

under this section to make, in a manner consistent with this section, cash payments not for crop disasters, but for income loss to carry out the purposes of this section.

SEC. 1022. LIVESTOCK ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary shall use \$500,000,000 of the funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2001 losses in a county that has received an emergency designation by the President or the Secretary after January 1, 2001, of which \$12,000,000 shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

(b) ADMINISTRATION.—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 105-277; 114 Stat. 1549A-51).

SEC. 1023. COMMODITY PURCHASES.

(a) IN GENERAL.—The Secretary shall use \$220,000,000 of funds of the Commodity Credit Corporation to purchase agricultural commodities, especially agricultural commodities that have experienced low prices during the 2001 crop year, as determined by the Secretary.

(b) GEOGRAPHIC DIVERSITY.—The Secretary is encouraged to purchase agricultural commodities under this section in a manner that reflects the geographic diversity of agricultural production in the United States, particularly agricultural production in the Northeast and Mid-Atlantic States.

(c) OTHER PURCHASES.—The Secretary shall ensure that purchases of agricultural commodities under this section are in addition to purchases by the Secretary under any other law.

(d) TRANSPORTATION AND DISTRIBUTION COSTS.—The Secretary may use not more than \$20,000,000 of the funds made available under subsection (a) to provide assistance to States to cover costs incurred by the States in transporting and distributing agricultural commodities purchased under this section.

(e) PURCHASES FOR SCHOOL NUTRITION PROGRAMS.—The Secretary shall use not less than \$55,000,000 of the funds made available under subsection (a) to purchase agricultural commodities of the type distributed under section 6(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(a)) for distribution to schools and service institutions in accordance with section 6(a) of that Act.

SEC. 1024. COMMODITY CREDIT CORPORATION.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this subtitle.

SEC. 1025. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—In addition to funds otherwise available, not later than 30 days after the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to pay the salaries and expenses of the Department of Agriculture in carrying out this subtitle \$50,000,000, to remain available until expended.

(b) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsection (a), without further appropriation.

SEC. 1026. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this subtitle.

(b) PROCEDURE.—The promulgation of the regulations and administration of this subtitle shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 1027. EMERGENCY DESIGNATION.

The entire amount made available by each of sections 1021 through 1023—

(1) shall be available only to the extent that the President submits to Congress an official budget request for the amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(2) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SA 2612. Mr. KENNEDY (for Mr. LIEBERMAN (for himself and Mr. VOINOVICH)) proposed an amendment to the bill 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 information collection and dissemination, and for other purposes; as follows:

On page 13, line 23, strike “and”.

On page 14, line 3, strike the period and insert “; and”.

On page 14, insert between lines 3 and 4 the following:

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

SA 2613. Mr. KENNEDY (for Mr. KERRY) proposed an amendment to the bill 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 information collection and dissemination, and for other purposes; as follows:

On page 11, line 9, strike “Director” and insert “head of each applicable department or agency (and in the case of paragraph (12) by the Director)”.

On page 14, line 7, insert “, including any minority views of the task force,” after “(c)”.

On page 14, line 8, strike “and”.

On page 14, line 12, insert “and Entrepreneurship” after “Business”.

On page 14, line 16, strike the period and insert “; and”.

On page 14, insert between lines 16 and 17 the following:

“(3) the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under section 30(b) of the Small Business Act (15 U.S.C. 657(b)).”

PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unanimous consent that Patrick Rooney, a fellow in my office, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TO AMEND CHAPTER 90 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL LONG-TERM CARE INSURANCE

Mr. KENNEDY. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2559, Calendar No. 235.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2559) to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

There being no objection, the Senate proceeded to the immediate consideration of the bill.

Mr. KENNEDY. I ask consent the bill be read the third time, passed, the motion to reconsider be laid upon the table, all with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2559) was read the third time and passed.

SMALL BUSINESS PAPERWORK ACT OF 2001

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 234, S. 1271.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (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.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Paperwork Relief Act of 2001”.

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIREMENTS.

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

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

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

(3) by adding at the end the following:

“(6) publish in the Federal Register and make available on the Internet (in consultation with

the Small Business Administration) on an annual basis a list of the compliance assistance resources available to small businesses, with the first such publication occurring not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001.”.

