

Professor, Wayne State University, Detroit, Michigan; and William Graham Otis, Adjunct Professor of Law, George Mason University Law School, Alexandria, Virginia.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY AND SPACE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology and Space be authorized to meet on Wednesday, May 22, 2002, at 2:30 p.m. on the Federal Research and Development Budget and National Science Foundation.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to P.L. 103-227, reappoints the following individuals to the National Skill Standards Board:

Upon the recommendation of the Republican leader: Earline N. Ashley, of Mississippi, Representative of Human Resources; Ronald K. Robinson, of Mississippi, Representative of Labor.

EXTENSION OF EXPORT-IMPORT BANK AUTHORITY

Mr. REID. I ask unanimous consent the Senate proceed to H.R. 4782, recently received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 4782) to extend the authority of the Export-Import Bank until June 14, 2002.

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

Mr. REID. I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be laid upon the table, without any intervening action or debate.

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

The bill (H.R. 4782) was read the third time and passed.

ROBERT J. DOLE DEPARTMENT OF VETERANS AFFAIRS MEDICAL AND REGIONAL OFFICE CENTER

Mr. REID. I ask unanimous consent that we now proceed to H.R. 4608, recently received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 4608) to name the Department of Veterans Affairs Medical and Regional Office Center in Wichita, Kansas, as the "Robert J. Dole Department of Veterans Affairs Medical and Regional Office Center."

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

Mr. REID. I ask unanimous consent the bill be read a third time, passed,

and the motion to reconsider be laid upon the table, without intervening action or debate.

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

The bill (H.R. 4608) was read the third time and passed.

BOB HOPE VETERANS CHAPEL

Mr. REID. I ask unanimous consent the Senate proceed to H.R. 4592, recently received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 4592) to name the chapel located in the national cemetery of Los Angeles, California, as the "Bob Hope Veterans Chapel."

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

Mr. REID. I ask consent the bill be read a third time, passed, the motion to reconsider be laid upon the table, and there be no intervening action or debate.

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

The bill (H.R. 4592) was read the third time and passed.

PERMISSION FOR COMMITTEES TO FILE LEGISLATIVE AND EXECUTIVE CALENDAR BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the committees may file committee reported legislative and executive calendar business on Wednesday, May 29, from 11 a.m. to 1 p.m., notwithstanding the recess or adjournment of the Senate.

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

MEASURE READ THE FIRST TIME—S. 2538

Mr. REID. Mr. President, S. 2538, introduced today by Senators Kennedy and others, is at the desk. I ask for its first reading.

The legislative clerk read as follows:

A bill (S. 2538) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Mr. REID. I ask for its second reading but object to my own request on behalf of the Republican side.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk.

VETERANS' MEMORIAL PRESERVATION AND RECOGNITION ACT OF 2002

Mr. REID. I ask unanimous consent the Senate proceed to the consideration of the Calendar No. 363, S. 1644.

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

The legislative clerk read as follows:

A bill (S. 1644) to further the protection and recognition of veterans' memorials, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the Campbell amendment in the nature of a substitute be agreed to and the bill as amended be read the third time, passed, the motion to reconsider be laid upon the table, and any statements relating to this bill be printed in the RECORD.

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

The amendment (No. 3544) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Memorial Preservation and Recognition Act of 2002".

SEC. 2. CRIMINAL PENALTIES FOR DESTRUCTION OF VETERANS' MEMORIALS.

(a) IN GENERAL.—Chapter 65 of title 18, United States Code, is amended by adding at the end the following:

“§ 1369. Destruction of veterans' memorials

“(a) Whoever, in a circumstance described in subsection (b), willfully injures or destroys, or attempts to injure or destroy, any structure, plaque, statue, or other monument on public property commemorating the service of any person or persons in the armed forces of the United States shall be fined under this title, imprisoned not more than 10 years, or both.

“(b) A circumstance described in this subsection is that—

“(1) in committing the offense described in subsection (a), the defendant travels or causes another to travel in interstate or foreign commerce, or uses the mail or an instrumentality of interstate or foreign commerce; or

“(2) the structure, plaque, statue, or other monument described in subsection (a) is located on property owned by, or under the jurisdiction of, the Federal Government.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 65 of title 18, United States Code, is amended by adding at the end the following:

“1369. Destruction of veterans' memorials.”.

