

SMALL BUSINESS ADDITIONAL TEMPORARY EXTENSION ACT OF 2011

Mr. GRAVES of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1082) 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 bill is as follows:

S. 1082

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Additional Temporary Extension Act of 2011”.

SEC. 2. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled “An Act to extend temporarily certain authorities of the Small Business Administration”, approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 112–1 (125 Stat. 3), is amended—

(1) by striking “Any” and inserting “Except as provided in section 3 of the Small Business Additional Temporary Extension Act of 2011, any”; and

(2) by striking “May 31, 2011” each place it appears and inserting “July 31, 2011”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on May 30, 2011.

SEC. 3. EXTENSION OF SBIR AND STTR TERMINATION DATES.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) by striking “TERMINATION.—” and all that follows through “the authorization” and inserting “TERMINATION.—The authorization”;

(2) by striking “2008” and inserting “2011”; and

(3) by striking paragraph (2).

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended—

(1) by striking “IN GENERAL.—” and all that follows through “with respect” and inserting “IN GENERAL.—With respect”;

(2) by striking “2009” and inserting “2011”; and

(3) by striking clause (ii).

(c) COMMERCIALIZATION PILOT PROGRAM.—Section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)) is amended by striking “2010” and inserting “2011”.

SEC. 4. COMPETITIVE SELECTION PROCEDURES FOR SBIR AND STTR PROGRAMS.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by inserting after subsection (r) the following:

“(s) COMPETITIVE SELECTION PROCEDURES FOR SBIR AND STTR PROGRAMS.—All funds awarded, appropriated, or otherwise made available in accordance with subsection (f) or (n) must be awarded pursuant to competitive and merit-based selection procedures.”.

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

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. GRAVES of Missouri. I ask unanimous consent that all Members shall 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 gentleman from Missouri?

There was no objection.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

The legislation we have before us is a short-term extension of programs that helps our Nation’s small businesses. Last week, the House passed the bill by voice vote to extend these programs for 4 months until the end of the fiscal year. Unfortunately, that bill was used as a vehicle to pass the PATRIOT Act authorization. So we have a new bill before us today.

Like the bill the House passed last week, this legislation extends the authorization of the Small Business Innovative Research and Small Business Technology Transfer programs until the end of the fiscal year. These two programs provide R&D dollars to small businesses to create jobs, spur innovative ideas to the market, and solve Federal agency problems, all at no additional cost to the government.

Secondly, the bill extends for 2 months, until July 31, 2011, the authorization of several other programs of the Small Business Administration. Among them is the pre-disaster mitigation program that provides loans to small businesses so they can implement technology that will reduce the impact of disasters on their operations.

□ 1810

With the recent devastation we have seen in the Midwest, including in my home State of Missouri, and with the hurricane season right around the corner, it’s imperative that this program continue for small firms who wish to bolster their disaster plans.

Mr. Speaker, this is bipartisan legislation that has the support of the administration, as well as the leadership of both parties on the other side of the Capitol. It is important that we do not let these programs lapse, because they will expire if we do not pass this legislation today. This is the last day.

I urge my colleagues to support our Nation’s small businesses and vote “yes” on S. 1082.

I reserve the balance of my time.

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

The role of small businesses in moving the economy forward has never been more important. Making up over 99 percent of all U.S. firms, they are critical to innovation, wealth creation, and, most importantly, employment gains. Many look to the SBA for assistance, using its loan, contracting, and training programs to start up or expand.

Unfortunately, the legislation before us, while seemingly uncontroversial, could make it harder for small businesses to access these very tools and resources. This bill, if passed, will break with long-standing House precedent and choose winners and losers among SBA programs. By doing so, it will create confusion among small firms seeking to use the agency’s initiatives.

As many of you know, since September 30, 2006, the SBA has been operating under a series of 12 temporary extensions. While these extensions have varied in length, they have always treated all of the agency’s programs and initiatives equally. This has resulted in all of the SBA’s programs operating unimpeded, ensuring that small businesses have ready access to the tools and resources they need.