(b) ESTABLISHMENT OF AGENCY POINT OF CONTACT.—Section 3506 of title 44, United States Code, is amended by adding at the end the following:

“(i)(1) In addition to the requirements described in subsection (c), each agency described under paragraph (2) shall, with respect to the collection of information and the control of paperwork, establish 1 point of contact in the agency to act as a liaison between the agency and small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)). Each such point of contact shall be established not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001.

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

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

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

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

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

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

(3) by adding at the end the following:

“(4) in addition to the requirements of this chapter regarding the reduction of information collection burdens for small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), make efforts to—

“(A) further reduce the information collection burden for small business concerns with fewer than 25 employees; and

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

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

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

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

(2) by inserting after section 3519 the following:

§3520. Establishment of task force on information collection and dissemination

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

“(b) The members of the task force shall be appointed by the Director, and include—

“(1) not less than 2 representatives of the Department of Labor, including 1 representative of the Bureau of Labor Statistics and 1 representative of the Occupational Safety and Health Administration;

“(2) not less than 1 representative of the Environmental Protection Agency;

“(3) not less than 1 representative of the Department of Transportation;

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

“(5) not less than 1 representative of the Internal Revenue Service;

“(6) not less than 2 representatives of the Department of Health and Human Services, including 1 representative of the Health Care Financing Administration;

“(7) not less than 1 representative of the Department of Agriculture;

“(8) not less than 1 representative of the Department of Interior;

“(9) not less than 1 representative of the General Services Administration;

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

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

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

“(c) The task force shall—

“(1) recommend a plan for the development of an interactive Government application, available through the Internet, to allow each small business to better understand which Federal requirements regarding collection of information (and, when possible, which other Federal regulatory requirements) apply to that particular business;

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

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

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

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

“(A) by North American Industrial Classification System code;

“(B) industrial/sector description; or

“(C) in another manner by which small business concerns can more easily identify requirements with which those small business concerns are expected to comply; and

“(4) examine the savings, including cost savings, for implementing a system of electronic paperwork submissions.

“(d) Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, the task force shall submit a report of its findings under subsection (c) to—

“(1) the Director; and

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

“(A) the Committee on Governmental Affairs and the Committee on Small Business of the Senate; and

“(B) the Committee on Government Reform and the Committee on Small Business of the House of Representatives.

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

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

“3520. Establishment of task force on information collection and dissemination.

“3521. Authorization of appropriations.”.

SEC. 4. REGULATORY ENFORCEMENT REFORMS.

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

“(c) REPORTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, and not later than every 2 years thereafter, each agency shall submit a report to the Director of the Office of

Management and Budget and the chairpersons and ranking minority members of the Committee on Governmental Affairs and the Committee on Small Business of the Senate, 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.

“(B) The number of enforcement actions in which a civil penalty is 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.”.

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

MR. KENNEDY. Senator LIEBERMAN and Senator KERRY each have an amendment at the desk, and I ask unanimous consent that each amendment be considered and agreed to and the motion to reconsider be laid upon the table en bloc.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 2612 and 2613), en bloc, were agreed to, as follows:

AMENDMENT NO. 2612

Purpose: To provide for the task force to examine the feasibility of measures to strengthen the dissemination of information

On page 13, line 23, strike, “and”.

On page 14, line 3, strike the period and insert “; and”.

On page 14, insert between lines 3 and 4 the following:

“(b) examine the feasibility of measures to strengthen the dissemination of information.”

AMENDMENT NO. 2613

Purpose: To modify the appointment of members of the task force, and for other purposes

On page 11, line 9, strike “Director” and insert “head of each applicable department or agency (and in the case of paragraph (12) by the Director)”.

On page 14, line 7, insert “, including any minority views of the task force,” after “(c)”.

On page 14, line 8, strike “and”.

On page 14, line 12, insert “and Entrepreneurship” after “Business”.

On page 14, line 16, strike the period and insert “; and”.

On page 14, insert between lines 16 and 17 the following:

“(3) the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under section 30(b) of the Small Business Act (15 U.S.C. 657(b)).”

MR. VOINOVICH. Mr. President, I am pleased that today the Senate will pass S. 1271, the Small Business Paperwork Relief Act of 2001.