SEC. 3. HIGHWAY SIGNS RELATING TO VETERANS CEMETERIES.

(a) IN GENERAL.—Notwithstanding the terms of any agreement entered into by the Secretary of Transportation and a State under section 109(d) or 402(a) of title 23, United States Code, a veterans cemetery shall be treated as a site for which a supplemental guide sign may be placed on any Federal-aid highway.

(b) APPLICABILITY.—Subsection (a) shall apply to an agreement entered into before, on, or after the date of the enactment of this Act.

The bill (S. 1644), as amended, was read the third time and passed.

SMALL BUSINESS PAPERWORK RELIEF ACT

Mr. REID. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 327, the Small Business Paperwork Relief Act, and that the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 327) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I understand that Senator VOINOVICH, Senator LIEBERMAN, and others have an amendment at the desk.

I ask unanimous consent that the amendment be agreed to, the motion to reconsider be laid upon the table, the bill, as amended, be read three times and passed; that the motion to reconsider be laid upon the table; that the title amendment, which is at the desk, be agreed to; and that any statements relating thereto be printed in the RECORD, without any intervening action or debate.

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

The amendment (No. 3545) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 3546) was agreed to, as follows:

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."

The bill (H.R. 327), as amended, was passed.

Mr. LIEBERMAN. Mr. President. I am very pleased to support final passage of H.R. 327, the Small Business Paperwork Relief Act of 2002, with an amendment in the nature of a substitute proposed by Senator VOINOVICH and me and Senators BOND, BUNNING, CARNAHAN, CARPER, CLELAND, COLLINS, CONRAD, DAYTON, JEFFORDS, KERRY, LEAHY, LINCOLN, MILLER, AND THOMPSON.

America's small businesses are a critical part of the nation's economy and a key driver of new job growth. Small businesses face particular challenges in complying with government information-collection requirements. H.R. 327 contains several provisions to help small businesses in this area. This bill aids small businesses in understanding and complying with Federal information-collection requirements, mandates a study of how to streamline information-collection requirements for small businesses and how to strengthen the dissemination of information by the Federal Government, and directs that certain data be compiled about enforcement activities involving small entities.

Last year, Senator VOINOVICH introduced S. 1271, which is a companion bill to H.R. 327, on behalf of himself and Senators LINCOLN and LEAHY. The bill now has 13 additional cosponsors: Sen-

ators BOND, BUNNING, CARNAHAN, CARPER, CLELAND, COLLINS, CONRAD, DAYTON, JEFFORDS, KERRY, LIEBERMAN, MILLER, and THOMPSON. The Governmental Affairs Committee reported out S. 1271 on November 14, 2001, and the Senate passed the bill by unanimous consent on December 17, 2001. The House had earlier passed H.R. 327, and, following Senate action on S. 1271, I worked with Members of the Senate and the House—primarily, Senator VOINOVICH and Representatives BURTON, WAXMAN, OSE, and TIERNEY—to try and resolve differences between the House and Senate bills. These discussions were successful, resulting in a bipartisan, bicameral agreement on consensus legislation, and Senator VOINOVICH and I and other Senators are offering this consensus legislation as an amendment in the nature of a substitute to H.R. 327 for final passage by the Senate.

I thank Senator VOINOVICH and his staff for their leadership and hard work on this legislation in the Senate, and also Representatives BURTON, WAXMAN, OSE, and TIERNEY and their staffs for their leadership and hard work in the House and for working with us to reach consensus on this valuable legislation to help small businesses.

Senator VOINOVICH and I have prepared a section-by-section description of this consensus amendment, including a summary of the purposes and legislative history of this legislation, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

H.R. 327—CONSENSUS AMENDMENT, PURPOSES AND SUMMARY, SECTION-BY-SECTION DESCRIPTION, AND LEGISLATIVE HISTORY

I. PURPOSES AND SUMMARY

H.R. 327, as amended, helps small businesses. The bill aids small businesses in understanding and complying with Federal information-collection requirements, mandates a study of how to streamline information-collection requirements for small businesses and how to strengthen the dissemination of information by the Federal Government, and directs that certain data be compiled about enforcement activities involving small entities. The legislation includes the following provisions to help small businesses:

The Office of Management and Budget (OMB) will annually publish in the Federal Register and make available on the Internet a list of the compliance assistance resources available to small businesses.