Unfortunately, S. 1082 takes the unprecedented step of setting different authorization periods for certain SBA programs, creating a maze of confusing dates and deadlines for small businesses. During a time when efforts are being made to reduce regulatory burden, Congress should make certain that it is not adding to it by its own unnecessary actions.

Given the extraordinary nature of S. 1082, it should not be considered and fast-tracked on the suspension calendar, which is typically reserved for uncontroversial measures. Instead, such a unique and precedent-setting measure should go through regular order, where Members will have an opportunity to amend this unexpected and highly unusual piece of legislation. At a minimum, this would enable Members to have more time to understand the detrimental impact this legislation could have on small businesses. Small businesses, such as those represented by the U.S. Women’s Chamber of Commerce, also oppose this legislation.

Voting against this extension will not affect any agency program in a meaningful way. Small businesses will still be able to secure financing, receive contracts, and access training through the agency’s initiatives. What a vote against this legislation will do, however, is ensure that we produce a more equitable piece of legislation that treats all agency initiatives fairly. If parties are serious about helping small businesses, they will reject this measure and work expeditiously to approve a more responsible extension.

I urge my colleagues to vote “no.”

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

Mr. GRAVES of Missouri. I thank the ranking member.

In closing, just let me reiterate this is a simple, short-term extension of programs that are very important to our Nation’s small businesses. We aren’t changing any policy here. We are just extending them until hopefully we can work out the differences with the other body on the other side of the Capitol.

Again, I urge my colleagues to vote “yes” on S. 1082 and keep these programs running so we can hopefully work out these differences.

Mr. MARKEY. Mr. Speaker, I rise in support of S. 1082, and in strong support of the Small Business Innovation and Research program. I urge my colleagues to vote yes, and send this extension to the President to prevent this crucial program from lapsing.

This is a short term extension, coming on the heels of 10 short term extensions in the past 3 years.

While I urge my colleagues to vote yes, I also urge members on both sides to continue working on a long term reauthorization that brings certainty to this program while at the same time preserving the initial intent of SBIR: the nurturing of bona fide and innovative small businesses. As of 2010, SBIR had granted 88,651 awards, totaling over \$28 billion, to Small Businesses around the country.

This program supports two of the things that I've spent my 35 years in Congress fighting hard to advance: innovation and small business.

Nationally, the program is an unparalleled success. Even though SBIR only accounts for 2.5% of the Research and Development extramural budget, SBIR has provided 25% of the 100 most important innovations as reported by R&D Magazine.

SBIR is the nation's largest source of early-stage research and development funding. This program has provided for more than 50,000 patents since its inception, successfully harnessing the proven innovative power of small, technology-based businesses to meet the nation's technology needs.

On average, SBIR generates seven new patents per day—which is far more than all U.S. universities combined—at less than one-twelfth their level of federal research and development funding.

In Massachusetts, we know about innovation and energy. We might not be blessed with Oil, or Natural gas, but we are blessed with a different kind of energy.

My state of Massachusetts is not just “The Bay State”—it's also the Brain State.

Since its inception, over 12,500 awards have gone to Massachusetts, totaling almost \$4 billion. One need not travel far in my district to see the affects of the SBIR program. Whether it is the development of rapid, painless bedside muscle evaluation of children in Woburn, or the study of Oral antibody therapy for Celiac disease in Wayland, this program pushes small business, the engine of our economy, into new levels of discovery and success.

I thank the Speaker for my time, and urge a yes vote on S. 1082. Let's stand alongside Small Business, and save this crucial and innovative program from lapsing.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of S. 1082, the Small Business Additional Temporary Extension Act of 2011.

I commend this legislation, which will provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, including the SBIR and STTR programs.

We all recognize the important role that small businesses play in fueling technological innovation and creating jobs in the United States. That being the case, we should be

doing what we can to foster a vibrant small business community and give our small businesses the tools that they need to succeed. The SBIR and STTR programs are such tools—they have been critically important programs for fostering innovation by small businesses.

Through these two competitive programs, the Small Business Administration ensures that the nation's small, high-tech, innovative businesses are a significant part of the federal government's research and development efforts.

Providing more than 50,000 patents since its inception, the SBIR is the nation's largest source of early stage research and development funding.