As my colleagues know, small businesses are the backbone of our economy and significantly important to the fiscal health of the United States. Small businesses constitute more than 90 percent of this Nation's employers, employ 53 percent of the private workforce, and create approximately 74 percent of this country's new jobs.

While on the whole, America's small business owners are successful, the numerous Federal paperwork requirements that they must face has, I believe, have had a negative impact on further entrepreneurial growth in the United States. There is little doubt that America's small business owners could be even more successful if they were able to devote more time and resources to their businesses instead of mountains of Federal paperwork. That is why I introduced S. 1271. This "good government" legislation continues the efforts on the part of Congress to streamline and reduce paperwork burdens on small businesses and help increase the productivity of American business.

The Office of Management and Budget—OMB—has estimated that the Federal paperwork burden is 7.2 billion hours annually, at a cost of some \$190 billion per year. Small business owners are particularly hurt by regulatory and paperwork burdens. The Small Business Administration—SBA—estimates that the costs to small businesses are a staggering \$5,100 per employee. While many of these requirements are important and necessary, the high costs of understanding them and complying with them can sometimes prevent small businesses from being able to expand or even stay afloat. In some cases, this burden can deter entrepreneurs from opening in the first place.

The Small Business Paperwork Relief Act of 2001 will help improve the ability of small business owners to understand and comply with Federal regulations and paperwork mandates through the following helpful provisions:

A requirement for OMB to annually publish in the Federal Register and on the Internet a list of the compliance assistance resources available to small businesses;

A requirement for each Federal agency to establish a single point of contact to help small business owners fill out forms and comply with federal regulations;

A requirement for each federal agency to make further efforts to reduce paperwork for small businesses with fewer than 25 employees;

The establishment of an interagency task force to develop an interactive government web-site to help each small business owner understand which federal paperwork requirements and regulations apply to his or her business;

An amendment to the Small Business Regulatory Enforcement Fairness Act—SBREFA—to require that each agency maintain information on the number of enforcement actions in

which civil penalties are assessed, the number of such actions against small entities, the number of such actions in which civil penalties are reduced or waived, and the monetary amount of each reduction or waiver.

As the bill was introduced just this past July, I am pleased that the Senate has taken action in considering this important legislation, and I am also pleased that the bill enjoys bipartisan support. I would particularly like to thank Senator BLANCHE LINCOLN for joining me in introducing this bill, and I thank the co-sponsors of S. 1271, Senators BOND, LEAHY, JEFFORDS, CONRAD, MILLER, LIEBERMAN, CARPER, CLELAND, BUNNING, THOMPSON, COLLINS, DAYTON, and KERRY for their strong support.

I also thank the many business groups who have helped us craft a solid bill with their suggestions and those who have lent their support to this legislation, particularly: the National Federation of Independent Businesses; the U.S. Chamber of Commerce; the American Farm Bureau Federation; the Cleveland Growth Association; the Associated Builders and Contractors; the National Association of Convenience Stores; the American Feed Industry Association; the National Association of Manufacturers; the National Tooling and Machining Association; National Small Business United; the National Restaurant Association; the National Pest Management Association; the Academy of General Dentistry; the American Road and Transportation Builders Association; the Small Business Coalition for Regulatory Relief; the Small Business Legislative Council; the Small Business Survival Committee; the Agricultural Retailers Association; the Associated General Contractors; the Automotive Parts and Service Alliance; the Food Marketing Institute; the National Automobile Dealers Association; the National Business Association; the National Roofing Contractors Association; the Society of American Florists, and the North American Equipment Dealers Association.

Further, I thank public interest groups such as OMB Watch for their valuable input. I also thank the administration for their support of this bill and for the valuable input of OMB in helping to make this bill more effective in helping our nation's small business owners. And since the House of Representatives passed a similar version of S. 1271 this past March, I hope that we will have a final bill for the President's signature very soon.

Once again, I am pleased that the Senate has acted to provide relief to small business owners. This bill will help save time and money and will allow small business owners the ability to better understand and comply with Federal regulations and paperwork requirements. It is good for the country and good for our economy and I thank my colleagues for their support in passing this bill today.

