

House Counsel's Office in matters relating to his personal legal battles; to the Committee on Government Reform and Oversight.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. JENKINS.
H.R. 453: Mr. MCGOVERN.
H.R. 611: Ms. STABENOW.
H.R. 693: Mr. GOODLING.
H.R. 754: Mr. FOX of Pennsylvania.
H.R. 900: Mr. BAESLER, Ms. SANCHEZ, and Mr. BLAGOJEVICH.
H.R. 980: Mr. BEREUTER.
H.R. 1063: Mr. KENNEDY of Massachusetts and Mr. TURNER.
H.R. 1126: Mr. MURTHA and Mr. BLUNT.
H.R. 1151: Mr. MEEKS of New York, Mr. STRICKLAND, Mr. PAPPAS, Mr. SPRATT, Mrs. CAPPS, Mr. CLYBURN, and Mr. WELLER.
H.R. 1283: Mr. BALLENGER, Mr. GRAHAM, Mr. DOOLEY of California, Mr. KLECZKA, Mr. SKELTON, Mrs. TAUSCHER, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. HOEKSTRA, and Mr. SKEEN.
H.R. 1285: Mr. HEFLEY.
H.R. 1371: Mr. THUNE.
H.R. 1375: Ms. HOOLEY of Oregon and Mr. BLUMENAUER.
H.R. 1376: Mr. RANGEL.
H.R. 1401: Mr. SHAYS.
H.R. 1689: Mr. WALSH and Mr. BENTSEN.
H.R. 1712: Mr. CUNNINGHAM.
H.R. 1766: Mr. COLLINS, Mr. CRANE, Mr. EHLERS, Mr. ENGEL, Ms. KAPTUR, Mr. KINGSTON, Mr. NETHERCUTT, Ms. SANCHEZ, and Mr. SANDERS.
H.R. 1807: Mr. FRANK of Massachusetts.
H.R. 2052: Mr. RANGEL.
H.R. 2198: Mr. BOB SCHAFFER.
H.R. 2202: Mr. DIXON, Ms. JACKSON-LEE, and Mr. BURR of North Carolina.
H.R. 2253: Mr. WAXMAN, Mr. ADAM SMITH of Washington, and Mr. MARTINEZ.
H.R. 2351: Mr. CUMMINGS.
H.R. 2380: Mr. BACHUS.
H.R. 2409: Mr. HILLIARD, Mr. OBERSTAR, Mr. WATKINS, and Mr. MATSUI.
H.R. 2488: Mr. SANDLIN.
H.R. 2526: Mr. FOLEY.
H.R. 2560: Ms. SANCHEZ, Mrs. NORTHUP, and Mrs. TAUSCHER.
H.R. 2567: Mr. TALENT.
H.R. 2568: Mr. BRYANT and Mr. CHRISTENSEN.
H.R. 2598: Mr. HUTCHINSON, Mr. PEASE, and Mr. COOKSEY.
H.R. 2695: Mr. HINOJOSA and Ms. CHRISTIAN-GREEN.
H.R. 2936: Mr. MORAN of Kansas.
H.R. 2951: Mr. NEAL of Massachusetts and Mr. ENGLISH of Pennsylvania.
H.R. 2968: Mr. PAUL, Mr. ISTOOK, Mr. METCALF, Mr. LATOURETTE, and Mr. BARTON of Texas.
H.R. 2973: Mr. HANSEN and Mr. HOUGHTON.
H.R. 2990: Mr. WATKINS, Mr. SNYDER, Mr. ROMERO-BARCELO, Mr. PASCRELL, Mr. COOK, Mr. DOOLEY of California, Mr. GILMAN, Mr. MORAN of Virginia, Mr. SISISKY, Mr. CANNON, Mr. SPRATT, Mr. DEFazio, Mr. BLILEY, and Mrs. THURMAN.
H.R. 2994: Ms. DEGETTE, Mr. THOMPSON, and Mr. DOYLE.
H.R. 3007: Mrs. JOHNSON of Connecticut and Mr. BARCIA of Michigan.
H.R. 3048: Mrs. MORELLA.
H.R. 3050: Ms. SLAUGHTER.
H.R. 3054: Mr. MANTON, Mr. ENGEL, and Mr. WYNN.
H.R. 3065: Mr. DOOLEY of California.
H.R. 3068: Mr. FRANK of Massachusetts, Mr. WATT of North Carolina, Mr. SANDERS, Mr.