Unfortunately, the SBIR and STTR programs are set to expire tonight. This short-term extension of the SBIR and STTR programs will provide for the continuation of these important programs as we continue our efforts to enact a comprehensive, long-term reauthorization. Extending the programs by four months will give us the time we need to resolve the few remaining issues, including the establishment of a formal outreach program for women and minority-owned small businesses. Increasing participation is one of the stated goals of the SBIR program, and one for which the National Academies found a decidedly mixed track record.

As we continue our efforts to keep our economy on the path to recovery, it is more important than ever that we recommit ourselves to these programs and get a comprehensive reauthorization bill enacted. In the meantime, I urge my colleagues to support the Small Business Additional Temporary Extension Act of 2011.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of S. 1082, “Small Business Additional Temporary Extension Act of 2011,” which temporarily extends from May 31, 2011 through July 31, 2011 certain authorities of the Small Business Administration and its programs under the Small Business Act and Small Business Investment Act of 1958. S. 1082 further amends the Small Business Act to reauthorize through Fiscal Year 2011 the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs of the Small Business Administration (SBA), as well as the SBA's commercialization pilot program.

American small businesses are the heart beat of our nation. I believe that small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Through a bipartisan effort, Congress created SBIR in 1982 and STTR in 1992. Comprehensive extensions for the programs were made in 2000 and 2001, respectively. The programs have received numerous temporary extensions since they expired in 2008.

In particular, the SBIR and STTR programs technological innovation in small, high technology firms to meet federal research and development needs while increasing private sector commercialization and helping the government solve its problems. Today, 11 Federal agencies (DoD and NIH to USDA) allocate a portion of their research and development budgets to projects with small businesses.

Studies show SBIR-backed firms have been responsible for roughly 25% of the nation's most crucial innovations over the past decade and account for 38% of America's patents. Among other things, SBIR/STTR technology is used in the military's Bradley tank, the B-2 Bomber, communication antennas for first responders in disaster zones, vehicles for fire fighters combating wildfires, sensors used to detect brain injuries sustained by high school athletes, and electric toothbrushes.

The SBIR/STTR awards have produced returns on investments. For example, some of the firms have paid more in taxes than they received under the SBIR program, have employed thousands of employees, and saved state governments millions of dollars.

Furthermore, small business in Texas would be at risk of losing millions in SBIR/STTR awards, ranking 7th in the nation to receive awards. In 2009 alone, small business in Texas received 278 awards totaling \$89.5 million.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services. The Small Business Administration (SBA), a federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs. These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing. We must consider what impact changes in this appropriations bill will have on small businesses.

There are 5.8 million minority owned businesses in the United States, representing a significant aspect of our economy. In 2007, minority owned businesses employed nearly 6 million Americans and generated \$1 trillion dollars in economic output.

Women owned businesses have increased 20% since 2002, and currently total close to 8 million. These organizations make up more than half of all businesses in health care and social assistance.

My home city of Houston, Texas is home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

According to a 2009 report published by the Economic Policy Institute, “Starting in 2004, the Small Business Administration (SBA) set goals for small business participation in federal contracts. It encouraged agencies to award contracts to companies owned by women, veterans, and minorities or those located in economically challenged areas and gave them benchmarks to work toward. The targets are specific: 23% of contracts to small business, 5% to woman-owned small businesses, and 3% to disabled veteran-owned and HUBZone small businesses.”

Women and minority owned businesses generate billions of dollars and employ millions

of people. They are certainly qualified to receive these contracts. A mandatory DOD outreach program would make women and minority owned businesses aware of all of the contract opportunities available to them.

FACTS, small business are important because they:

- (1) Represent 99.7 percent of all employer firms,
- (2) Employ just over half of all private sector employees,
- (3) Pay 44 percent of total U.S. private payroll,
- (4) Generated 64 percent of net new jobs over the past 15 years,
- (5) Create more than half of the nonfarm private gross domestic product (GDP),
- (6) Hire 40 percent of high tech workers (such as scientists, engineers, and computer programmers), are
- (7) Are 52 percent home-based and 2 percent franchises
- (8) Made up 97.3 percent of all identified exporters and produced 30.2 percent of the known export value in FY 2007,
- (9) Produce 13 times more patents per employee than large patenting firms and twice as likely as large firm patents to be among the one percent most cited.

