

**WRITTEN STATEMENT OF KEVIN BEAUREGARD
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OCCUPATIONAL SAFETY AND HEALTH STATE PLAN ASSOCIATION (OSHSPA)

BEFORE THE

SUBCOMMITTEE ON WORKFORCE PROTECTIONS
U.S. HOUSE OF REPRESENTATIVES

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Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify today and to discuss issues of importance to members of the Occupational Safety and Health State Plan Association (OSHSPA). Eleven members of this subcommittee represent States that have either comprehensive or public sector-only State Plan programs, so many of you are likely very familiar with many of the items that I will cover today. When OSHA was established, Congress specifically encouraged states to develop their own occupational safety and health programs and to provide enforcement and compliance assistance activities in their states. Section 18 of the Occupational Safety and Health Act (OSH Act) authorizes states to administer a state-operated program for occupational safety and health, provided the program is “at least as effective” as federal OSHA. Congress envisioned a comprehensive national program that would provide safety and health protection in all U.S. States and Territories. Prior to the creation of OSHA, many states had already been operating programs to protect their workers.

Today, the 27 States and Territories that operate a State Plan Program for workplace safety and health work together through OSHSPA to address common issues and facilitate communication between the States and federal OSHA. State programs have made major contributions in the area of occupational safety and health and have helped drive injuries, illnesses and fatalities to all-time low levels. It makes sense for State Plan Programs and OSHA to work together to develop strategies for making jobsites safer and to share methods that will work on both a national and state level.

OSHSPA does not view occupational safety and health as a partisan issue. The OSH Act was established “to assure safe and healthful working conditions for working men and women; by authorizing

enforcement of the standards developed under the Act; by assisting and encouraging the states in their efforts to assure safe and healthful working conditions; by providing research, information, education and training in the field of occupational safety and health; and for other purposes.” In order to meet the original intent of the OSH Act, OSHSPA firmly believes that a “balanced approach” within OSHA and State Plan Programs is required. We believe the most effective approach includes strong, coordinated programs that address education and outreach, consultation and enforcement. The lack of commitment to any of these three elements will eventually lead to an ineffective OSHA program.

State Plan Programs and OSHA share common goals regarding occupational safety and health. Over the years we have formed many positive relationships and have achieved many successes through cooperation between OSHSPA members and OSHA staff as we worked side-by-side on numerous projects and in response to nationwide catastrophic events. Those successes prove that OSHA has many positive attributes and talents to share with State Plans and, likewise, that State Plans have many positive attributes and talents to share with OSHA.

One of the many benefits of State Plan Programs is the flexibility afforded States to address hazards that are unique or more prevalent in particular states, or are not already being addressed by OSHA. In many instances, State Plans have passed more stringent standards or additional standards that do not exist on the federal level, while OSHA labors through the standard adoption process that frequently takes not only years but decades. State Plan Programs have also developed innovative inspection targeting systems directly linked to Workers’ Compensation databases, and special emphasis inspection programs covering such hazards as residential construction, logging, food processing, construction work zone safety, waste water treatment plants, overhead high voltage lines, and workplace violence. Many States sponsor annual State Safety and Health Conferences which bring training, networking and outreach to thousands of employees and employers and spread the word about the positive benefits of providing safe and healthful workplaces. OSHSPA publishes an annual Grassroots Workplace Protection report which highlights many of these unique and innovative state initiatives. Over

the past few years, OSHSPA members have grown increasingly concerned in regard to several issues, addressed below, that are significantly impacting the administration of our State Plan programs.

Funding of State Plans

There should be an expectation that employers and employees in all States be provided with comparable levels of occupational safety and health protections. While Congress envisioned that the partnership between federal OSHA and the State Plans would include federal funding of 50 percent of the costs, the federal percentage for State Programs has diminished significantly over the years. Currently, State Plans operate in 27 States and Territories providing coverage to approximately 40 percent of private sector workers nationwide and more than 10 million public sector workers. Additionally, in FY 2011 State Plans accounted for approximately 60 percent of all enforcement activity nationwide. However, in FY 2011, State Plans received only 18.6 percent of the total federal funds allocated for OSHA programs.