HASTINGS of Florida, Mrs. MEEK of Florida, and Ms. SANCHEZ.

H.R. 3107: Ms. WOOLSEY.
H.R. 3110: Mr. CALVERT, Mr. UPTON, and Mrs. JOHNSON of Connecticut.
H.R. 3125: Mr. FALCOMAVALA, Mrs. MORELLA, Mr. FROST, Mr. EVANS, Mr. FILLNER, Mr. WEXLER, and Ms. SLAUGHTER.
H.R. 3149: Mr. BOB SCHAFFER.
H.R. 3151: Mr. BOB SCHAFFER.
H.R. 3156: Ms. PELOSI, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. ETHERIDGE, Mr. MARKEY, Mr. SCOTT, Mr. SANDLIN, Mr. OLVER, Mr. MARTINEZ, Ms. RIVERS, Mr. GREENWOOD, Mr. MILLER of California, Mr. BENTSEN, Mr. FARR of California, Mr. TORRES, Mrs. CAPPS, Mr. DOOLEY of California, Mr. FRANKS of New Jersey, Mr. GILCHREST, Mr. KNOLLENBERG, Mr. PETERSON of Pennsylvania, Mr. TAYLOR of North Carolina, Ms. SLAUGHTER, Mr. DEFazio, Ms. SANCHEZ, Mr. LAHOOD, Mr. SKAGGS, Mr. KOLBE, Ms. ESHOO, Mr. FAWELL, and Mr. POMEROY.
H.R. 3178: Mr. LIPINSKI and Mr. MEEKS of New York.
H.R. 3181: Mr. CONYERS and Mr. SCHUMER.
H.R. 3206: Mr. BARR of Georgia.
H.R. 3248: Mr. FORBES, Mr. GOODLATTE, Mr. SHIMKUS, and Mr. RIGGS.
H.R. 3279: Mr. COSTELLO, Mr. FALCOMAVALA, Mr. SANDERS, Mrs. MINK of Hawaii, Mr. DINGELL, Mr. THOMPSON, Mr. KILDEE, and Mrs. KELLY.
H.R. 3284: Mr. GREEN and Mr. KIND of Wisconsin.
H.R. 3438: Mr. FRANKS of New Jersey.
H.R. 3454: Mrs. MYRICK and Ms. RIVERS.
H.R. 3470: Mr. GEJDENSON, Mr. MORAN of Virginia, and Ms. SANCHEZ.
H.R. 3471: Mr. KLECZKA.
H.R. 3475: Mr. SESSIONS, Mr. COBURN, Mr. HOUGHTON, Mr. FOLEY, and Ms. DUNN of Washington.
H.R. 3502: Mr. BILIRAKIS.
H.R. 3522: Mr. MCGOVERN, Mr. NEAL of Massachusetts, and Mr. WEYGAND.
H.R. 3526: Mr. BALDACCIO, Mr. KENNEDY of Massachusetts, and Mr. UNDERWOOD.
H.R. 3534: Mr. GINGRICH.
H.J. Res. 113: Mr. LEACH.
H. Con. Res. 127: Mr. COSTELLO and Mrs. JOHNSON of Connecticut.
H. Con. Res. 159: Mrs. THURMAN and Mr. MALONEY of Connecticut.
H. Con. Res. 203: Ms. SLAUGHTER and Mr. NETHERCUTT.
H. Con. Res. 210: Mr. MORAN of Virginia and Mr. WHITFIELD.
H. Con. Res. 214: Mr. TANNER and Mr. BRYANT.
H. Con. Res. 218: Mr. ROHRBACHER, Mr. ROYCE, Mr. BERMAN, Mr. FOX of Pennsylvania, Mr. GILMAN, and Mr. SMITH of New Jersey.
H. Con. Res. 225: Ms. KILPATRICK, Mr. LEWIS of Georgia, Ms. CARSON, Mr. LANTOS, Ms. SLAUGHTER, Mrs. MINK of Hawaii, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MILLER of California, Mr. FROST, and Mr. MCGOVERN.
H. Con. Res. 233: Mr. MANTON.
H. Con. Res. 246: Ms. KAPTUR.
H. Res. 182: Mr. LAZIO of New York.
H. Res. 313: Mrs. MCCARTHY of New York and Mr. FALCOMAVALA.
H. Res. 363: Mr. GREENWOOD and Mr. MCGOVERN.
H. Res. 392: Mr. HINCHEY, Mr. CAMPBELL, and Mr. SANFORD.