Each agency will establish a single point of contact within the agency to serve as liaison with small business concerns with respect to the collection of information and the control of paperwork.

Each agency will make efforts to further reduce the information collection burden for very small business concerns with fewer than 25 employees.

An interagency task force will be convened to study measures to streamline information collection requirements for small businesses and to strengthen dissemination of information by the Federal Government. Among other things, the task force will identify ways to integrate the collection of information from small businesses across agencies

and programs, will make recommendations for electronic reporting and dissemination of information, and will recommend a plan for an interactive government website to help small businesses understand which federal information-collection requirements apply to its business.

Each agency will submit an initial report and final report on the number of enforcement actions in which civil penalties were assessed, the number of such actions against small entities, the number of such actions in which civil penalties were reduced or waived, and the amount of such reductions and waivers. Requiring this information will facilitate congressional oversight.

II. SECTION-BY-SECTION DESCRIPTION OF THE CONSENSUS AMENDMENT

Section 1. Short title

Section 1 of the bill provides that the Act may be cited as the "Small Business Paperwork Relief Act of 2002."

Section 2. Facilitation of compliance with federal paperwork requirements

Publication of list of compliance-assistance resources. Subsection (a) of section 2 of the bill adds a new paragraph to the Paperwork Reduction Act (PRA), at 44 U.S.C. §3504(c)(6). The new paragraph (6), read together with existing subsection (c), requires that, with respect to the collection of information and the control of paperwork, the Director of the Office of Management and Budget (OMB) will publish in the Federal Register and make available on the Internet a list of compliance assistance resources available to small businesses. The Director is instructed to do this in consultation with the Small Business Administration. The applicable definition of "collection of information" in the PRA, at 44 U.S.C. §3502(3), includes an agency's questions and record-keeping requirements posted to, or imposed upon, 10 or more persons to obtain information or require its disclosure. The purpose of this subsection of the bill is to provide small businesses a resource to help them quickly and efficiently find the compliance assistance they need.

Agency point of contact. Subsection (b) of section 2 of the bill adds a new subsection to the PRA, at 44 U.S.C. §3506(i), requiring that, with respect to the collection of information and the control of paperwork, each agency must establish one point of contact to act as liaison between the agency and small business concerns. The applicable definition of "agency," as set forth in the PRA at 44 U.S.C. §3502(1), includes generally any department, Government corporation, or other establishment in the executive branch, including independent regulatory agencies. The bill also makes applicable the definition of "small business concern" in the Small Business Act, at 15 U.S.C. §632. The purpose of this subsection of the bill is to establish the place in each agency that small businesses can contact when they need help with respect to information collection or the control of paperwork.

Further efforts to reduce paperwork for very small enterprises. Subsection (c) of section 2 of the amendment adds a new paragraph to the PRA, at 44 U.S.C. §3506(c)(4), requiring that, in addition to the requirements of the PRA regarding the reduction of information collection burdens for small business concerns generally, each agency must make efforts to further reduce the information collection burden for small business concerns with fewer than 25 employees.

Section 3. Establishment of task force on information collection and dissemination

Section 3(a) of the bill adds a new section to the PRA, at 44 U.S.C. §3520, entitled "Establishment of task force on information collection and dissemination."

Establishment of task force and statement of purposes. Subsection (a) of new 44 U.S.C. §3520 establishes 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.

Selection of task force members. Subsection (b) of new 44 U.S.C. §3520 provides for the selection of individuals to serve on the task force. The Director of OMB will determine the number of representatives to be designated by each of the several departments and agencies listed in the bill (subject to the minimum requirements stated in the bill), and will also name two additional agencies that will designate representatives on the task force. The heads of those departments and agencies will select individuals to serve as members of the task force. The Director also will select a representative of the Director, who will convene and chair the task force.

Task force assignments. Paragraphs (1) through (6) of subsection (c) of new 44 U.S.C. §3520 direct the task force to do the following:

Paragraph (1)—Identify ways to integrate information collection and examine whether, and to what extent, it would be feasible and desirable to require agencies to consolidate requirements regarding collections of information within and across agencies (without negatively impacting the effectiveness of underlying laws and regulations) in order to enable each small business concern to submit required information—(A) to one point of contact in the agency, (B) in a single format, such as an electronic reporting system, or (C) with synchronized reporting for submissions having the same frequency, such as by allowing all quarterly reports to be submitted on the same date each quarter, allowing all annual reports to be submitted on the same date each year, etc.