Federal funding of State Plans as a subset of total OSHA funding has grown increasingly disproportionate over the last ten years. The total federal funding for OSHA in FY 2001 was \$425.8 million (including \$88.4 million for State Plan Programs), and total OSHA funding for FY 2011 is \$557.4 million (including \$104.2 million for State Plan Programs). In the past decade, OSHA's federal funding, excluding State Plan and State Consultation programs, has increased approximately 47.5%. In comparison, State Plan total federal funding over the same time period has increased approximately 17.8%. The FY 2011 State Plan funding figure includes an additional \$1.5 million for the creation of the Illinois State Plan program in FY 2009. If this funding is not included with the other State Plan increases, the remaining State Plan Programs collectively have only received a 16.1% federal funding increase over the past decade, and approximately 13% of that increase was received in FY 2010. Additionally, the FY 2010 funding increase was not distributed in an equal percentage across-the-board manner to all State Plans, but rather via an antiquated federal OSHA funding formula. As a result, many State Plans received less than half of the allocated 13% increase. It is also important to note that the increase in FY 2010 federal funding for State Plans was provided after numerous years of State Plans receiving little or no annual federal funding

increases. State Plans are very appreciative of receiving the FY 2010 increase as it has helped offset some of the increases in program costs caused by inflation; however, as the figures above reflect, the State Plan increase is only a fraction of the federal OSHA increase over the same time period. OSHSPA's position is that it is important to provide adequate funding for both OSHA and State Plans to better ensure positive progress continues to be made in the areas of occupational safety and health.

OSHSPA believes that it is also important to note that State Plan federal funding increases significantly trailed the rate of inflation during the 2000s. The State Plan line item of the OSHA Budget was not assessed a COLA increase when COLAs were distributed to OSHA and other federal agencies between 2001 and 2010. Anecdotal information indicates that State Plan grants have been treated in a fashion similar to "block grants" or ETA grants even though State Plans have on-going personnel costs and specific "benchmark" position requirements for safety inspectors and industrial hygienists to maintain final approval status. This oversight has resulted in shifting 100% of the associated costs for any necessary COLA adjustments to State funding.

OSHA added approximately 130 new inspectors in FY 2010 in addition to those positions that they added in FY 2009. Meanwhile, over the past few years many State Plans have been eliminating positions, holding positions vacant and furloughing employees due to state budget reductions and the lack of adequate federal funding. In addition, some states have been unable to send safety and health compliance officers to required training at the OSHA Training Institute (OTI) due to budget constraints. State funding reductions have impacted the ability of many State Plans to provide the required matching State funds, which results in equivalent federal funding reductions. In consideration of State and federal funding deficiencies, the requirement for 50% matching State funds should be waived whenever a State's funding decreases due to a balanced budget requirement. This would help to reduce the negative impact on occupational safety and health within State Plan jurisdictions facing reductions in both State and federal funding at the same time and/or in consecutive years.

While the FY 2010 budget provided a one-time increase of approximately \$11.9 million over previous years, State Plans still "overmatch" the federal grants by more than \$71.5 million. This translates

to the States overall providing approximately 63% of funding versus 37% federal funding to ensure their programs are “at least as effective as” OSHA. Many State Plans provided a significant overmatch, yet received less than half of allocated FY 2010 State Plan federal funding increase. In addition, according to federal OSHA’s State Plan “funding formula” for FY 2010, 10 of the 27 State Plans had base grant awards that were underfunded by the amount of \$5.7 million dollars. The existing OSHA “funding formula” distributes approximately one-half of newly appropriated funds to the underfunded State Plans and approximately one-half to all State Plans. This formula has been in place for years but has had limited success because of the lack of federal funding increases overall for State Plans over the last decade. In addition, changes in State demographics, populations and industries have rendered the existing funding formula inadequate.