H.R. 2500: Mr. FATTAH.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2515

OFFERED BY: Mr. BROWN OF CALIFORNIA
(Page and line numbers refer to H.R. 3530, which is made in order as an amendment in the nature of a substitute)

AMENDMENT No. 1: Page 8, line 17, insert after the period the following:

"However, no commercial timber sale may be conducted as part of any recovery project."

H.R. 2515

OFFERED BY: Mr. BROWN OF CALIFORNIA
(Page and line numbers refer to H.R. 3530, which is made in order as an amendment in the nature of a substitute)

AMENDMENT No. 2: Page 27, beginning line 11, strike "Amounts in the Fund shall be available to the Secretary, without further appropriation—" and insert "Only in such amounts as are provided in advance in annual appropriation Acts, the Secretary may use amounts in the Fund—".

H.R. 2515

OFFERED BY: Mrs. CHENOWETH
(Page and line numbers refer to H.R. 3530, which is made in order as an amendment in the nature of a substitute)

AMENDMENT No. 3: Page 29, beginning on line 15, strike paragraph (4) relating to a prohibition on the use of amounts from the Forest Recovery and Protection Fund to construct roads.

H.R. 2515

OFFERED BY: Mrs. CHENOWETH
(Page and line numbers refer to H.R. 3530, which is made in order as an amendment in the nature of a substitute)

AMENDMENT No. 4: Page 29, beginning on line 15, strike paragraph (4).

Add at the end the following new section:
SEC. 12. ENHANCED CONSISTENCY BETWEEN FEDERAL TIMBER ROADS PROGRAMS.

(a) ELIMINATION OF PURCHASER ROAD CREDITS IN PUBLIC DOMAIN AND OTHER FORESTS.—Section 4 of Public Law 88-657 (16 U.S.C. 535; commonly known as the National Forest Roads and Trails Act) is amended—

(1) by striking "SEC. 4." and inserting the following:

"SEC. 4. CONSTRUCTION OF FOREST DEVELOPMENT ROADS.

"(a) AUTHORIZED METHODS TO FUND CONSTRUCTION.—";

(2) by striking "including provisions for amortization of road costs in contracts" and inserting "except that the Secretary may not provide purchaser credit for road construction";

(3) by striking "Provided," and all that follows through the period at the end of the proviso and inserting a period; and

(4) by striking the last sentence.

(b) CONSISTENT TIMBER ROAD PROGRAMS; EXCEPTIONS.—Such section is further amended by adding at the end the following new subsections:

"(b) CONSISTENT FEDERAL FOREST ROAD PROGRAMS.—Subject to subsection (c), the Secretary of Agriculture shall carry out the program authorized by subsection (a) for the acquisition, construction, and maintenance of forest roads in the public domain and other national forests in the same manner as the Secretary of the Interior conducts the roads program for forest lands under the jurisdiction of the Bureau of Land Management, as such Bureau of Land Management

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

roads program was in effect on January 1, 1998.

“(c) SPECIAL REQUIREMENTS FOR FOREST SERVICE ROAD PROGRAM.—

“(1) DESIGN AND ENGINEERING SERVICES.—Using funds available to the Forest Service for the design and engineering of forest roads in the public domain and other national forests, the Secretary of Agriculture is authorized and encouraged to enter into contracts with private persons to perform design and engineering services in connection with the acquisition, construction, and maintenance of forest roads. The Secretary shall ensure that competitive procedures are used in the selection of persons for the performance of such services.

“(2) LEVEL OF CONSTRUCTION.—In the case of a forest road in a public domain or other national forest that is constructed or paid for by a purchaser of national forest timber, the Secretary of Agriculture may not require the purchaser to design, construct, or maintain the road to a higher standard than the standard, consistent with applicable environmental laws and regulations, that is sufficient for the harvesting and removal of the timber and other products covered by the sale, unless the Secretary bears that part of the cost necessary to meet the higher standard.

