

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

## NAYS—47

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

## ANSWERED "PRESENT"—1

Tancredo

## NOT VOTING—15

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

So the Journal was approved.

The result of the vote was announced as above recorded.

## ANNOUNCEMENT BY THE SPEAKER

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

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

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

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

## RECESS

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

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

□ 1100

## AFTER RECESS

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

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

Representatives for the 109th Congress.)

## RECESS

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

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

□ 1115

## AFTER RECESS

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

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

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

The Clerk read the resolution, as follows:

## H. RES. 235

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

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

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 22 calls for a commonsense Small Business Bill of Rights that spells out urgent actions that Congress should take to allow small businesses to thrive.

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

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

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

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

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

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

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

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

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

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

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

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