Deficit Reduction Issues

Much attention is currently being placed on the upcoming FY 2012 federal budget to address a soaring national debt and increasing budget deficit. State Plans understand the need to control federal spending to a level that is sustainable. In the event that it is determined to be necessary to reduce OSHA’s budget in FY 2012, State Plans respectfully request that Congress fully consider the disproportionate funding increases provided to State Plan OSHA programs over the past decade prior to making across-the-board line item decreases that will once again disproportionately affect State Plan occupational safety and health programs. Potential budget scenarios being discussed include rolling back agency federal funding to FY 2006 or FY 2008 levels. In FY 2009, the public sector-only Illinois State Plan was officially recognized by OSHA and funded by Congress in the amount of \$1.5 million, which accounted for approximately 30% of the entire increase in the State Plan line item between the years 2001 and 2009. An across-the-board rollback in the State Plan line item to the FY 2006 or FY 2008 level would result in either the elimination of the Illinois State Plan program, or more likely, that the other 26 State Plans would have their budgets reduced sufficiently to adequately fund the Illinois State Plan. Either scenario would result in a disproportionate reduction in federal funding to State Plans.

Additionally, if OSHA funding were to be reduced to FY 2006 or FY 2008 levels in an across-the-board manner, it would have the effect of rolling back State Plan funding to mid-1990's levels. This would sharply curtail intervention activities and would likely have a severe detrimental impact on occupational safety and health nationwide. Although State Plans are certainly willing to make adjustments as necessary, we do not feel that a disproportionate burden should be placed on State Plans that will also likely have a disproportionate impact on occupational safety and health in the 27 State Plan States.

There may be a time in the not so distant future when some States may opt out of having a State-administered program, simply due to the ever increasing burden of providing well beyond 50% of the program funding. If this comes to pass, the federal government will then need to allocate 100% of the funding to provide equivalent occupational safety and health protections in those states. To prevent this from occurring and based on the original intent of the OSH Act, the long term goal should be to fully fund at least 50% of the costs for all State Plan Programs.

Although the number of employers and employees covered by State Plan Programs continues to increase in most states, the net resources to address workplace hazards in the State Plan Programs have declined due to inflation, state budget reductions, and lack of adequate federal funding from Congress. The potential impacts, if this trend continues, are reductions in employer/employee training and outreach, technical assistance, consultation services, and enforcement. This will have a major impact on our efforts to reduce injuries, illnesses and fatalities and will potentially lead to increases in all these areas after much progress has been made. A process must be established to accurately and fairly address the budgetary requirements of State Plan Programs. Insufficient federal funding poses the most serious threat to the overall effectiveness of both State Plans and federal OSHA. If the intent of Congress is to ensure OSHA program effectiveness, this issue must be adequately addressed. OSHSPA urges Congress to establish a process to accurately and fairly address the budgetary requirements of State Plan Programs.

OSHA's State Plan Auditing and Monitoring Process

All members of OSHSPA are subject to regular federal OSHA monitoring activities as a condition of maintaining a State Plan Program and all States acknowledge responsibility for maintaining programs “at least as effective as” OSHA. There are different sized State Plan Programs throughout the United States with varying capabilities. Likewise, there are different sized federal area offices with varying capabilities in States under federal OSHA jurisdiction.

In addition to regular monitoring activities on a local, regional and national level, there is also a rigorous State Plan approval process in place for any State or Territory that desires to have a State-run OSHA program. The approval process includes many minimum requirements and obligations that must be met to ensure that the eventual program is “at least as effective as” OSHA. Prior to achieving final State Plan approval, States must also meet mandatory benchmark staffing levels for safety and health enforcement officers. Although States are held to minimum staffing levels, there are no such staffing benchmarks applied to federal jurisdictions. Although the State Plans expect and accept that OSHA will conduct oversight and monitoring activities, the criteria and expectations applied need to be universal for both State and federal operations.

