of good discussions outside the scope of the hearings that have been helpful. So we have been, I would say, moving the ball forward in good communication.

One of the things, though, that Members of Congress need that are not on this committee is time to read bills. And this was really brought to our attention by Mr. BAIRD of Oregon who introduced a bill earlier this session that said that a health care bill should lay on the table for 72 hours.

To underscore this, I think back at the TARP bill that we had almost a year ago in November last year. And what happened during that bill, as we remember, Secretary Paulson was in a rush to do something big and bold, I think those were his exact words, something significant to send a signal to the Wall Street markets that the Federal Government was going to stand behind their financial travails.

And I remember at one particular point posting that bill on my Web site on a Sunday night which was the weekend that we were in Washington and people back home were calling, but they couldn't get any information. And we put it on our Web site as soon as it was available, which I think was about 10 p.m. at night. By the morning, I was floored by the number of constituents who had already read that bill who appreciated the bill being put on the Web site.

I think also about the cap-and-trade bill, which was not a very popular bill. Indeed, it hasn't passed the Senate because of the public outcry on it. But during the time in the House, the way the Democratic majority passed the bill was through the usual system which we, both parties, use around here called "arm twisting" and sometimes sweetening the pot of the bill. And in that case, the cap-and-trade bill was actually being renegotiated, I believe, at 3 in the morning when the House was convening at 9 a.m.

Now, I was sleeping, and I would suggest that 435 Members of the House were probably sleeping. Maybe a handful of Members were still awake. Maybe they were in the Speaker's office having their arms twisted. And maybe they said, In exchange for my vote, I would like to see some language that's put in the bill. I don't know what happened, Mr. Speaker. But what I do know is that bill was amended. At 3 in the morning, there were things that were put in that bill.

I think because of that, Mr. BAIRD, a Democrat from Oregon, has reacted and said we need to make sure. Because Democrats and Republicans have been guilty of last-minute bill changing and last-minute arm twisting, let's put the bill out on the Web site. Let's lay it out on the table for 72 hours so that ev-

erybody has an opportunity to read about it.

I think in this case the sunshine is always helpful. I think in this bill I believe I know what's in this bill. I feel very comfortable about this bill, voting for it, and I think most members of the subcommittee and the Appropriations Committee will. But I will also say that Members who are not on the Appropriations Committee, who always kind of jump on us for doing things behind the scenes, they would benefit by having the bill out on the table. I know I would have benefited from the Energy and Commerce Committee having the cap-and-trade bill out on the table for 72 hours.

So what we are asking in this amendment is that Members have time to read bills by putting it on the table for 72 hours. That's all that this motion does.

I reserve the balance of my time.

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

I, too, want to compliment my colleague, friend and ranking member, Mr. KINGSTON. I think we have worked together on a bipartisan basis with regard to this piece of legislation, and I think we both feel that we've had sufficient input and we have come through this with identifying the needs that this Agriculture appropriation bill focuses on, the needs of the people who rely on this piece of legislation. And we've had a very thorough examination. We've had hearings, not only with regard to the budget processes, but as well external to that on issues that impact a rural community, people who care about conservation, people who care about nutrition, people who care about research in these areas. So, again, I think that within the subcommittee, we have had a very, both at a member level, and at a staff level, a very, very close-knit effort.

I might also say that in translating that as well to the conference with the Senate, that Members were engaged in that process as well as staff for several weeks as we tried to meld the two views together so that it was a thorough examination of all of the issues that are there, and that we could come to some common resolve about it. So I think we can feel good about both the work done at the subcommittee level in the House and our work with the Senate on this conference report.

Now, I think we have some specific time constraints, which I wish we didn't, but we are guided by a September 30 deadline in terms of being able to pass a bill and what happens if that doesn't happen with an appropriation bill. There is that time constraint, but in addition, and the fiscal year coming to an end, if you will, tomorrow, which would then, with this motion to instruct would really tie the hands of the managers, of the conferees, in trying to be able to move forward given the weeks that have gone into producing the conference report.