Paragraph (2)—Examine whether, and to what extent, it would be feasible and beneficial to small businesses to the Director to publish a list of all collections of information applicable to small business concerns organized by North American Industry Classification System (NAICS) code, by industrial sector description, or in another manner by which small business concerns can more easily identify applicable requirements.

Paragraph (3)—Examine the savings and develop recommendations for implementing—(A) electronic submissions to the Federal Government, and (B) interactive reporting systems providing immediate feedback to the submitter to assure that data being submitted are appropriate.

Paragraph (4)—Make recommendations to improve the electronic dissemination of information collected under Federal requirements.

Paragraph (5)—Recommend a plan for the development of an interactive Internet-based system to allow each small business to better understand which Federal information-collection requirements (and where possible, other Federal regulatory requirements) are applicable, and to more easily comply with those requirements.

Paragraph (6)—In carrying out its responsibilities, consider opportunities for the coordination of Federal and State reporting requirements, and for the coordination among the points of contact established pursuant to the bill to enable agencies, e.g., to provide contact information at other agencies.

Notice-and-comment procedure for task force. Subsection (d) of new 44 U.S.C. §3520 requires the task force, by publication in the Federal Register, to provide notice and an opportunity for comment on each report in draft form, and to make provision in each re-

port for the inclusion of any separate views of task force members and a summary of significant public comments.

Task force reports. Subsections (e) and (f) of new 44 U.S.C. §3520 require the task force to submit its first report not later than one year after enactment of the bill and its second report not later than two years after enactment of the bill. The first report will be of the task force's findings under paragraphs (1), (2), and (3) of subsection (c) of new 44 U.S.C. §3520, and the second report will be of the task force's findings under paragraphs (4) and (5) of subsection (c) of new 44 U.S.C. §3520. (Those paragraphs (1) through (5) are summarized above.) The task force shall submit both its first and second reports to the Director of OMB, to certain committees of Congress identified in the bill, and to the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under 15 U.S.C. §657(b).

Termination of task force. Subsection (g) of new 44 U.S.C. §3520 provides that the task force shall terminate upon completion of its work.

Definition of "small business concern." Subsection (h) of new 44 U.S.C. §3520 makes applicable the definition of "small business concern" in the Small Business Act, 15 U.S.C. §632.

Section 4. Regulatory enforcement reports

Section 4 of the bill requires that each agency shall submit an initial report and a final 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 items (A) and (B), above, in which the civil penalty is reduced or waived.

(D) The total monetary amount of the reductions or waivers referred to under item (C), above.

Each report shall include the definitions, selected at the discretion of the agency submitting the report, of the terms "enforcement actions," "reduction or waiver," and "small entity" as used in the report. This provision, recognizing that agencies have different policies governing their enforcement activities and different ways of tracking these activities, seeks to avoid placing undue reporting burdens on agencies.

The initial report shall include information with respect to the 1-year period beginning on October 1, 2002, and shall be submitted not later than December 31, 2003. The final report shall include information with respect to the 1-year period beginning on October 1, 2003, and shall be submitted not later than December 31, 2004. Each agency shall submit the initial report and the final report to certain committees of Congress identified in the bill and to the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under 15 U.S.C. §657(b).

For purposes of this section, the term "agency" has the meaning under 5 U.S.C. §551, which is the definition under the Administrative Procedures Act, and agencies as so defined are required to submit the reports under this section.

III. LEGISLATIVE HISTORY

H.R. 327 was introduced by Rep. Dan Burton on January 31, 2001, and was referred to the Committee on Government Reform and to the Committee on Small Business. The bill now has 11 cosponsors. At the Government Reform Committee, the bill was further referred to the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs.

On March 15, 2001, H.R. 327 was brought before the Committee of the Whole House and

then before the House. A managers' amendment in the nature of a substitute was agreed to by voice vote, and then H.R. 327, as so amended, was passed by a unanimous vote of 416 to 0. On that same day, H.R. 327 was received in the Senate and referred to the Committee on Governmental Affairs.

