

105TH CONGRESS
1ST SESSION

H. R. 2661

To establish peer review for the review of standards promulgated under
the Occupational Safety and Health Act of 1970.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 1997

Mr. McINNIS (for himself, Mr. BAESLER, Mr. BONILLA, Mr. BOYD, Mr. BUNNING, Mr. COOKSEY, Mr. CUNNINGHAM, Mr. LINDER, Mrs. MORELLA, Mrs. NORTHUP, Mr. PETERSON of Pennsylvania, Ms. PRYCE of Ohio, Mr. BOB SCHAFFER of Colorado, Mr. SNOWBARGER, and Mr. WICKER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish peer review for the review of standards promulgated under the Occupational Safety and Health Act of 1970.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sound Scientific Prac-
5 tices Act”.

6 **SEC. 2. PEER REVIEW.**

7 (a) IN GENERAL.—Whenever the Secretary of Labor
8 determines that a standard should be promulgated under

1 section 6 of the Occupational Safety and Health Act of
2 1970 in order to serve the objectives of such Act, the Sec-
3 retary shall appoint a panel of individuals to review—

4 (1) the scientific and economic data which
5 forms the basis for such standard, and

6 (2) the relevance of the data to industries and
7 workers which would be affected by such standard.

8 (b) PANEL.—

9 (1) IN GENERAL.—A panel appointed under
10 subsection (a) for a standard shall be broadly rep-
11 resentative and balanced and shall include persons
12 with expertise in scientific and economic analysis
13 and persons with expertise relevant to any industry
14 which would be subject to such standard.

15 (2) CONFLICTS OF INTEREST.—Persons with
16 substantial and relevant expertise shall not be ex-
17 cluded from a panel merely because they represent
18 entities which may have potential interest in a
19 standard under consideration if that interest is fully
20 disclosed to the Secretary. In the case of a panel
21 considering a standard affecting a single entity, no
22 peer reviewer representing such entity may be in-
23 cluded on such panel.

24 (c) REPORTS.—Reports of a panel appointed under
25 subsection (a) for a standard, including any individual and

1 minority reports, shall be published together with any pro-
2 posed or final rule promulgating such standard. The Sec-
3 retary shall provide a written response to all significant
4 comments of the panel and shall include such responses
5 with the proposed or final rule to which the reports of
6 the panel members are attached.

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