In October 2009, the U.S. House of Representatives Committee on Education and Labor held hearings associated with the Nevada State Plan OSHA Program. While the Nevada State OSHA Program was the primary subject of the hearing, testimony provided by a number of participants pertained to oversight of all State Plan OSHA Programs. Subsequently, OSHSPA provided written testimony at the aforementioned hearing expressing concerns pertaining to the existing State Plan oversight process administered by OSHA.

State Plan Programs are not opposed to OSHA monitoring their programs, and we welcome constructive review and analysis of our operations. Properly conducted, audits and program monitoring can be helpful for all federal and State programs in identifying both program strengths and weaknesses. OSHSPA believes that it is critical for any methodology utilized by OSHA to measure State Plan programs based on valid criteria that allows the States to operate in a way that is “at least as effective as”

OSHA. The State Plans do not, and should not, operate in a manner identical to OSHA. Rather, they should continue to serve as laboratories of innovation for moving occupational safety and health issues forward and for fueling creative approaches to ensuring the occupational safety and health of workers.

There should be an expectation that all federal and State occupational safety and health programs are administered in an effective manner. Specifically in regard to “effectiveness,” OSHSPA has indicated that, prior to conducting additional comprehensive State Plan monitoring activities, OSHA and the State Plans should work together to establish well-defined performance measures and goals for both State Programs and OSHA. OSHSPA has indicated that established benchmarks could include, but would not be limited to: minimum levels for staffing, federal/state funding, training, equipment, quality control, internal auditing and outcome measures for both State Plans and federal OSHA. Following the establishment of effectiveness criteria, it was recommended by OSHSPA that there be regular audits of both State Plan Programs and OSHA’s national, regional and area offices against those established benchmarks. OSHSPA also believes that since OSHA will be conducting additional comprehensive monitoring activities of all State Plan Programs for “effectiveness” and quality control, it would be prudent for OSHA to conduct similar monitoring of its own offices to ensure that they are also operating in an “effective” manner.

There is no specific definition or adequate guidance for the “at least as effective as” language contained in the OSH Act and this has caused significant issues in regard to OSHA’s auditing and monitoring of State Plans. As a result, OSHA has often interpreted “at least as effective as” to mean “identical to” OSHA. State Plans have raised the issue that an inadequate definition of “at least as effective as” and the failure to establish valid program criteria that focus on outcomes rather than processes makes it infeasible to systematically and accurately evaluate either State Plan or OSHA effectiveness. This issue was specifically brought up by State Plans as early as 2002 when it was published in the Federal Register, Volume 67; Number 185, dated September 25, 2002. At that time, OSHA indicated that it agreed with “the principle that State Plan requirements are not required to be identical is an important statutory feature of the State Plan Programs. The language and structure of the

part 1953 regulation acknowledge the important principle that State plan requirements need not be identical” However, OSHA’s changing position on the issue in subsequent years and its failure to resolve the matter has contributed significantly to monitoring and auditing deficiencies.

Since OSHA’s often interprets “at least as effective as” to mean “identical to” in regard to measures, it has become a constantly moving, often unobtainable, target which compares mandated activity trends and policies within federal OSHA to those occurring within each State Plan. A primary concern is that OSHA has displayed a tendency to focus its oversight on activities, indicators, and measures that have not necessarily been directly linked to positive outcomes associated with occupational safety and health. Examples of such measures and indicators include: percent serious rate of violations cited, contestment rates, penalties assessed, penalties retained, and classification. Additionally, some of these items, if individually interpreted, can lead to conclusions that are not factually based or supportable in regard to program effectiveness.

Despite the above mentioned concerns previously broached by OSHSPA, OSHA proceeded to conduct its FY 2009 and FY 2010 State Plan monitoring and auditing based on these inadequate indicators. Subsequently, OSHA issued State-specific 2009 Enhanced Federal Annual Monitoring and Evaluation (EFAME) Reports of all State Plan OSHA programs and will be following up with those recommendations for the FY 2010 FAME.