“(3) TREATMENT OF ROAD VALUE.—In the case of a forest road in a public domain or other national forest that is constructed or paid for by a purchaser of national forest timber, the appraised value of the road shall be considered to be money received for purposes of the payments required to be made under the sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500). To the extent that the appraised value of a forest road determined under this paragraph reflects funds contributed by the Secretary of Agriculture to build the road to a higher standard, the Secretary shall modify the appraisal of the road to exclude the effect of the Federal funds.”.

(c) ELIMINATION OF REFERENCES TO PURCHASER CREDITS.—

(1) TRANSPORTATION SYSTEM.—Section 10(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1608(a)) is amended by striking “benefits” and all that follows through the period at the end of the subsection and inserting “benefits.”.

(2) TIMBER SALES WITH PURCHASER CREDIT PROVISIONS.—Section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) is amended by striking subsection (i).

(d) APPLICATION OF AMENDMENTS.—

(1) EFFECT ON EXISTING PURCHASER ROAD CREDITS.—Notwithstanding the amendments made by subsection (a), effective purchaser credit already earned for road construction may continue to be used in accordance with section 4 of Public Law 88-657 (16 U.S.C. 535; commonly known as the National Forest Roads and Trails Act), and rules issued under such section, as in effect on the day before the date of the enactment of this Act.

(2) EFFECT ON EXISTING CONTRACTS.—Notwithstanding the amendment made by subsection (c)(2), subsection (i) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to any timber contract described in such subsection awarded before October 1, 1998.

H.R. 2515

OFFERED BY: MRS. CHENOWETH

(Page and line numbers refer to H.R. 3530, which is made in order as an amendment in the nature of a substitute)

AMENDMENT NO. 5: Page 29, beginning on line 15, strike paragraph (4).

Add at the end the following new section:

SEC. 12. ELIMINATION OF PURCHASER ROAD CREDITS IN CONNECTION WITH RECOVERY PROJECTS.

Section 4 of Public Law 88-657 (16 U.S.C. 535; commonly known as the National Forest Roads and Trails Act) is amended by adding at the end the following:

“(b) AUTHORIZED METHODS TO FUND ROAD CONSTRUCTION.—In connection with recovery projects, the Secretary of Agriculture—

“(1) may not provide purchaser credit for road construction; and

“(2) shall carry out the program authorized by this section for the acquisition, construction, and maintenance of forest roads in the same manner as the Secretary of the Interior conducts the roads program for forest lands under the jurisdiction of the Bureau of Land Management, as such Bureau of Land Management roads program was in effect on January 1, 1998.

“(c) SPECIAL REQUIREMENTS FOR FOREST SERVICE ROAD PROGRAM.—

“(1) DESIGN AND ENGINEERING SERVICES.—Using funds available to the Forest Service for the design and engineering of forest roads, the Secretary of Agriculture is authorized and encouraged to enter into contracts with private persons to perform design and engineering services in connection with recovery projects involving the acquisition, construction, or maintenance of forest roads. The Secretary shall ensure that competitive procedures are used in the selection of persons for the performance of such services.

“(2) LEVEL OF CONSTRUCTION.—In the case of a forest road in a recovery project that is constructed or paid for by another person, the Secretary of Agriculture may not require the person to design, construct, or maintain the road to a higher standard than the standard, consistent with applicable environmental laws and regulations, that is sufficient for the recovery project involved, unless the Secretary bears that part of the cost necessary to meet the higher standard.

“(3) TREATMENT OF ROAD VALUE.—In the case of a forest road in a recovery project that is constructed or paid for by a purchaser of national forest timber, the appraised value of the road shall be considered to be money received for purposes of the payments required to be made under the sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500). To the extent that the appraised value of a forest road determined under this paragraph reflects funds contributed by the Secretary of Agriculture to build the road to a higher standard, the Secretary shall modify the appraisal of the road to exclude the effect of the Federal funds.”.

