

107TH CONGRESS
1ST SESSION

S. 1271

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.

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 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 avail-
 16 able to small businesses, with the first such publica-
 17 tion occurring not later than 1 year after the date
 18 of enactment of the Small Business Paperwork Re-
 19 lief Act of 2001.”.

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 described under paragraph (2)
 25 shall, with respect to the collection of information and the
 26 control of paperwork, establish 1 point of contact in the

1 agency to act as a liaison between the agency and small
 2 business concerns (as defined in section 3 of the Small
 3 Business Act (15 U.S.C. 632)). Each such point of contact
 4 shall be established not later than 1 year after the date
 5 of enactment of the Small Business Paperwork Relief Act
 6 of 2001.

7 “(2) An agency described under this paragraph is—

8 “(A) any agency with a head that is listed at
 9 a level I position on the Executive Schedule under
 10 section 5312 of title 5; and

11 “(B) the Federal Communications Commission,
 12 the Securities and Exchange Commission, and the
 13 Environmental Protection Agency.”.

14 (c) ADDITIONAL REDUCTION OF PAPERWORK FOR
 15 CERTAIN SMALL BUSINESSES.—Section 3506(c) of title
 16 44, United States Code, is amended—

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

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

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

22 “(4) in addition to the requirements of this
 23 chapter regarding the reduction of information col-
 24 lection burdens for small business concerns (as de-

1 fined in section 3 of the Small Business Act (15
2 U.S.C. 632)), make efforts to—

3 “(A) further reduce the information collec-
4 tion burden for small business concerns with
5 fewer than 25 employees; and

6 “(B) eliminate any unnecessary paperwork
7 burdens.”.

8 **SEC. 3. ESTABLISHMENT OF TASK FORCE ON INFORMA-**
9 **TION COLLECTION AND DISSEMINATION.**

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

12 (1) by redesignating section 3520 as section
13 3521; and

14 (2) by inserting after section 3519 the fol-
15 lowing:

16 **“§ 3520. Establishment of task force on information**
17 **collection and dissemination**

18 “(a) There is established a task force to study the
19 feasibility of streamlining requirements with respect to
20 small business concerns regarding collection of informa-
21 tion and strengthening dissemination of information (in
22 this section referred to as the ‘task force’).

23 “(b) The members of the task force shall be ap-
24 pointed by the head of each applicable department or

1 agency (and in the case of paragraph (12) by the Direc-
2 tor), and include—

3 “(1) not less than 2 representatives of the De-
4 partment of Labor, including 1 representative of the
5 Bureau of Labor Statistics and 1 representative of
6 the Occupational Safety and Health Administration;

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

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

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

13 “(5) not less than 1 representative of the Inter-
14 nal Revenue Service;

15 “(6) not less than 2 representatives of the De-
16 partment of Health and Human Services, including
17 1 representative of the Health Care Financing Ad-
18 ministration;

19 “(7) not less than 1 representative of the De-
20 partment of Agriculture;

21 “(8) not less than 1 representative of the De-
22 partment of Interior;

23 “(9) not less than 1 representative of the Gen-
24 eral Services Administration;

1 “(10) not less than 1 representative of each of
2 2 agencies not represented by representatives de-
3 scribed under paragraphs (1) through (9) and (11);

4 “(11) 1 representative of the Director, who
5 shall convene and chair the task force; and

6 “(12) not less than 3 representatives of the
7 small business community.

8 “(c) The task force shall—

9 “(1) recommend a plan for the development of
10 an interactive Government application, available
11 through the Internet, to allow each small business to
12 better understand which Federal requirements re-
13 garding collection of information (and, when pos-
14 sible, which other Federal regulatory requirements)
15 apply to that particular business;

16 “(2) identify ways to integrate the collection of
17 information across Federal agencies and programs
18 and examine the feasibility of requiring each agency
19 to consolidate requirements regarding collections of
20 information with respect to small business concerns,
21 within and across agencies without negatively im-
22 pacting the effectiveness of underlying laws and reg-
23 ulations regarding such collections of information, in
24 order that each small business concern may submit
25 all information required by the agency—

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

3 “(B) in a single format, such as a single
4 electronic reporting system, with respect to the
5 agency;

6 “(3) examine the feasibility and helpfulness to
7 small businesses of the Director publishing a list of
8 the collections of information applicable to small
9 business concerns (as defined in section 3 of the
10 Small Business Act (15 U.S.C. 632)), organized—

11 “(A) by North American Industrial Classi-
12 fication System code;

13 “(B) industrial/sector description; or

14 “(C) in another manner by which small
15 business concerns can more easily identify re-
16 quirements with which those small business
17 concerns are expected to comply;

18 “(4) examine the savings, including cost sav-
19 ings, for implementing a system of electronic paper-
20 work submissions; and

21 “(5) examine the feasibility of measures to
22 strengthen the dissemination of information.

23 “(d) Not later than 1 year after the date of enact-
24 ment of the Small Business Paperwork Relief Act of 2001,
25 the task force shall submit a report of its findings under

1 subsection (c), including any minority views of the task
 2 force, 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 Re-
 10 form and the Committee on Small Business of
 11 the 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 “(e) In this section, the term ‘small business concern’
 17 has the meaning given under section 3 of the Small Busi-
 18 ness Act (15 U.S.C. 632).”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—

20 The table of sections for chapter 35 of title 44, United
 21 States Code, is amended by striking the item relating to
 22 section 3520 and inserting the following:

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

1 **SEC. 4. REGULATORY ENFORCEMENT REFORMS.**

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

5 “(c) REPORTS.—

6 “(1) IN GENERAL.—Not later than 1 year after
 7 the date of enactment of the Small Business Paper-
 8 work Relief Act of 2001, and not later than every
 9 2 years thereafter, each agency shall submit a report
 10 to the Director of the Office of Management and
 11 Budget and the chairpersons and ranking minority
 12 members of the Committee on Governmental Affairs
 13 and the Committee on Small Business of the Senate,
 14 and the Committee on the Judiciary and the Com-
 15 mittee on Small Business of the House of Rep-
 16 resentatives, that includes information with respect
 17 to the applicable 1-year period or 2-year period cov-
 18 ered by the report on each of the following:

19 “(A) The number of enforcement actions
 20 in which a civil penalty is assessed.

21 “(B) The number of enforcement actions
 22 in which a civil penalty is assessed against a
 23 small entity.

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

1 “(D) The total monetary amount of the re-
2 ductions or waivers referred to under subpara-
3 graph (C).

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

Passed the Senate December 17, 2001.

Attest:

Secretary.

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