

***In the Senate of the United States,***

*May 22, 2002.*

*Resolved*, That the bill from the House of Representatives (H.R. 327) entitled “An Act to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.”, do pass with the following

**AMENDMENTS:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Small Business Paper-*  
3 *work Relief Act of 2002”.*

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 Code  
5 (commonly referred to as the “Paperwork Reduction Act”),  
6 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 and make  
13 available on the Internet (in consultation with the  
14 Small Business Administration) on an annual basis  
15 a list of the compliance assistance resources available  
16 to small businesses, with the first such publication oc-  
17 ccurring not later than 1 year after the date of enact-  
18 ment of the Small Business Paperwork Relief Act of  
19 2002.”.

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

23 “(i)(1) In addition to the requirements described in  
24 subsection (c), each agency shall, with respect to the collec-  
25 tion of information and the control of paperwork, establish  
26 1 point of contact in the agency to act as a liaison between

1 *the agency and small business concerns (as defined in sec-*  
2 *tion 3 of the Small Business Act (15 U.S.C. 632)).*

3 “(2) *Each point of contact described under paragraph*  
4 *(1) shall be established not later than 1 year after the date*  
5 *of enactment of the Small Business Paperwork Relief Act*  
6 *of 2002.”.*

7 (c) *ADDITIONAL REDUCTION OF PAPERWORK FOR*  
8 *CERTAIN SMALL BUSINESSES.—Section 3506(c) of title 44,*  
9 *United States Code, is amended—*

10 (1) *in paragraph (2)(B), by striking “; and”*  
11 *and inserting a semicolon;*

12 (2) *in paragraph (3)(J), by striking the period*  
13 *and inserting “; and”; and*

14 (3) *by adding at the end the following:*

15 “(4) *in addition to the requirements of this*  
16 *chapter regarding the reduction of information collec-*  
17 *tion burdens for small business concerns (as defined*  
18 *in section 3 of the Small Business Act (15 U.S.C.*  
19 *632)), make efforts to further reduce the information*  
20 *collection burden for small business concerns with*  
21 *fewer than 25 employees.”.*

22 **SEC. 3. ESTABLISHMENT OF TASK FORCE ON INFORMATION**  
23 **COLLECTION AND DISSEMINATION.**

24 (a) *IN GENERAL.—Chapter 35 of title 44, United*  
25 *States Code, is amended—*

1           (1) by redesignating section 3520 as section  
2           3521; and

3           (2) by inserting after section 3519 the following:

4   **“§3520. Establishment of task force on information**  
5   **collection and dissemination**

6           “(a) There is established a task force to study the feasi-  
7           bility of streamlining requirements with respect to small  
8           business concerns regarding collection of information and  
9           strengthening dissemination of information (in this section  
10          referred to as the ‘task force’).

11          “(b)(1) The Director shall determine—

12                           “(A) subject to the minimum requirements under  
13                           paragraph (2), the number of representatives to be  
14                           designated under each subparagraph of that para-  
15                           graph; and

16                           “(B) the agencies to be represented under para-  
17                           graph (2)(K).

18          “(2) After all determinations are made under para-  
19          graph (1), the members of the task force shall be designated  
20          by the head of each applicable department or agency, and  
21          include—

22                           “(A) 1 representative of the Director, who shall  
23                           convene and chair the task force;

24                           “(B) not less than 2 representatives of the De-  
25                           partment of Labor, including 1 representative of the

1 *Bureau of Labor Statistics and 1 representative of the*  
2 *Occupational Safety and Health Administration;*

3 *“(C) not less than 1 representative of the Envi-*  
4 *ronmental Protection Agency;*

5 *“(D) not less than 1 representative of the De-*  
6 *partment of Transportation;*

7 *“(E) not less than 1 representative of the Office*  
8 *of Advocacy of the Small Business Administration;*

9 *“(F) not less than 1 representative of the Inter-*  
10 *nal Revenue Service;*