Mr. KERRY. Mr. President, I speak today in support of Senator

VOINOVICH's legislation, the Small Business Paperwork Relief Act of 2001, as well as my amendment to improve the legislation for the benefit on America's small businesses.

While legislation such as the Regulatory Flexibility Act, and the Small Business Regulatory Enforcement Fairness Act have made great strides in helping to ease the regulatory burden on our small businesses, more work remains to be done.

In the report prepared by the Small Business Administration's Office of Advocacy on the recommendations of the White House Conference on Small Business in 1995, the Office of Advocacy stated that

Federal, state and local governments impose numerous requirements on the operation of businesses. The burdens associated with these requirements are often exacerbated by substantial paperwork and record-keeping requirements. In addition to the cost and administrative burdens, small and growing businesses have difficulty simply keeping abreast of the various regulatory and paperwork requirements.

Six years later, this statement is still true.

While I support the Small Business Paperwork Relief Act, I think it is important to point out that I objected to an original request to pass this legislation by unanimous consent because the Committee on Small Business and Entrepreneurship, which I chair, has jurisdiction over some of the issues included in this legislation. Additionally, the expertise of the Committee on issues of importance to small businesses can only serve to enhance any legislation designed to help our Nation's small businesses. That being said, Senator VOINOVICH and I have addressed my questions about the legislation and agreed to an amendment. I believe the bill is better because of our work.

The legislation originally called for the Director of the Office of Management and Budget to appoint members to the "Task Force" created in the legislation from the various agencies listed in the bill. Although I had no objection to the Task Force being led by the OMB Director, I did have reservations about the OMB Director selecting the participants, a function that should be vested with each agency head. The amendment makes this change.

Additionally, my amendment has a provision stating that in any report issued by the Task Force, minority views must be included. This provision has been added as a result of my consultations with SBA's Office of Advocacy, who were concerned that reports issued on small business issues may not reflect the views of small business advocates. By allowing minority opinions, any report issued by the Task Force will at the very least contain concerns raised by the small business community.

My amendment also adds the National Ombudsman to the list of recipients bi-annual reporting on the number of enforcement actions taken by agencies. The National Ombudsman, located

at the SBA, serves as a confidential resource to field complaints and comments from small businesses about the regulatory process and actions taken by regulatory agencies. Additionally, the National Ombudsman rates Federal regulatory agencies on their treatment of small businesses and issues a report card. Therefore, I felt it appropriate that agency information regarding regulatory enforcement be shared with the National Ombudsman.

Finally, my amendment makes a technical change in the legislation to reflect the name change of the Senate Committee on Small Business to the Committee on Small Business and Entrepreneurship, which occurred on June 29th of this year.

I believe the changes my amendment makes will provide additional support for our small businesses suffering from paperwork burdens, and I ask my colleagues to support the amendment and the underlying legislation.

Mr. KENNEDY. I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read the third time, passed, and the motion to reconsider be laid upon the table, and any statements relating thereto be placed in the RECORD. The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1271), as amended, was read the third time and passed, as follows:

S. 1271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Paperwork Relief Act of 2001".

SEC. 2. FACILITATION OF COMPLIANCE WITH FEDERAL PAPERWORK REQUIREMENTS.

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

(1) in paragraph (4), by striking ";" and inserting a semicolon;

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

(3) by adding at the end the following:

"(6) publish in the Federal Register and make available on the Internet (in consultation with the Small Business Administration) on an annual basis a list of the compliance assistance resources available to small businesses, with the first such publication occurring not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001."

(b) ESTABLISHMENT OF AGENCY POINT OF CONTACT.—Section 3506 of title 44, United States Code, is amended by adding at the end the following:

"(1) In addition to the requirements described in subsection (c), each agency described under paragraph (2) shall, with respect to the collection of information and the control of paperwork, establish 1 point of contact in the agency to act as a liaison between the agency and small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)). Each such point of contact shall be established not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001.

"(2) An agency described under this paragraph is—

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

"(B) the Federal Communications Commission, the Securities and Exchange Commission, and the Environmental Protection Agency."