Following the release of the 2009 EFAME reports, OSHSPA issued a press release that reiterated our concerns with the current monitoring and auditing process. It continues to be OSHSPA’s position that our members would welcome the opportunity to work with OSHA in developing effective measures and an effective auditing system that will better ensure that State Plans and federal OSHA are equally accountable to the American workers and general public regarding overall program effectiveness. I am pleased to report that such a joint effort has been recently initiated.

Office of Inspector General Report

On March 31, 2011 the U.S. Department of Labor, Office of Inspector General –Office of Audit (OIG), issued Report #02-11-201-10-105 entitled “OSHA HAS NOT DETERMINED IF STATE OSH PROGRAMS ARE AT LEAST AS EFFECTIVE IN IMPROVING WORKPLACE SAFETY AND HEALTH AS FEDERAL OSH APROGRAMS.” This audit was performed partly in response to a special review that OSHA conducted of the Nevada State Plan OSHA program. OIG indicated the objective of their review was to answer the question: “Has OSHA ensured that State Plans operate OSH programs that are **at least as effective as** Federal OSHA?” The OIG report indicates that “OSHA has not designed a method to determine that State Plans are at least as effective as Federal OSHA in reducing injuries and illnesses.” Further, OIG made the following four recommendations to the Assistant Secretary for Occupational Safety and Health: 1) define effectiveness; 2) design measures to quantify impact; 3) establish a baseline using Federal OSH programs to evaluate State Plans; and 4) revise monitoring processes to include assessments about whether State Plans are at least as effective as Federal OSHA Programs.

The OIG report appears to validate the issues and concerns previously brought up by OSHSPA regarding OSHA’s State Plan monitoring process and it also supports the recommendations previously submitted by OSHSPA regarding how OSHA could address the issues and concerns.

Training of Enforcement Personnel

It is the stated goal of the current administration as well as previous ones that there be more consistency and transparency between federal OSHA and State Plans, particularly in the way mandated federal regulations are enforced. Many State Plans do not send inspectors to needed courses taught at the OSHA Training Institute (OTI) due to out-of-state travel costs and/or travel restrictions in times of budget tightening. OSHSPA requests consideration to create a separate State Plan training line item to allow 100% federal funding to be utilized for travel and training of State Plan personnel. In FY 2010, it was estimated

that \$3.1 million would cover individual OTI and State Plan internal training courses for State Plan personnel.

National Emphasis Programs (NEPs)

OSHSPA fully supports OSHA's efforts to develop and use NEPs to address workplace hazards that pose a real and significant threat to employee and employer safety and health. Many State Plans have benefitted over the years from OSHA's identification and development of NEPs to address existing or emerging hazards that threaten the lives of America's working men and women. OSHSPA is more than willing to work with OSHA on the identification and development of NEPs and to encourage our membership to voluntarily participate in these programs as appropriate.

The current administration has recently committed to including OSHSPA in the development process of NEPs; however, this does not adequately address concerns associated with its decision last year to mandate that State Plans adopt all of its NEPs. Specifically, OSHA has indicated that its interpretation of the OSH Act provides its agency with the legal authority to require State Plan participation in all NEPs (see attached letter from Assistant Secretary David Michaels dated October 12, 2010, and OSHSPA's May 13, 2011 response). OSHSPA disagrees with OSHA's interpretation on this matter and will continue to take actions necessary to protect States' rights associated with the administration of State Plan OSHA programs.

