

107TH CONGRESS
1ST SESSION

S. 1271

To amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business concerns, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2001

Mr. VOINOVICH (for himself, Mrs. LINCOLN, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business concerns, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Paper-
5 work Relief Act of 2001”.

1 **SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PA-**
2 **PERWORK REQUIREMENTS.**

3 (a) REQUIREMENTS APPLICABLE TO THE DIRECTOR
4 OF OMB.—Section 3504(c) of title 44, United States
5 Code (commonly referred to as the “Paperwork Reduction
6 Act”), is amended—

7 (1) in paragraph (4), by striking “; and” and
8 inserting a semicolon;

9 (2) in paragraph (5), by striking the period and
10 inserting a semicolon; and

11 (3) by adding at the end the following:

12 “(6) publish in the Federal Register on an an-
13 nual basis a list of the collections of information ap-
14 plicable to small-business concerns (as defined in
15 section 3 of the Small Business Act (15 U.S.C.
16 632)), organized by North American Industrial Clas-
17 sification System code and industrial/sector descrip-
18 tion (as published by the Office of Management and
19 Budget), with the first such publication occurring
20 not later than 1 year after the date of enactment of
21 the Small Business Paperwork Relief Act of 2001;
22 and

23 “(7) make available on the Internet, not later
24 than 1 year after the date of enactment of the Small
25 Business Paperwork Relief Act of 2001, the list of
26 requirements described in paragraph (6).”.

1 (b) ESTABLISHMENT OF AGENCY POINT OF CON-
 2 TACT.—Section 3506 of title 44, United States Code, is
 3 amended by adding at the end the following:

4 “(i) In addition to the requirements described in sub-
 5 section (c), each agency shall, with respect to the collection
 6 of information and the control of paperwork, establish 1
 7 point of contact in the agency to act as a liaison between
 8 the agency and small-business concerns (as defined in sec-
 9 tion 3 of the Small Business Act (15 U.S.C. 632)).”.

10 (c) ADDITIONAL REDUCTION OF PAPERWORK FOR
 11 CERTAIN SMALL BUSINESSES.—Section 3506(c) of title
 12 44, United States Code, is amended—

13 (1) in paragraph (2)(B), by striking “; and”
 14 and inserting a semicolon;

15 (2) in paragraph (3)(J), by striking the period
 16 and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(4) in addition to the requirements of this
 19 chapter regarding the reduction of paperwork for
 20 small-business concerns (as defined in section 3 of
 21 the Small Business Act (15 U.S.C. 632)), make ef-
 22 forts to further reduce the paperwork burden for
 23 small-business concerns with fewer than 25 employ-
 24 ees.”.

1 **SEC. 3. ESTABLISHMENT OF TASK FORCE TO STUDY**
2 **STREAMLINING OF PAPERWORK REQUIRE-**
3 **MENTS FOR SMALL-BUSINESS CONCERNS.**

4 (a) IN GENERAL.—Chapter 35 of title 44, United
5 States Code, is amended—

6 (1) by redesignating section 3520 as section
7 3521; and

8 (2) by inserting after section 3519 the fol-
9 lowing:

10 **“§ 3520. Establishment of task force on feasibility of**
11 **streamlining information collection re-**
12 **quirements**

13 “(a) There is established a task force to study the
14 feasibility of streamlining requirements with respect to
15 small-business concerns regarding collection of informa-
16 tion (in this section referred to as the ‘task force’).

17 “(b) The members of the task force shall be ap-
18 pointed by the Director, and include—

19 “(1) not less than 2 representatives of the De-
20 partment of Labor, including 1 representative of the
21 Bureau of Labor Statistics and 1 representative of
22 the Occupational Safety and Health Administration;

23 “(2) not less than 1 representative of the Envi-
24 ronmental Protection Agency;

25 “(3) not less than 1 representative of the De-
26 partment of Transportation;

1 “(4) not less than 1 representative of the Office
2 of Advocacy of the Small Business Administration;

3 “(5) not less than 1 representative of each of
4 two agencies other than the Department of Labor,
5 the Environmental Protection Agency, the Depart-
6 ment of Transportation, and the Small Business Ad-
7 ministration; and

8 “(6) not less than 2 representatives of the De-
9 partment of Health and Human Services, including
10 one representative of the Health Care Financing Ad-
11 ministration.

12 “(c) The task force shall—

13 “(1) recommend a system to clarify which small
14 businesses within particular North American Indus-
15 trial Classification System codes are subject to
16 which information compliance requirements; and

17 “(2) examine the feasibility of requiring each
18 agency to consolidate requirements regarding collec-
19 tions of information with respect to small-business
20 concerns, in order that each small business concern
21 may submit all information required by the agency—

22 “(A) to 1 point of contact in the agency;

23 “(B) in a single format, such as a single
24 electronic reporting system, with respect to the
25 agency; and

1 “(C) on the same date.

2 “(d) Not later than 1 year after the date of enact-
 3 ment of the Small Business Paperwork Relief Act of 2001,
 4 the task force shall submit a report of its findings under
 5 subsection (c) to the chairpersons and ranking minority
 6 members of the Committee on Governmental Affairs and
 7 the Committee on Small Business of the Senate, and the
 8 Committee on Government Reform and the Committee on
 9 Small Business of the House of Representatives.

10 “(e) In this section, the term ‘small business concern’
 11 has the meaning given under section 3 of the Small Busi-
 12 ness Act (15 U.S.C. 632).”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 14 The table of sections for chapter 35 of title 44, United
 15 States Code, is amended by striking the item relating to
 16 section 3520 and inserting the following:

“3520. Establishment of task force on feasibility of streamlining information
 collection requirements.

“3521. Authorization of appropriations.”.

17 **SEC. 4. REGULATORY ENFORCEMENT REFORMS.**

18 Section 223 of the Small Business Regulatory En-
 19 forcement Fairness Act of 1996 (5 U.S.C. 601 note) is
 20 amended by striking subsection (c) and inserting:

21 “(c) REPORTS.—

22 “(1) IN GENERAL.—Not later than 1 year after
 23 the date of enactment of the Small Business Paper-
 24 work Relief Act of 2001, and not later than every

2 years thereafter, each agency shall submit a report to the Committee on Governmental Affairs and the Committee on Small Business of the Senate, and the Committee on the Judiciary and the Committee on Small Business of the House of Representatives, that includes information with respect to the applicable 1-year period or 2-year period covered by the report on each of the following:

“(A) The number of enforcement actions in which a civil penalty is assessed or proposed to be assessed.

“(B) The number of enforcement actions in which a civil penalty is assessed or proposed to be assessed against a small entity.

“(C) The number of enforcement actions described under subparagraphs (A) and (B) in which the civil penalty is reduced or waived.

“(D) The total monetary amount of the reductions or waivers referred to under subparagraph (C).

“(2) DEFINITIONS IN REPORTS.—Each report under paragraph (1) shall include definitions of the terms ‘enforcement actions’, ‘reduction or waiver’, and ‘small entity’ as used in the report.”.

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