11 *“(G) not less than 2 representatives of the De-*  
12 *partment of Health and Human Services, including*  
13 *1 representative of the Centers for Medicare and Med-*  
14 *icaid Services;*

15 *“(H) not less than 1 representative of the De-*  
16 *partment of Agriculture;*

17 *“(I) not less than 1 representative of the Depart-*  
18 *ment of the Interior;*

19 *“(J) not less than 1 representative of the General*  
20 *Services Administration; and*

21 *“(K) not less than 1 representative of each of 2*  
22 *agencies not represented by representatives described*  
23 *under subparagraphs (A) through (J).*

24 *“(c) The task force shall—*

1           “(1) identify ways to integrate the collection of  
2 information across Federal agencies and programs  
3 and examine the feasibility and desirability of requiring  
4 each agency to consolidate requirements regarding  
5 collections of information with respect to small business  
6 concerns within and across agencies, without  
7 negatively impacting the effectiveness of underlying  
8 laws and regulations regarding such collections of information,  
9 in order that each small business concern  
10 may submit all information required by the agency—

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

12                   “(B) in a single format, such as a single  
13 electronic reporting system, with respect to the  
14 agency; and

15                   “(C) with synchronized reporting for information  
16 submissions having the same frequency,  
17 such as synchronized quarterly, semiannual, and  
18 annual reporting dates;

19           “(2) examine the feasibility and benefits to small  
20 businesses of publishing a list by the Director of the  
21 collections of information applicable to small business  
22 concerns (as defined in section 3 of the Small Business  
23 Act (15 U.S.C. 632)), organized—

24                   “(A) by North American Industry Classification  
25 System code;

1           “(B) by industrial sector description; or

2           “(C) in another manner by which small  
3 business concerns can more easily identify re-  
4 quirements with which those small business con-  
5 cerns are expected to comply;

6           “(3) examine the savings, including cost savings,  
7 and develop recommendations for implementing—

8           “(A) systems for electronic submissions of  
9 information to the Federal Government; and

10           “(B) interactive reporting systems, includ-  
11 ing components that provide immediate feedback  
12 to assure that data being submitted—

13           “(i) meet requirements of format; and

14           “(ii) are within the range of acceptable  
15 options for each data field;

16           “(4) make recommendations to improve the elec-  
17 tronic dissemination of information collected under  
18 Federal requirements;

19           “(5) recommend a plan for the development of  
20 an interactive Governmentwide system, available  
21 through the Internet, to allow each small business  
22 to—

23           “(A) better understand which Federal re-  
24 quirements regarding collection of information  
25 (and, when possible, which other Federal regu-

1           *latory requirements) apply to that particular*  
2           *business; and*

3                   “(B) *more easily comply with those Federal*  
4                   *requirements; and*

5                   “(6) *in carrying out this section, consider oppor-*  
6           *tunities for the coordination—*

7                           “(A) *of Federal and State reporting require-*  
8                           *ments; and*

9                                   “(B) *among the points of contact described*  
10                                   *under section 3506(i), such as to enable agencies*  
11                                   *to provide small business concerns with contacts*  
12                                   *for information collection requirements for other*  
13                                   *agencies.*

14           “(d) *The task force shall—*

15                           “(1) *by publication in the Federal Register, pro-*  
16                           *vide notice and an opportunity for public comment*  
17                           *on each report in draft form; and*

18                                   “(2) *make provision in each report for the inclu-*  
19                                   *sion of—*

20   “(A) *any additional or dissenting views of*  
21   *task force members; and*

22   “(B) *a summary of significant public com-*  
23   *ments.*

24                   “(e) *Not later than 1 year after the date of enactment*  
25           *of the Small Business Paperwork Relief Act of 2002, the*



1 *task force shall submit a report of its findings under sub-*  
2 *section (c) (1), (2), and (3) to—*

3           “(1) *the Director;*

4           “(2) *the chairpersons and ranking minority*  
5 *members of—*

6                   “(A) *the Committee on Governmental Af-*  
7 *fairs and the Committee on Small Business and*  
8 *Entrepreneurship of the Senate; and*