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

(1) in paragraph (2)(B), by striking ";" and inserting a semicolon;

(2) in paragraph (3)(J), by striking the period and inserting ";" and"; and

(3) by adding at the end the following:

"(4) in addition to the requirements of this chapter regarding the reduction of information collection burdens for small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), make efforts to—

"(A) further reduce the information collection burden for small business concerns with fewer than 25 employees; and

"(B) eliminate any unnecessary paperwork burdens.".

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

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

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

(2) by inserting after section 3519 the following:

"§ 3520. Establishment of task force on information collection and dissemination

"(a) There is established a task force to study the feasibility of streamlining requirements with respect to small business concerns regarding collection of information and strengthening dissemination of information (in this section referred to as the 'task force').

"(b) The members of the task force shall be appointed by the head of each applicable department or agency (and in the case of paragraph (12) by the Director), and include—

"(1) not less than 2 representatives of the Department of Labor, including 1 representative of the Bureau of Labor Statistics and 1 representative of the Occupational Safety and Health Administration;

"(2) not less than 1 representative of the Environmental Protection Agency;

"(3) not less than 1 representative of the Department of Transportation;

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

"(5) not less than 1 representative of the Internal Revenue Service;

"(6) not less than 2 representatives of the Department of Health and Human Services, including 1 representative of the Health Care Financing Administration;

"(7) not less than 1 representative of the Department of Agriculture;

"(8) not less than 1 representative of the Department of Interior;

"(9) not less than 1 representative of the General Services Administration;

"(10) not less than 1 representative of each of 2 agencies not represented by representatives described under paragraphs (1) through (9) and (11);

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

"(12) not less than 3 representatives of the small business community.

"(c) The task force shall—

"(1) recommend a plan for the development of an interactive Government application, available through the Internet, to allow each

small business to better understand which Federal requirements regarding collection of information (and, when possible, which other Federal regulatory requirements) apply to that particular business;

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

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

"(B) in a single format, such as a single electronic reporting system, with respect to the agency;

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

"(A) by North American Industrial Classification System code;

"(B) industrial/sector description; or

"(C) in another manner by which small business concerns can more easily identify requirements with which those small business concerns are expected to comply;

"(4) examine the savings, including cost savings, for implementing a system of electronic paperwork submissions; and

"(5) examine the feasibility of measures to strengthen the dissemination of information.

"(d) Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, the task force shall submit a report of its findings under subsection (c), including any minority views of the task force, to—

"(1) the Director;

"(2) the chairpersons and ranking minority members of—

"(A) the Committee on Governmental Affairs and the Committee on Small Business and Entrepreneurship of the Senate; and

"(B) the Committee on Government Reform and the Committee on Small Business of the House of Representatives; and

"(3) the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under section 30(b) of the Small Business Act (15 U.S.C. 657(b)).

"(e) In this section, the term 'small business concern' has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632)."

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

"3520. Establishment of task force on information collection and dissemination.

"3521. Authorization of appropriations."

SEC. 4. REGULATORY ENFORCEMENT REFORMS.

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

"(c) REPORTS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2001, and not later than every 2 years thereafter, each agency shall submit a report to the Director of the Office of Management and Budget and the chairpersons and ranking minority members of 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.

“(B) The number of enforcement actions in which a civil penalty is 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.”

NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE PLAN FOR ACTION PRESIDENTIAL COMMISSION ACT OF 2001

Mr. KENNEDY. I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 3442.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3442) to establish the National Museum of African American History and Culture Plan for Action Presidential Commission to develop a plan of action for the establishment and maintenance of the National Museum of African American History and Culture in Washington, D.C., and for other purposes.

There being no objection, the Senate proceeded to the immediate consideration of the bill.

Mr. KENNEDY. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3442) was read the third time and passed.

ORDERS FOR TUESDAY,
DECEMBER 18, 2001

Mr. KENNEDY. I ask unanimous consent that when the Senate completes its business today, it adjourn until the

hour of 9:30 a.m., Tuesday, December 18; that immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the conference report to accompany H.R. 1; that the vote on adoption of the ESEA conference report originally scheduled for 11 a.m. occur at 12 noon, with the additional 60 minutes of debate equally divided between the chairman and ranking member of the HELP Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. KENNEDY. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:46 p.m., adjourned until Tuesday, December 18, 2001, at 9:30 a.m.