A companion bill in the Senate, S. 1271, was introduced on July 30, 2001, by Senator Voinovich, for himself and Senators Lincoln and Leahy, and was referred to the Governmental Affairs Committee. The bill now has 13 additional cosponsors: Senators Bond, Bunning, Carnahan, Carper, Cleland, Collins, Conrad, Dayton, Jeffords, Kerry, Lieberman, Miller, and Thompson.

S. 1271 was considered by the Governmental Affairs Committee at its business meeting on November 14, 2001, where Senator Voinovich offered an amendment in the nature of a substitute, which included suggestions made by Senator Lieberman and others. The Committee adopted the amendment by voice vote and ordered the bill, as amended, favorably reported by voice vote.

On December 17, 2001, the Senate by unanimous consent agreed to a technical amendment to S. 1271 offered on behalf of Senator Lieberman and an additional amendment offered on behalf of Senator Kerry, and passed S. 1271 as so amended.

This Consensus Amendment is based primarily on the provisions of H.R. 327, as it passed the House, and the provisions of S. 1271, as it passed the Senate. Bipartisan, bicameral discussions among interested Members of the House and Senate—principally, Representatives Burton, Waxman, Ose, and Tierney and Senators Lieberman and Voinovich—yielded this consensus proposal.

Principal differences between the Consensus Amendment and the two earlier bills, S. 1271 and H.R. 327, include:

The Consensus Amendment requires that the Director of OMB publish annually a list of compliance assistance resources available to small businesses. This requirement was in S. 1271 but not in H.R. 327.

The Consensus Amendment, like H.R. 327, spells out a more detailed and extensive agenda for the task force than S. 1271 in the areas of electronic submission and dissemination of information. Also like H.R. 327, the Consensus Amendment requires the task force to issue two reports, one year after enactment and two years after enactment, whereas S. 1271 required only a single report one year after enactment.

The Consensus Amendment, like S. 1271, instructs the task force to examine the feasibility and helpfulness of publishing an annual list by the Director of OMB of information-collection requirements applicable to small business concerns, organized by North American Industrial Classification or another useful system. H.R. 327 instead included a requirement that the Director annually publish such a list.

The Consensus Amendment provides that the task force will examine whether agencies should be required to allow small businesses to synchronize reporting for submissions having the same frequency, e.g., by filing quarterly reports on the same date each quarter. S. 1271 included no corresponding provision. H.R. 327, on the other hand, provided that the task force would examine whether agencies should be required to allow submissions "on the same date." The Consensus Amendment provision is derived from H.R. 327, but is limited to submissions having the same frequency, to clarify that the provision does not include changing the frequency of periodic reports, e.g., by converting a quarterly report into an annual report so that information for the entire year could be filed "on the same date" as another annual report.

The Consensus Amendment requires the task force to publish notice and to provide an opportunity for comment on each report in draft form, and to make provision in each report for the inclusion of any separate views of task force members and a summary of significant public comments. This provision is found in neither S. 1271 nor H.R. 327.

Like S. 1271, the Consensus Amendment includes a section requiring agencies to submit reports providing data about enforcement and penalty actions against both small entities and all entities. H.R. 327 contains no such provision. The section in the Consensus Amendment is based on S. 1271, but with modifications to clarify the agencies' reporting obligations and to avoid unnecessary burden on agencies. Whereas the reports under S. 1271 would have been due one year after enactment and every two years thereafter, the Consensus Amendment provides lead time by establishing the first due date on December 31, 2003, and requires one further report due one year later. Also, the Consensus Amendment specifies the one-year reporting period to be covered by each report, and states explicitly that each agency has discretion in defining certain terms as used in the agency's reports.

Mr. VOINOVICH. Mr. President, I am pleased that today the Senate has passed H.R. 327, the Small Business Paperwork Relief Act of 2002.

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, 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, the Senate companion to H.R. 327, on July 30, 2001. I was pleased when the Senate passed S. 1271 on December 17, 2001.

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 2002 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 the Office of Management and Budget 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 provide 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.

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 BLACHE LINCOLN for joining me in introducing this bill. I would also thank Senators LIEBERMAN and THOMPSON for cosponsoring this legislation and for their strong leadership in advancing it through the Governmental Affairs Committee and the Senate. I would like to thank all of the other cosponsors of S. 1271, Senators BOND, BUNNING, CARNAHAN, CARPER, CLELAND, CONRAD, DAYTON, JEFFORDS, KERRY, LEAHY, and MILLER for their strong support.