Also, the time constraints in this institution which have to do with, and it's none of our doing, we were not in session yesterday with regard to a holiday. We come back, we are in session today, we have other constraints when people are coming and going, so that you're looking at time is of the essence in trying to pass legislation. Particularly, I might add, what we are trying to do is to keep the bills moving, appropriations bills moving, because we know what that means in terms of that fiscal year deadline. And we want to try to get bills passed into law without delay.

I know that there has been talk of 48 hours; now I understand this is 72 hours. I think that I want to, if I can say it this way, responsibly oppose my colleague's motion to instruct. I don't know if we can meet that deadline, but I also do believe fundamentally that we have, in fact, had a thorough examination of all the issues that are in this appropriations bill and in the conference bill that I think we can take to our colleagues who as well have been following what is going on because they have specific and particular interests in what this bill means for them.

I'm someone who agrees that we need to look at bills, read them, understand them, et cetera. And I honestly do believe that on this piece of legislation we have that kind of understanding.

With that, if I may, I would like to yield such time as he may consume to my colleague, the chairman of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time. Let me say this is a very interesting institution, and we have all kinds of demands placed upon it which are often contradictory. Example: many a Member in this Chamber will loudly request that we limit earmarks.

□ 1815

And then they will also ask when we go into conference that their own earmarks be funded at the highest possible level. I've had two Members of the House talk to me just today about those matters. Didn't seem to be at all bothered by the conflict in what they're asking.

We have people who say these bills should be available for 72 hours before we vote on them, but some of those same people will not want the House to meet on Monday and they will not want the House to meet on Friday. And if that's the case, then that means that this bill, for instance, even if it is confereed tomorrow could not be voted on any day in the remainder of the week.

We have people who want us to push these bills through before the end of the fiscal year, and yet, when we say, Well, can you go to conference at 8 o'clock tomorrow morning, we were just told today, no, they couldn't; can you go to conference at 9 o'clock, no, they can't; and then when we talk to the Members of the other body and say can you go to conference at 11 o'clock

tomorrow, no, we can only go to conference at 2, if it's in the afternoon.

So anyone managing a bill, as the gentlewoman from Connecticut is going to have to manage this one, is faced with all kinds of conflicting demands from Members who seem to be almost unconscious about the fact that their demands, in fact, are conflicting. And all I can say as chairman of the committee is we will try to give Members the maximum time possible to review the bills, consistent with our obligation to get the work done.

So I think if anyone is concerned about a specific item in the bill, I'm sure the gentlewoman and I'm sure the gentleman from Georgia will be willing to walk them through what the committee has in mind.

But in the end, I would simply—I'm not going to vote for this motion because I can't with a straight face both promise to make these bills available for 72 hours and meet all of the other conflicting demands that Members of the House are making. We've got an obligation to try to balance those requirements, and we will do that to the best of our ability. And in the end, I think we will have reasonable bills, and we will let the public be the judge of just how reasonable they are.

I thank the gentlewoman for the time.

Mr. KINGSTON. I yield myself such time as may consume.

I want to say this, as my friends on the Appropriations Committee know on the other side, that this concern really is far beyond this bill. I do believe this process, particularly on the subcommittee, has been open and that Members on our side of the aisle have had plenty of time to read it.

However, I know there are Members who are not on the Appropriations Committee who are constantly criticizing our committee for doing things, and I believe that they do deserve the time to view the bill. It is a \$23 billion bill in terms of the discretionary spending and I think around \$80 billion for the nondiscretionary spending. So \$100 billion is probably worth 3 days of scrutiny.

Yet, I think what's really more concerning is because the process of appropriations has gone through regular order—and I think the gentleman from Wisconsin and the gentlewoman from Connecticut have done a great job of being open to all members of the committee and all Members of the House on it—other bills which have been significant, which have not gone through our committee, did not have the sunshine of this bill or the sunshine of some of the other bills.

