

97TH CONGRESS
1ST SESSION

H. R. 316

To provide that a Federal agency may not require that any person maintain records for a period in excess of four years, and a Federal agency may not commence an action for enforcement of a law or regulation or for collection of a civil fine after four years from the date of the act which is the subject of the enforcement action or fine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1981

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Mr. HIGHTOWER (for himself, Mr. STENHOLM, Mr. ANTHONY, Mr. ARCHER, Mr. BEARD, Mr. BOWEN, Mr. BRINKLEY, Mr. BROOKS, Mr. BURGNER, Mr. COLLINS of Texas, Mr. PHILIP M. CRANE, Mr. ROBERT W. DANIEL, JR., Mr. EDWARDS of Oklahoma, Mr. DE LA GARZA, Mr. DERWINSKI, Mr. DORNAN of California, Mr. DUNCAN, Mr. ENGLISH, Mr. ERDAHL, Mr. FISH, Mr. FORSYTHE, Mr. FROST, Mr. GARCIA, Mr. GOLDWATER, Mr. GRAMM, Mr. GRISHAM, Mr. GUYER, Mr. SAM B. HALL, JR., Mr. HANCE, Mrs. HOLT, Mr. HOPKINS, Mr. HUGHES, Mr. HYDE, Mr. JACOBS, Mr. JEFFRIES, Mr. JONES of North Carolina, Mr. KAZEN, Mr. KEMP, Mr. KOGOVSEK, Mr. KRAMER, Mr. LAGOMARSINO, Mr. LATTI, Mr. LEATH of Texas, Mr. LOEFFLER, Mr. LOTT, Mr. LUJAN, Mr. MARRIOTT, Mr. MONTGOMERY, Mr. MOORHEAD, Mr. NELSON, Mr. PAUL, Mr. PICKLE, Mr. RAILSBACK, Mrs. SCHROEDER, Mr. SENSENBRENNER, Mr. SHELBY, Mr. SHUMWAY, Mr. STANGELAND, Mr. SYNAR, Mr. WAMPLER, Mr. WHITE, Mr. WHITEHURST, Mr. WILSON, Mr. WINN, Mr. WRIGHT, and Mr. ALEXANDER) introduced the following bill; which was referred to the Committee on Government Operations

Margaret P. Anderson

A BILL

To provide that a Federal agency may not require that any person maintain records for a period in excess of four years, and a Federal agency may not commence an action for

enforcement of a law or regulation or for collection of a civil fine after four years from the date of the act which is the subject of the enforcement action or fine, and for other purposes.

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

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Limitation
5 on Government Recordkeeping Requirements and Actions
6 Act of 1981".

7 SEC. 2. (a) Except as otherwise provided by the Inter-
8 nal Revenue code of 1954 or any regulation promulgated
9 under such Code— *except for statute as applicable to Gov't Contract*

10 (1) an agency may not require, or enforce any law
11 or regulation to the extent that such law or regulation
12 requires, that any person maintain, prepare, or produce
13 any record (other than a record relating to a dangerous
14 material), after the expiration of four years after the
15 date of the transaction or event which is or is to be the
16 subject of such record; and

17 (2) an agency may not commence an action, suit,
18 or proceeding against any person for enforcement of a
19 law or regulation or for collection of any civil fine,
20 penalty, or forfeiture, after four years from the date of
21 the act or failure to act which is the subject of such

3646 Federal Register
2 Admin. Serv. Act
of 49 U.S.C.
(Extension of Records)

1 action, suit, or proceeding, or fine, penalty, or forfeit-
2 ure.

3 (b) For purposes of this section—

4 (1) “agency” has the meaning given such term in
5 section 551(1) of title 5, United States Code;

6 (2) “dangerous material” means—

7 (A) hazardous waste, as defined in section
8 1004 of the Resource Conservation and Recovery
9 Act of 1976 (42 U.S.C. 6903); and

10 (B) byproduct, source, or special nuclear ma-
11 terial, as defined in section 11 of the Atomic
12 Energy Act of 1954 (42 U.S.C. 2014);

13 (3) “person” includes and individual, corporation,
14 partnership, and an association; and

15 (4) “regulation” means the whole or part of a
16 statement by an agency regarding the applicability or
17 enforceability of a provision of law.

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