I would also recognize Representatives DAN BURTON and DOUG OSE and their staffs for their strong leadership in crafting, introducing and passing this measure in the House. I would like to thank Representative HENRY WAXMAN and JOHN TIERNEY and all the members of the House of Representatives who supported this bipartisan effort.

The Bush Administration is to be commended for their support of this bill and I appreciate the valuable recommendations of the Office of Management and Budget that will make this bill more effective in helping our Nation's small business owners. It is my hope that the House of Representatives will pass this final version of this measure shortly and that we will have a final bill for the President's signature very soon.

The many business groups who have lent their support and helped us craft a solid bill are also deserving of mention, 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 Retailer 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.

Finally, I would like to thank David Gray, a former employee of my Subcommittee staff, for all of his hard work on this legislation.

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.

Mrs. LINCOLN. Mr. President, every once in a while this body passes legislation that just makes good common sense. Today is such an occasion. I am pleased that the Senate will vote today on the conference report on the Small Business Paperwork Relief Act, a bill that Senator VOINOVICH and I first introduced in July of 1999.

I want to thank my good friend Senator VOINOVICH for his leadership on this issue. His staff members and former staff members, David Gray, Kathleen Braun, and Kristine Simmons, put in countless hours meeting with members of the business community, firefighters and the environmental community to achieve the balance that is represented here today. I also want to thank Senator LIEBERMAN, without whose help we could not be here today. Senator LIEBERMAN, as Chairman of the Governmental Affairs Committee, steered this legislation to its final form, and Larry Novey of his staff was invaluable. Kelly Rucker Bingel of my staff worked on this bill from its inception in 1999, and I thank her for her efforts.

Since I began public service as a member of the House of Representatives in January of 1993, I have looked for opportunities to ease the regulatory burden on small businesses. They are the backbone of our economy in Arkansas.

As I said when we first introduced this bill in 1999, the federal government should be a help to small businesses, not a hindrance. We should always seek to ensure that federal policies don't place undue burdens on small business owners and tie their hands in red tape.

Small businesses are hit hardest by federal regulations. According to a recent study conducted for the Small Business Administration, "firms employing fewer than 20 employees face an annual regulatory burden of \$6,975 per employee, a burden nearly 60 percent above that facing a firm employing over 500 employees." This does not even take into account state and local government paperwork.

I have been told that federal paperwork burdens rank just behind taxes and the cost of health care as the top problems facing members of the National Federation of Independent Businesses.

This bill establishes a single point-of-contact for small businesses in each federal agency that governs small businesses. Second, it requires the OMB Director to annually publish in the Federal Register and on the Internet a list of compliance assistance resources available to small businesses. Third, it establishes a task force to determine how to streamline paperwork requirements for small businesses. It directs the task force to look at creating a single reporting format for all agencies that could be filed simultaneously and electronically. It is our hope that these steps will make it easier for businesses to access information and will allow policymakers to more easily identify and eliminate duplicative regulations.

The original version of this bill, S. 1378, from the 106th Congress, suspended civil fines on small businesses for first-time paperwork violations if they corrected their error. Our thought behind suspending fines for first-time violators was that a majority of small business owners who neglect to file a certain form are simply overwhelmed with paperwork and don't realize their error. We thought that small business owners should be given a chance to correct the problem before they were slapped with a fine. I am disappointed that this final version does not include the fine suspension, but as I often tell my constituents, we can't let the perfect be the enemy of the good. So I am delighted to see final passage of this bill.

APPRECIATION TO SENATOR DAYTON

Mr. REID. Mr. President, I express my appreciation to you for being so patient. It has taken many hours that we didn't anticipate to get to this point

tonight. But for your patience, we would have been in real trouble. I appreciate very much your being courteous, as always. I appreciate that very much.

ORDERS FOR THURSDAY, MAY 23, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning, Thursday, May 23, at 9:30 a.m.; that following the prayer and pledge the Journal of proceeding be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there be a period for morning business until 10:30 a.m. with Senators permitted to speak therein for up to 10 minutes each, with the first half of the time under the control of the Republican leader, or his designee, and the second half under the control of the Democrat leader, or his designee; and, that at 10:30 a.m. the Senate resume consideration of the bill.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, there being no further business that I know of 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 9:19 p.m., adjourned until Thursday, May 23, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 22, 2002:

DEPARTMENT OF STATE

TONY P. HALL, OF OHIO, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

THE JUDICIARY

JAY S. BYBEE, OF NEVADA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE PROCTER R. HUG, JR., RETIRED.

