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## United States Senate

COMMITTEE ON SMALL BUSINESS  
WASHINGTON, DC 20510-6350

May 21, 1999

### The SENSE Act: OSHA SHOULD WAIT FOR THE NAS STUDY

Dear Colleague:

On May 18, I introduced the Sensible Ergonomics Needs Scientific Evidence (SENSE) Act — S. 1070. This bill calls on the Occupational Safety and Health Administration (OSHA) to do the sensible thing — wait for sound science before imposing new ergonomics regulations on small businesses.

Just last year, Congress and the President agreed to spend \$890,000 for the National Academy of Sciences (NAS) to study the scientific literature on the cause-and-effect relationship between repetitive tasks in the workplace and musculoskeletal disorders. The study is intended to achieve a scientific understanding of the conditions and causes of musculoskeletal disorders. NAS has selected a panel of experts to conduct the study, which is expected to be completed in early 2001.

Regrettably, rather than waiting for NAS' findings, OSHA now plans to publish a proposed rule by September 1999. In fact, OSHA officials have suggested that a final rule could be issued by the end of 2000 — just before NAS is expected to complete its study. This doesn't make sense. From where I stand, it only makes sense for Congress and OSHA to have the benefit of the NAS study before OSHA proposes to require employers to implement a comprehensive program addressing musculoskeletal disorders.

Simply put, the SENSE Act requires OSHA to wait for the NAS to complete its study and submit the findings in a report to Congress. Congress would then have 30 days to review the final NAS report before OSHA issues a proposed or final regulation, standard or guideline. The SENSE Act does not prohibit OSHA from continuing to research ergonomics or from exercising its enforcement authority under the General Duty Clause of the OSH Act.

The SENSE Act has 29 cosponsors, including Senators Enzi, Jeffords, Burns, Voinovich, Snowe, Ashcroft, McConnell, Lott, Nickles, Hutchinson, Mack, Coverdell, Collins, Shelby, Kyl, Fitzgerald, Abraham, Gregg, Hutchison, Helms, Bunning, Crapo, Bennett, DeWine, Hagel, Sessions, Chafee and Domenici. These Senators, like me, agree with their small business constituents that it makes good sense for OSHA to wait for the results of the NAS study before imposing additional regulatory requirements on small businesses.

Please join me and my colleagues and co-sponsor the SENSE Act to show your support for ensuring that OSHA does not impose an ergonomics regulation on small businesses until Congress can assess the findings of the NAS study. For more information or to cosponsor the bill, please contact Suey Howe at the Small Business Committee, 4-5412.

Sincerely,



Christopher S. Bond  
Chairman