

COMMITTEE ON SMALL BUSINESS

The Select Committee on Small Business was the first select committee created by the Senate which is still in operation. It was created in 1950 by the adoption of Senate Resolution 58 of the 81st Congress. The scope of the committee has been increased or enlarged several times since it was first created: (1) by the granting of additional powers thereto, (2) by changing the method of appointing its membership to the same manner and time as that of the standing committees, and (3) by giving the committee legislative jurisdiction over "all proposed legislation primarily relating to the Small Business Administration" and authority for re-referral in appropriate cases. Thus the committee is no longer just an investigating committee but it also now has legislative jurisdiction just as the standing committees, except not as broad in scope. The committee now possesses virtually all of the characteristics of a standing committee.

Senate Resolution 58, 81st Congress, as Amended

[Select Committee on Small Business]

Resolved, That there is hereby created a select committee to be known as the Committee on Small Business, to consist of nine Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of the Ninety-fifth Congress and each Congress thereafter, and to which shall be referred all proposed legislation primarily relating to the Small Business Administration.

It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction: *Provided*, That any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of

the chairman of the Committee on Small Business, be referred to the Committee on Small Business for its consideration of any portions of the measure dealing with the Small Business Administration, and be reported by this committee prior to its consideration by the Senate.

Senate Resolution 272, 82d Congress

[Select Committee on Small Business—Additional Powers]

Resolved, That the Select Committee on Small Business, created by Senate Resolution 58, agreed to February 20, 1950, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. * * *

SEC. 2. A majority of the members of the committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 3. The committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary in the performance of its duties, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949 for comparable duties. The committee is authorized to utilize the services, information, facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of the heads of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies.

SEC. 4. Until an appropriation shall be made for payment of expenses of the committee, such expenses, in an amount not to exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Jurisdiction:

The jurisdiction of the committee is basically confined to the Small Business Administration, as follows:

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Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction: *Provided*, That any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the chairman of the Committee on Small Business, be referred to the Committee on Small Business for its consideration of any portions of the measure dealing with the Small Business Administration, and be reported by this committee prior to its consideration by the Senate.

Pursuant to the above authority all matters within the jurisdiction of the committee as defined therein are automatically referred to the select committee. Likewise, certain measures within the jurisdiction of some of the standing committees involving small business, after being reported by them, are re-referred to the Committee on Small Business.

Some proposals referred to the Small Business Committee in the first instance, when reported to the Senate, involving matters within the jurisdiction of one of the standing committees, are re-referred to that appropriate standing committee.

All re-referrals are done pursuant to orders of the Senate in each instance.

Work of the Committee:

The Select Committee on Small Business is directed by Senate Resolution 58 (February 20, 1950) and subsequent Resolutions to "study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation." To that investigative function has been added limited legislative authority over "all proposed legislation primarily relating to the Small Business Administration" (S. Res. 104, agreed to April 29, 1976), effective as of the 95th Congress, January 1977.

Pursuant to Senate Resolution 104, consideration of legislation affecting the Small Business Administration and oversight of the Small Business Administration and its

programs are major responsibilities of the committee. The two primary Acts administered by the Small Business Administration are the Small Business Act (15 U.S.C. 631 ff.) and the Small Investment Act (15 U.S.C. 661 ff.). In exercise of this legislative authority the committee has conducted legislative and oversight hearings and has acted on numerous pieces of legislation amending the basic small business statutes. For example in the 96th Congress, the committee acted on legislation resulting in the creation of new authority to the Small Business Administration to provide loans for employee ownership, to fund Small Business Development Centers, to increase assistance to small businesses for export development, and to re-authorize ongoing programs of the agency. Additionally, the committee considered and recommended approval of the nominations for Small Business Administrator, Chief Counsel for Advocacy, and Inspector General of the Small Business Administration.

The committee's investigative function continues to be exercised as well. For example, the committee has held hearings on: paperwork reduction and elimination, review of the White House Conference on Small Business recommendations, capital formation, tax and securities laws reform for small business, effects of steel plant shut-downs on small business, and the impact of inflation and governmental actions on the housing industry.