TIMOTHY J. CORRIGAN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE NEW POSITION CREATED BY PUBLIC LAW 106-113, APPROVED NOVEMBER 29, 1999.

JAMES C. DEVER, III, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA, VICE W. EARL BRITT, RETIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAMES W. METZGER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 531, 624 AND 3064:

To be major

SHAWN E. CONNORS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS UNDER TITLE 10, U.S.C., SECTIONS 624:

To be colonel

JAMES E. AGNEW, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL J. HAMILTON, 0000
KURT R. LAVIN, 0000
HELEN F. SCHENCK, 0000
MICHAEL K. WEBB, 0000
JAMES W. YOUKER, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY A. KNUDSON, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

GEORGE B. PARISI, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be commander

PETER C. BONDY, 0000
LAWRENCE E. CRIMMINS, 0000
FRANK VERNET, 0000

To Be Lieutenant Commander

MOHAMAD ALSAWAF, 0000
DOUGLAS ANDERSON III, 0000
BRIAN D. CLEMENT, 0000
WILLIAM J. DARNEY III, 0000
JOHN A. DEMERS, 0000
DOUGLAS H. DOUGHTY JR., 0000
GARY S. GLUCK, 0000
RICHARD A. GRAHAM, 0000
JOSEPH W. HARMON, 0000
DOUGLAS W. KING, 0000
THOMAS R. LATENDRESSE, 0000
DAVID A. LEAL, 0000
MELINDA M. LUKEHART, 0000
ALAN F. NORDHOLM, 0000
IVAN C. PIERCE, 0000
MAE M. POUGET, 0000
BRIAN P. POWERS, 0000
THEODORE D. SHAW, 0000
DARCY M. SHIRLEY, 0000
CRAIG A. STAPLETON, 0000
PHILIP L. SUNDEL, 0000
GARY J. WALKER, 0000

To be lieutenant

ROBERTO M. ALVARADO, 0000
ROBERT A. ARMSTRONG, 0000
STEVEN W. ASHTON, 0000
VERA C. AUKE, 0000
TIMOTHY M. BAGLEY, 0000
STEPHEN D. BALK, 0000
DANIEL J. BALSINGER, 0000
BABAK A. BARAKAT, 0000
BRADLEY M. BARET, 0000
ROBERT S. BELTZ, 0000
LAURIE A. BENNETT, 0000
ENRIQUE C. BERNAL JR., 0000
BRANNON S. BICKEL, 0000
ROBERT D. BLONDIN, 0000
SCOTT M. BOAMAN, 0000
DRUMMOND R. BOORD, 0000
JOEL L. BOUVE, 0000
DANIEL B. BOZUNG, 0000
JONATHAN J. BRADFORD, 0000
DARRIN BRANSON, 0000
JASON J. BRIANA, 0000
CHARLES E. BRICE JR., 0000
WRAY W. BRIDGER, 0000
KENDALL G. BRIDGEWATER, 0000
ERIC H. BRONNER, 0000
ROBERT E. BROOKS JR., 0000
GARY L. BROWN, 0000
KATHERINE J. BROWN, 0000
TIMOTHY A. BROWN, 0000
DONALD R. BRUS, 0000
ROBERT T. BYRANS, 0000
SCOTT L. BUCHANAN, 0000
CALVIN E. BUMPHUS, 0000
CYNTHIA J. BUTLER, 0000
ANDREW S. BYERS, 0000
PATRICIA G. CADE, 0000
MICHAEL B. CAIMONA, 0000
SADYRAY M. CARINO, 0000
BRIAN R. CARION, 0000
BRYAN K. CARMICHAEL, 0000
KATHERINE R. CARSON, 0000
BRY CARTER, 0000
ANN E. CASEY, 0000
CHERYL C. CASEY, 0000
JAY M. CAVAR, 0000
JOHN D. CHOATE, 0000
ANNA M. CHRISTENSEN, 0000
JEREMY L. CLAUZE, 0000
CLINTON R. CODY, 0000
SHAWN T. COLLIER, 0000
JONATHAN R. COLON, 0000