And so a lot of the things that are concerning the constituents back home right now—and I think that Mr. BAIRD from Oregon has picked up on—is that people are thinking about the stimulus bill, \$787 billion. And I know that the gentleman from Wisconsin had hearings in December on that, and we were appreciative of it, but a lot of the

Members of the House did not have the opportunity to read that bill and scrutinize it as much as they would like to. And then the most recent one was the cap-and-trade bill, which Members were aware was getting amended at 3 a.m. and we were supposed to vote on it the next day. We convened 6 hours later at 9 a.m.

Now, we also have out there in the realm of possibilities a massive health care bill, a bill that the CBO has scored at \$1.29 trillion, and our constituents are very concerned. In fact, I've never seen a petition like this before, but there's actually been a petition sent up to Members of Congress saying, Will you agree to read the bill before you vote on it? And I think that's a fair request by our constituents, the minimum bid, for Members of Congress, to read the bill.

And I think that the Appropriations Committee can lead by example on this by allowing 72 hours, but I think there are also concerns, you know, perhaps this should be regularly part of the process when we have a large spending bill. This one's \$100 billion; again, the health care bill is \$1.29 trillion. People deserve the opportunity to look at it.

Now, I also know, having served in the majority, how difficult it is to manage a bill in a House with 435 independent contractors and conflicting schedules, and then you go to the really hard job and that's the other body, and sometimes it's difficult to get everybody just in the room at the same time. But that's why we passed last week in the House a continuing resolution, which actually builds in some time now, that we will have—should the other body pass that this week, we will have until October 30 to pass these bills. So the 72 hours won't put in jeopardy any of the funding levels or force the government to go back on some money or scramble around. So we do have until October 30, but there certainly would be no reason to wait that long. We're just asking for 72 hours.

And we feel very strongly about this. We have done this already on the energy and water bill, and I think that we're just concerned about spending, Mr. Speaker.

That's kind of what this bill boils down to, and again, it goes well beyond the Appropriations Committee and certainly beyond this bill, but we are hearing from the folks back home, and I represent Georgia. Mr. BAIRD represents Oregon. I share his concern. We have a discharge petition on his bill trying to get it on the floor of the House right now. I don't know if it's bipartisan, but 160 Members have already signed that discharge petition expressing concern to have more time to read bills once they are out of the conference committee.

I reserve the balance of my time. We do not have any other speakers on this side, so if my colleague is ready to yield back, I would be, too.

Ms. DELAURO. I thank the gentleman, and I would just, with the re-

maining few comments, because I think that we have had this conversation, discussion, about it, focus my attention on this particular piece of legislation, and I understand the gentleman is talking about other areas.

But I think that this is particularly and maybe unique in the sense of the kinds of efforts that have gone into making this a very open process, a process where people are knowledgeable about what they're doing and how they're doing it and what kinds of input have gone in. And again, there are not too many folks around here, whether they're from north, south, east or west, and the folks from the Northeast who care about animal and plant disease. There are folks in the west coast, east coast that care about dairy. There are people who have expressed their views who are on the committee, off the committee with regard to our settling the issue of the Chinese poultry. So I think everyone has had a very adequate amount of time to look at this and to be able to reflect on it so that they can come to a conclusion.

Let me just ask the gentleman if he does have any more speakers?

Mr. KINGSTON. No, I do not have any speakers, and I'm ready to yield back the balance of my time.

Ms. DELAURO. As am I.

Mr. KINGSTON. With the exception that I have been admonished that, as I was looking at the Speaker from Oregon, I was thinking Oregon. Mr. BAIRD is from Washington, and so I'm asking for forgiveness from Mr. BAIRD. And they're both great States, of course, and I just want to make sure that's a matter of record.

I yield back the balance of my time.

Ms. DELAURO. I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

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#### COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations: