

105TH CONGRESS  
2D SESSION

# H. R. 3310

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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1998

Mr. MCINTOSH (for himself, Mr. KUCINICH, Mr. FROST, Ms. WOOLSEY, Mr. GORDON, Mr. HAMILTON, Mr. HASTERT, Mr. SCARBOROUGH, Mr. SUNUNU, Mr. SESSIONS, Mr. SHAYS, Mr. MCHUGH, Mr. DAVIS of Virginia, Mr. MILLER of Florida, Mr. LIVINGSTON, Mr. DELAY, Mr. ARMEY, Mr. BOEHNER, Mr. THORNBERRY, Mr. BARR of Georgia, Ms. DUNN, and Mr. SNOWBARGER) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Business Paper-  
3 work Reduction Act Amendments of 1998”.

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

6 (a) ANNUAL PUBLICATION OF PAPERWORK RE-  
7 QUIREMENTS.—Section 3504(c) of chapter 35 of title 44,  
8 United States Code (commonly referred to as the “Paper-  
9 work Reduction Act”), is amended—

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

12 (2) in paragraph (5), by striking the period and  
13 inserting “; and”; and

14 (3) by adding at the end the following new  
15 paragraph:

16 “(6) publish in the Federal Register on an an-  
17 nual basis a list of the requirements applicable to  
18 small-business concerns (within the meaning of sec-  
19 tion 3 of the Small Business Act (15 U.S.C. 631 et  
20 seq.)) with respect to collection of information by  
21 agencies.”.

22 (b) ESTABLISHMENT OF AGENCY POINT OF CON-  
23 TACT; SUSPENSION OF FINES FOR FIRST-TIME PAPER-  
24 WORK VIOLATIONS.—Section 3506 of such chapter is  
25 amended by adding at the end the following new sub-  
26 section:

1 “(i)(1) In addition to the requirements described in  
2 subsection (c), each agency shall, with respect to the col-  
3 lection of information and the control of paperwork—

4 “(A) establish one point of contact in the agen-  
5 cy to act as a liaison between the agency and small-  
6 business concerns (within the meaning of section 3  
7 of the Small Business Act (15 U.S.C. 631 et seq.));  
8 and

9 “(B) in any case of a first-time violation by a  
10 small-business concern of a requirement regarding  
11 collection of information by the agency in which the  
12 head of the agency determines that the violation has  
13 not caused actual serious harm to the public health  
14 or safety—

15 “(i) provide that, except as provided in  
16 clause (ii), no civil fine shall be imposed by the  
17 agency on the small-business concern if the  
18 small-business concern corrects the violation on  
19 or before the date that is six months after the  
20 date of receipt by the small-business concern of  
21 notification of the violation in writing from the  
22 agency; and

23 “(ii) if the violation presents an imminent  
24 and substantial danger to the public health or  
25 safety, provide that, except as provided in para-

1 graph (2), no civil fine shall be imposed by the  
2 agency on the small-business concern if the  
3 small-business concern corrects the violation  
4 during the 24-hour period immediately follow-  
5 ing receipt by the small-business concern of no-  
6 tification of the violation in writing from the  
7 agency.

8 “(2) In a case described in paragraph (1)(B)(ii), the  
9 head of the agency may waive the suspension of imposition  
10 of a civil fine provided in that paragraph. The head of  
11 the agency shall notify Congress of any such waiver not  
12 later than 60 days after the date that the suspension is  
13 waived.

14 “(3) For purposes of paragraph (1)(B), the term  
15 ‘agency’ does not include the Internal Revenue Service.”.

16 **SEC. 3. ESTABLISHMENT OF TASK FORCE TO STUDY**  
17 **STREAMLINING OF PAPERWORK REQUIRE-**  
18 **MENTS FOR SMALL-BUSINESS CONCERNS.**

19 (a) IN GENERAL.—Chapter 35 of title 44, United  
20 States Code, is further amended by adding at the end the  
21 following new section:

1 **“§ 3521. Establishment of task force on feasibility of**  
2 **streamlining information collection re-**  
3 **quirements**

4 “(a) There is hereby established a task force to study  
5 the feasibility of streamlining requirements with respect  
6 to small-business concerns regarding collection of informa-  
7 tion (in this section referred to as the ‘task force’).

8 “(b) The members of the task force shall be ap-  
9 pointed by the Director, and shall include the following:

10 “(1) At least two representatives of the Depart-  
11 ment of Labor, including one representative of the  
12 Bureau of Labor Statistics and one representative of  
13 the Occupational Safety and Health Administration.

14 “(2) At least one representative of the Environ-  
15 mental Protection Agency.

16 “(3) At least one representative of the Depart-  
17 ment of Transportation.

18 “(4) At least one representative of the Office of  
19 Advocacy of the Small Business Administration.

20 “(5) At least one representative of each of two  
21 agencies other than the Department of Labor, the  
22 Environmental Protection Agency, the Department  
23 of Transportation, and the Small Business Adminis-  
24 tration.

25 “(c) The task force shall examine the feasibility of  
26 requiring each agency to consolidate requirements regard-

1 ing collections of information with respect to small-busi-  
2 ness concerns, in order that each small-business concern  
3 may submit all information required by the agency—

4 “(1) to one point of contact in the agency;

5 “(2) in a single format, or using a single elec-  
6 tronic reporting system, with respect to the agency;  
7 and

8 “(3) on the same date.

9 “(d) Not later than one year after the date of the  
10 enactment of the Small Business Paperwork Reduction  
11 Act Amendments of 1998, the task force shall submit a  
12 report of its findings under subsection (c) to the chairmen  
13 and ranking minority members of the Committee on Gov-  
14 ernment Reform and Oversight and the Committee on  
15 Small Business of the House of Representatives, and the  
16 Committee on Governmental Affairs and the Committee  
17 on Small Business of the Senate.

18 “(e) As used in this section, the term ‘small-business  
19 concern’ has the meaning given that term under section  
20 3 of the Small Business Act (15 U.S.C. 631 et seq.).”.

21 (b) CONFORMING AMENDMENT.—The table of sec-  
22 tions at the beginning of such chapter is amended by add-  
23 ing at the end the following new item:

“3521. Establishment of task force on feasibility of streamlining information  
collection requirements.”.

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