Mr. GRAVES of Missouri. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill, S. 1082.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Ms. VELÁZQUEZ. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

AUTHORIZING USE OF EMANCIPATION HALL TO CELEBRATE BIRTHDAY OF KING KAMEHA-MEHA

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 5, 2011, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in

subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DANIEL E. LUNGREN) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support this resolution authorizing the use of Emancipation Hall on June 5 to celebrate the birthday of King Kamehameha of Hawaii.

King Kamehameha, often called Kamehameha the Great, is a legendary figure in Hawaiian history and culture, and rightly so. He fought heroically for its unity and independence at the end of the 18th and beginning of the 19th centuries.

His law, or Rule of the Splintered Paddle, protecting noncombatants during wartime has been commended for its justness and established a human rights benchmark that would later be built upon in the Geneva Conventions.

An illustrious statue of King Kamehameha is part of the National Statuary Hall Collection, and it now sits in the Capitol Visitor Center, visible to millions of our fellow citizens.

On June 11, the people of Hawaii will celebrate the 95th annual King Kamehameha Day in Hawaii. In adopting the resolution, the Members of the House will join our colleagues in the Senate in authorizing the use of the Capitol Visitor Center for a similar celebration here in Washington, D.C.

I urge my colleagues to join me in support of this resolution.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, May 27, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I write to formally notify you that the Committee on House Administration hereby waives further committee consideration of S. Con. Res. 16, a concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha, in order that the legislation may proceed expeditiously to the House floor for consideration.

Sincerely,

DANIEL E. LUNGREN,
Chairman.

I reserve the balance of my time.

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

Senate Concurrent Resolution 16 is entitled, "Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha." It speaks to authorizing the use on June 5, 2011, and states that the preparations for the ceremony shall be carried out with such conditions as may be prescribed by the Architect of the Capitol. This is not an unusual event. This will be the 42nd time such a celebration has taken place within the Capitol.

This is Hawaii's way to share its most unique history with all. June 11, the day of celebration, is the birthday of King Kamehameha the great. He was born around 1758 and is credited with unifying the eight major islands by the year 1810. Of course, the islands of Kauai and Niihau claim that they eluded him.

This holiday was first decreed in 1871, when Hawaii was still a kingdom, by Kamehameha V, his great grandson. It was the first holiday proclaimed by the Governor and legislature when Hawaii became a State in 1959.

The celebration in his honor is about 140 years old this year. And what we identify with the celebration, the statue of King Kamehameha and the traditional lei draping, is over 100 years old itself.

□ 1820

The American sculptor, Thomas R. Gould, was commissioned by the Kingdom of Hawaii to create the statue. He did so in 1879 from his studio in Rome. It was completed in 1880, but the ship that was transporting it from Germany sank. It was in 1883 when the second statue made its way to Hawaii.

It stands 8½ feet tall with the king in his royal garb. The helmet is depicted to reflect that it is made out of red, very rare feathers, as is his cloak. The spear in his left hand is the symbol that his kingdom is willing to defend itself, and yet his right hand is extended in the gesture of aloha, to welcome, that gesture which is synonymous with Hawaii.

The statue that stands here is the mold of the second statue which stands in front of Ali'iolani Hale, the home of the Hawaii Supreme Court. Many, actually, would recognize it as the new headquarters of "Hawaii Five-0." This was dedicated as a gift to the National Statuary Hall from Hawaii in the year 1969.

Of note is the first statue was found and brought to the Big Island of Hawaii, the birth isle of King Kamehameha I. The tradition of the lei draping dates back to 1901, when Hawaii was still a territory. I personally recall it as a child with firefighters draping the leis on the statue using their very long ladders. We remember it clearly with the longest strands of the yellow plumeria blossoms being the flower of choice. These lei drapings take place on the Big Island as well and have for 42 years also taken place in the Capitol.