H.R. 2515

OFFERED BY: MRS. CHENOWETH

(Page and line numbers refer to H.R. 3530)

AMENDMENT NO. 6: Page 29, beginning on line 15, strike paragraph (4) and insert the following:

(f) ELIMINATION OF PURCHASER ROAD CREDITS IN CONNECTION WITH RECOVERY PROJECTS.—

(1) AUTHORIZED METHODS TO FUND ROAD CONSTRUCTION.—In connection with recovery projects, the Secretary of Agriculture—

(A) may not provide purchaser credit for road construction; and

(B) shall carry out the road construction in the same manner as the Secretary of the Interior conducts the roads program for forest lands under the jurisdiction of the Bureau of Land Management, as such Bureau of Land Management roads program was in effect on January 1, 1998.

(2) SPECIAL REQUIREMENTS FOR ROADS.—

(A) DESIGN AND ENGINEERING SERVICES.—Subject to the availability of appropriations for this purpose, the Secretary of Agriculture may enter into contracts with private persons to perform design and engineering services in connection with recovery projects involving the acquisition, construction, or maintenance of forest roads. The Secretary shall ensure that competitive procedures are used in the selection of persons for the performance of such services.

(B) LEVEL OF CONSTRUCTION.—In the case of a forest road in a recovery project that is constructed or paid for by another person, the Secretary of Agriculture may not require the person to design, construct, or maintain the road to a higher standard than the standard, consistent with applicable environmental laws and regulations, that is sufficient for the recovery project involved, unless the Secretary bears that part of the cost necessary to meet the higher standard.

(C) TREATMENT OF ROAD VALUE.—In the case of a forest road in a recovery project that is constructed or paid for by another person, the appraised value of the road shall be considered to be money received for purposes of the payments required to be made under the sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500). To the extent that the appraised value of a forest road determined under this paragraph reflects funds contributed by the Secretary of Agriculture to build the road to a higher standard, the Secretary shall modify the appraisal of the road to exclude the effect of the Federal funds.

H.R. 2515

OFFERED BY: MS. FURSE

(Page and line numbers refer to H.R. 3530)

AMENDMENT NO. 7: Page 8, strike lines 3 through 17, and insert the following:

(8) RECOVERY PROJECT.—The term “recovery project” means a project to restore or protect forest values and resources within an identified recovery area, including the types of projects: restoration of native vegetative cover; prescribed burns; stabilization of slopes; recontouring of slopes; decommissioning and obliteration of roads; removal of man-made barriers to fish spawning runs; improvement of riparian areas and other habitat; and soil stabilization and other water quality improvements.

H.R. 2515

OFFERED BY: MS. FURSE

(Page and line numbers refer to H.R. 3530)

AMENDMENT NO. 8: Page 29, strike “\$500,000” and insert “\$50,000,000”.

H.R. 2515

OFFERED BY: MS. FURSE

(Page and line numbers refer to H.R. 3530)

AMENDMENT NO. 9: Page 29, after line 22, insert the following:

(5) PROHIBITION ON USE OF ANY FUNDS TO CONSTRUCT TEMPORARY ROADS.—For purposes of the recovery projects authorized by this Act, amounts in the Fund shall not be used, either directly through direct allocations from the Fund, or indirectly through allocations to recovery projects from other Forest Service accounts, for the construction of temporary roads of any kind.

H.R. 2515

OFFERED BY: MR. MILLER OF CALIFORNIA
(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 10: Page 27, beginning on line 11, strike "Amounts in the Fund shall be available to the Secretary, without further appropriation—" and insert "Only in such amounts as are provided in advance in annual appropriation Acts, the Secretary may use amounts in the Fund—".

H.R. 2515

OFFERED BY: MR. MILLER OF CALIFORNIA
(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 11: Page 29, line 16, strike "NEW, PERMANENT".

Page 29, line 22, strike "new, permanent".

H.R. 2515

OFFERED BY: MR. MILLER OF CALIFORNIA
(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 12: Page 29, beginning on line 25, strike "paid," and all that follows through line 6, on page 30, and insert "deposited in the general fund of the Treasury.".

