**APPENDIX A**

**Section 20(a)(1) of the Occupational Safety and Health Act (29 U.S.C. 669)**

**SEC. 20. Research and Related Activities**

(a) (1) The Secretary of Health and Human Services, after consultation with

the Secretary and with other appropriate Federal departments or agencies,

shall conduct (directly or by grants or contracts) research, experiments, and

demonstrations relating to occupational safety and health, including studies

of psychological factors involved, and relating to innovative methods,

techniques, and approaches for dealing with occupational safety and health

problems.

(2) The Secretary of Health and Human Services shall from time to time

consult with the Secretary in order to develop specific plans for such

research, demonstrations, and experiments as are necessary to produce

criteria, including criteria identifying toxic substances, enabling the

Secretary to meet his responsibility for the formulation of safety and

health standards under this Act; and the Secretary of Health and Human

Services, on the basis of such research, demonstrations, and

experiments and any other information available to him, shall develop

and publish at least annually such criteria as will effectuate the purposes

of this Act.

(3) The Secretary of Health and Human Services, on the basis of such

research, demonstrations, and experiments, and any other information

available to him, shall develop criteria dealing with toxic materials and

harmful physical agents and substances which will describe exposure

levels that are safe for various periods of employment, including but not

limited to the exposure levels at which no employee will suffer impaired

health or functional capacities or diminished life expectancy as a result of

his work experience.

(4) The Secretary of Health and Human Services shall also conduct

special research, experiments, and demonstrations relating to

occupational safety and health as are necessary to explore new

problems, including those created by new technology in occupational

safety and health, which may require ameliorative action beyond that

which is otherwise provided for in the operating provisions of this Act.

The Secretary of Health and Human Services shall also conduct research

into the motivational and behavioral factors relating to the field of

occupational safety and health.

(5) The Secretary of Health and Human Services, in order to comply with

his responsibilities under paragraph (2), and in order to develop needed

information regarding potentially toxic substances or harmful physical

agents, may prescribe regulations requiring employers to measure,

record, and make reports on the exposure of employees to substances

or physical agents which the Secretary of Health and Human Services

reasonably believes may endanger the health or safety of employees.

The Secretary of Health and Human Services also is authorized to

establish such programs of medical examinations and tests as may be

necessary for determining the incidence of occupational illnesses and the

susceptibility of employees to such illnesses. Nothing in this or any other

provision of this Act shall be deemed to authorize or require medical

examination, immunization, or treatment for those who object thereto

on religious grounds, except where such is necessary for the protection

of the health or safety of others. Upon the request of any employer who

is required to measure and record exposure of employees to substances

or physical agents as provided under this subsection, the Secretary of

Health and Human Services shall furnish full financial or other assistance

to such employer for the purpose of defraying any additional expense

incurred by him in carrying out the measuring and recording as provided

in this subsection.

(6) The Secretary of Health and Human Services shall publish within six

months of enactment of this Act and thereafter as needed but at least

annually a list of all known toxic substances by generic family or other

useful grouping, and the concentrations at which such toxicity is known

to occur. He shall determine following a written request by any employer

or authorized representative of employees, specifying with reasonable

particularity the grounds on which the request is made, whether any

substance normally found in the place of employment has potentially

toxic effects in such concentrations as used or found; and shall submit

such determination both to employers and affected employees as soon

as possible. If the Secretary of Health and Human Services determines

that any substance is potentially toxic at the concentrations in which it is

used or found in a place of employment, and such substance is not

covered by an occupational safety or health standard promulgated under

section 6, the Secretary of Health and Human Services shall immediately

submit such determination to the Secretary, together with all pertinent

criteria.

(7) Within two years of enactment of the Act, and annually thereafter

the Secretary of Health and Human Services shall conduct and publish

industry wide studies of the effect of chronic or low-level exposure to

industrial materials, processes, and stresses on the potential for illness,

disease, or loss of functional capacity in aging adults.

(b) The Secretary of Health and Human Services is authorized to make

inspections and question employers and employees as provided in section 8

of this Act in order to carry out his functions and responsibilities under this

section.

(c) The Secretary is authorized to enter into contracts, agreements, or other

arrangements with appropriate public agencies or private organizations for

the purpose of conducting studies relating to his responsibilities under this

Act. In carrying out his responsibilities under this subsection, the Secretary

shall cooperate with the Secretary of Health and Human Services in order to

avoid any duplication of efforts under this section.

(d) Information obtained by the Secretary and the Secretary of Health and

Human Services under this section shall be disseminated by the Secretary to

employers and employees and organizations thereof.

(e) The functions of the Secretary of Health and Human Services under this

Act shall, to the extent feasible, be delegated to the Director of the National

Institute for Occupational Safety and Health established by section 22 of this

Act.

**EXPANDED RESEARCH ON WORKER SAFETY AND HEALTH**

The Secretary of Health and Human Services (referred to in this section as

the "Secretary"), acting through the Director of the National Institute of

Occupational Safety and Health, shall enhance and expand research as

deemed appropriate on the health and safety of workers who are at risk for

bioterrorist threats or attacks in the workplace, including research on the

health effects of measures taken to treat or protect such workers for

diseases or disorders resulting from a bioterrorist threat or attack. Nothing

in this section may be construed as establishing new regulatory authority for

the Secretary or the Director to issue or modify any occupational safety and

health rule or regulation.

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Title I, § 153 added

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