9                   “(B) *the Committee on Government Reform*  
10 *and the Committee on Small Business of the*  
11 *House of Representatives; and*

12           “(3) *the Small Business and Agriculture Regu-*  
13 *latory Enforcement Ombudsman designated under*  
14 *section 30(b) of the Small Business Act (15 U.S.C.*  
15 *657(b)).*

16           “(f) *Not later than 2 years after the date of enactment*  
17 *of the Small Business Paperwork Relief Act of 2002, the*  
18 *task force shall submit a report of its findings under sub-*  
19 *section (c) (4) and (5) to—*

20           “(1) *the Director;*

21           “(2) *the chairpersons and ranking minority*  
22 *members of—*

23                   “(A) *the Committee on Governmental Af-*  
24 *fairs and the Committee on Small Business and*  
25 *Entrepreneurship of the Senate; and*

1           “(B) the Committee on Government Reform  
2           and the Committee on Small Business of the  
3           House of Representatives; and

4           “(3) the Small Business and Agriculture Regu-  
5           latory Enforcement Ombudsman designated under  
6           section 30(b) of the Small Business Act (15 U.S.C.  
7           657(b)).

8           “(g) The task force shall terminate after completion of  
9           its work.

10          “(h) 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.*—The  
14          table of sections for chapter 35 of title 44, United States  
15          Code, is amended by striking the item relating to section  
16          3520 and inserting the following:

          “3520. Establishment of task force on information collection and dissemination.  
          “3521. Authorization of appropriations.”.

17          **SEC. 4. REGULATORY ENFORCEMENT REPORTS.**

18          (a) *DEFINITION.*—In this section, the term “agency”  
19          has the meaning given that term under section 551 of title  
20          5, United States Code.

21          (b) *IN GENERAL.*—

22                  (1) *INITIAL REPORT.*—Not later than December  
23          31, 2003, each agency shall submit an initial report  
24          to—

1           (A) the chairpersons and ranking minority  
2 members of—

3           (i) the Committee on Governmental Af-  
4 fairs and the Committee on Small Business  
5 and Entrepreneurship of the Senate; and

6           (ii) the Committee on Government Re-  
7 form and the Committee on Small Business  
8 of the House of Representatives; and

9           (B) the Small Business and Agriculture  
10 Regulatory Enforcement Ombudsman designated  
11 under section 30(b) of the Small Business Act  
12 (15 U.S.C. 657(b)).

13       (2) *FINAL REPORT.*—Not later than December  
14 31, 2004, each agency shall submit a final report to  
15 the members and officer described under paragraph  
16 (1) (A) and (B).

17       (3) *CONTENT.*—The initial report under para-  
18 graph (1) shall include information with respect to  
19 the 1-year period beginning on October 1, 2002, and  
20 the final report under paragraph (2) shall include in-  
21 formation with respect to the 1-year period beginning  
22 on October 1, 2003, on each of the following:

23           (A) The number of enforcement actions in  
24 which a civil penalty is assessed.

1           (B) *The number of enforcement actions in*  
2           *which a civil penalty is assessed against a small*  
3           *entity.*

4           (C) *The number of enforcement actions de-*  
5           *scribed under subparagraphs (A) and (B) in*  
6           *which the civil penalty is reduced or waived.*

7           (D) *The total monetary amount of the re-*  
8           *ductions or waivers referred to under subpara-*  
9           *graph (C).*

10          (4) *DEFINITIONS IN REPORTS.—Each report*  
11          *under this subsection shall include definitions selected*  
12          *at the discretion of the reporting agency of the terms*  
13          *“enforcement actions”, “reduction or waiver”, and*  
14          *“small entity” as used in the report.*

Amend the title so as to read: “An Act 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 information collection and dissemination, and for other purposes.”.

Attest:

*Secretary.*

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 327**

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**AMENDMENTS**