H.R. 2515

OFFERED BY: MR. RADANOVICH

(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 13: Page 29, beginning on line 15, strike paragraph (4) and insert the following:

(f) ELIMINATION OF PURCHASER ROAD CREDITS IN CONNECTION WITH RECOVERY PROJECTS.—

(1) AUTHORIZED METHODS TO FUND ROAD CONSTRUCTION.—In connection with recovery projects, the Secretary of Agriculture—

(A) may not provide purchaser credit for road construction; and

(B) shall carry out the road construction in the same manner as the Secretary of the Interior conducts the roads program for forest lands under the jurisdiction of the Bureau of Land Management, as such Bureau of Land Management roads program was in effect on January 1, 1998.

(2) SPECIAL REQUIREMENTS FOR ROADS.—

(A) DESIGN AND ENGINEERING SERVICES.—Subject to the availability of appropriations for this purpose, the Secretary of Agriculture may enter into contracts with private persons to perform design and engineering services in connection with recovery projects involving the acquisition, construction, or maintenance of forest roads. The Secretary shall ensure that competitive procedures are used in the selection of persons for the performance of such services.

(B) LEVEL OF CONSTRUCTION.—In the case of a forest road in a recovery project that is constructed or paid for by another person, the Secretary of Agriculture may not require the person to design, construct, or maintain the road to a higher standard than the standard, consistent with applicable environmental laws and regulations, that is sufficient for the recovery project involved, unless the Secretary bears that part of the cost necessary to meet the higher standard.

(C) TREATMENT OF ROAD VALUE.—In the case of a forest road in a recovery project that is constructed or paid for by another person, the appraised value of the road shall be considered to be money received for purposes of the payments required to be made under the sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500). To the extent that the appraised value of a forest road determined under this paragraph reflects funds contributed by the Secretary of Agriculture to build the road to a higher standard, the Secretary shall modify the appraisal of the road to exclude the effect of the Federal funds.

H.R. 2515

OFFERED BY: MR. VENTO

(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 14: Page 10, line 1, strike "45-day period" and insert "60-day period".

Page 10, line 18, strike "45-day period" and insert "60-day period".

H.R. 2515

OFFERED BY: MR. VENTO

(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 15: Page 27, lines 12 and 13, strike ", without further appropriation".

H.R. 2515

OFFERED BY: MR. VENTO

(Page and line numbers refer to H.R. 3530)

AMENDMENT No. 16: Page 29, line 16, strike "PERMANENT".

Page 29, line 22, strike "permanent roads" and insert "roads, regardless of whether the roads are intended to be permanent or temporary".

H.R. 3310

OFFERED BY: MR. KUCINICH

AMENDMENT No. 1: Page 4, strike line 10 and all that follows through page 6, line 25, and insert the following:

"(B) establish a policy or program for eliminating, delaying, and reducing civil

finances in appropriate circumstances for first-time violations by small entities (as defined in section 601 of title 5, United States Code) of requirements regarding collection of information. Such policy or program shall take into account—

"(i) the nature and seriousness of the violation, including whether the violation was technical or inadvertent, involved willful or criminal conduct, or has caused or threatens to cause harm to—

"(I) the health and safety of the public;

"(II) consumer, investor, worker, or pension protections; or

"(III) the environment;

"(ii) whether there has been a demonstration of good faith effort by the small entity to comply with applicable laws, and to remedy the violation within the shortest practicable period of time;

"(iii) the previous compliance history of the small entity, including whether the entity, its owner or owners, or its principal officers have been subject to past enforcement actions;

"(iv) whether the small entity has obtained a significant economic benefit from the violation; and

"(v) any other factors considered relevant by the head of the agency;

"(C) not later than 6 months after the date of the enactment of the Small Business Paperwork Reduction Act Amendments of 1998, revise the policies of the agency to implement subparagraph (B); and

"(D) not later than 6 months after the date of the enactment of such Act, submit to the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate a report that describes the policy or program implemented under subparagraph (B).

"(2) For purposes of paragraphs (1)(B) through (1)(D), the term 'agency' does not include the Internal Revenue Service.".

H.R. 3310

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 2. Page 6, strike line 25 and insert the following: imposed by the agency.

"(4) Notwithstanding any other provision of law, no State may impose a civil penalty on a small-business concern, in the case of a first-time violation by the small-business concern of a requirement regarding collection of information, in a manner inconsistent with the provisions of this subsection.".