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HAPPENINGS FROM THE HILL

American Industrial Hygiene Association Government Affairs Department

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Still Time to Determine AIHA Public Policy Priorities

AIHA members have until November 1 an opportunity to prioritize the issues they deem the most important public policy issues for the association in the coming two years. AIHA government affairs survey the membership every two years to see what the members think about various regulatory and legislative issues. Once the survey results are determined, the AIHA board reviews and adopts the top public policy issues for the association.

If you haven't yet done so, please take a few minutes to complete this web-based survey. Click on the link to begin the survey <http://www.zoomerang.com/survey.zgi?p=WEB2R333X8A5>.

CDC/NIOSH Reorganization Becoming An Issue

The announcement by CDC Director Dr Julie Gerberding that she would reorganize CDC programs into new coordinating centers is rapidly becoming an issue on several fronts. The controversy revolves around placing NIOSH into one of these coordinating centers, potentially lowering the status of NIOSH within CDC and other concerns about occupational health and safety research. AIHA and numerous other organizations have expressed opposition to the reorganization and recently met with Dr. Gerberding to discuss the issue.

What's happened since then? The Senate report language on the CDC budget essentially tells CDC that they must maintain the "status quo" in relation to NIOSH. The language is an attempt to keep the NIOSH budget and reporting relationship the same. However, this is simply report language, has yet to be approved by the Senate, and then must be approved by the House.

Because of this language and the fact that no budget has yet been approved, the October first deadline for the reorganization has been put on hold. But this hasn't stopped CDC from moving forward in others ways.

Just this week AIHA learned that budgeting functions for NIOSH have been moved from NIOSH to CDC, and a similar move of communications functions is expected within a month. In addition, NIOSH's chief budget analyst and approximately 10 related staff members began reporting directly to CDC on October 3.

These announced changes have not gone unnoticed. A group of organizations opposed to the reorganization have been holding numerous meetings on Capitol Hill in an attempt to convince the House to accept the Senate report language when the appropriations conferees begin meeting. This group of organizations is not the only opposition to the reorganization. The NIOSH Board of Scientific Counselors on October 21 voted to "strongly" endorse the Senate language with eight votes for the endorsement and five members abstaining.

CDC expects the changes to be finalized in three months.

States Begin Gearing Up for 2005 Sessions

2005 legislative activity has begun in several states with the "pre-filing" of bills for next year. In AIHA's first review of these bills, few occupational health and safety issues appeared. However, two bills related to the issue of mold did appear and AIHA government affairs has been in contact with the sponsors to offer comments and assistance.

AIHA also plans on being pro-active on the issue of professional recognition/title protection. Government affairs staff is meeting with local section representatives in several states in the coming weeks to discuss possible introduction of this legislation in 2005.

Congress Gone Until November 15

With the November 2 election rapidly approaching, Congress left Washington in mid-October to complete their campaigning. And they left without having adopted a budget for numerous federal agencies, including OSHA and NIOSH. Undoubtedly, a final appropriations bill will include all of the remaining bills compressed into one "omni-bus spending bill". This always creates great debate, and never more so than this year. The differences between the House and Senate on spending is at least \$7 billion dollars. Plus, add to this the fact that some of those returning will have been defeated in the November election, yet have the opportunity to vote on the budget. And of course, there is always the chance that the House, Senate and/or the Administration could change control in January, which would really add confusion to the issue.

Stay tuned as we wait to see what funding level will be reserved for OSHA and NIOSH.

OSHA Accepting Comments on Hexavalent Chromium Rule

OSHA has proposed the long-awaited, and court-mandated, rule lowering the permissible exposure limit for hexavalent chromium. A court ruling mandates that OSHA adopt a final rule by January of 2006. AIHA and other interested parties have until January 3, 2005 to submit comments on the proposed rule.

Federal and State Legislative Action Centers

The AIHA Federal and State Legislative Action Centers will be undergoing an “end of the year” updating during the month of November. During this time, all legislation related to the 108th Congress will be removed in preparation for the 109th Congress that begins in January.

Most of the state legislatures will also begin new sessions in 2005. Because of this, most of the state reports found under individual states in the State Center will be deleted in preparation for new 2005 reports.

Both Action Centers allow AIHA members to stay abreast of national and state issues important to occupational health and safety. The center can be found within the members-only section of the AIHA web page.

For information on any of the items in this report, please contact Aaron Tripler.