OSHA's recent implementation of the National Emphasis Program (NEP) on Recordkeeping in FY 2010 is an example of a resource impact for State Plans resulting from OSHA's insistence that State Plans participate in its emphasis program. Congress provided OSHA with approximately \$2 million dollars to address such Recordkeeping initiatives in 2009-2010 but provided no additional monies to State Plans. OSHSPA members voiced concerns, not only about OSHA mandating adoption of this NEP, but also to the targeting methods utilized for the NEP. After OSHA implemented this NEP, it was subsequently suspended many months later to address targeting deficiencies that were previously identified by OSHSPA members. Inspections under the Recordkeeping NEP can last hundreds or even thousands of hours, which

takes away from other planned enforcement inspection activities. If Congress does not provide similar federal funding to State Plans, the initiative becomes an unfunded mandate for States, which are already significantly underfunded by Congress. Additionally, although an emphasis program may be deemed appropriate, it could divert attention from areas of greater need in an individual State Plan.

The OSH Act of 1970 provides in §2(b) (11):

“(b) The Congress declares it to be its purpose and policy...to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and preserve our human resources -

(11) by encouraging States to assume the fullest responsibility for the administration and enforcement of their occupational safety and health laws by providing grants to the States to assist in **identifying their needs and responsibilities in the area of occupational safety and health**, to develop plans in accordance with the provisions of this Act, to improve the administration and enforcement of State occupational safety and health laws, **and to conduct experimental and demonstration projects in connection therewith....**”

(Emphasis added).

As the OSH Act indicates, State Plans are charged by Congress to identify “their needs and responsibilities in the area of occupational safety and health.” OSHA’s position that a State Plan must conduct inspections in a given industry constitutes federal micro-management of State resources and runs directly contrary to Congress’s stated intent for the States to identify their own needs and responsibilities for assuring “safe and healthful working conditions” in their State.

OSHSPA finds OSHA’s position that a State Plan should use its limited resources to address a hazard that may admittedly be a priority elsewhere in the nation, but is not one in each State Plan, to be unsupportable. Further, it is OSHSPA’s position that OSHA does not have the legal authority nor is it correct from a policy making standpoint to require State Plans to adopt NEPs.

Penalties

On June 22, 2010, OSHA informed State Plans that it would be revising its penalty calculation procedures associated with citations and that it intended to mandate that all State Plans either adopt identical procedures or very similar procedures that would result in the same type of penalty increases. State Plan States were not consulted on this proposed change, nor did OSHA provide State Plans with any empirical data which supported its rationale for adoption of these new penalty procedures. The new penalty procedures were expected to increase assessed penalties an average of 350% over the existing averages. Some State Plans have lower penalty assessment averages than OSHA, and adopting the new OSHA procedures would have resulted in a much more drastic increase.

OSHSPA members were not provided any information by OSHA to indicate that research or analysis was conducted to assess the potential negative effects that a penalty increase could have on employers, employees and the effectiveness of federal and State Programs. State Plan States expressed substantive concerns to OSHA about the potential negative programmatic resource impacts that the new penalty calculation procedures would likely have in areas such as increased informal conferences, increased settlement agreements, and a significant increase in the number of adjudicatory hearings. This is of particular significance to many States that are facing funding and personnel reductions. In addition to all other concerns expressed, State Plans indicated that a penalty increase during an economic downturn seemed ill-timed. Finally, State Plans have also expressed concerns about the manner and process that OSHA utilized in its revised procedures to determine the final assessed penalty.

The overwhelming majority of OSHSPA members have very serious concerns about OSHA's unilateral development of a new penalty policy and its attempt to mandate that all State Plans adopt it.

Safety and Health Protections for State and Local Government Employees

OSHSPA fully supports safety and health coverage for all State and local government employees and believes the best way to do this is with public sector State Plan coverage in all States. One impediment to such plans has been OSHA's stance that any State wishing to establish a new State Plan

must work by itself through its own Congressional delegation to obtain federal matching funds. OSHSPA would encourage Congress to look for ways to encourage States to consider public sector-only State Plans, as recently occurred in Illinois.

Voluntary Protection Programs

OSHSPA supports continued federal funding for Voluntary Protection Programs. VPP clearly demonstrates to employers and employees the tremendous value provided by a comprehensive health and safety program.

Closing Remarks

Past and current OSHA administrations have routinely espoused the benefits of “partnership” between State Plan Programs and OSHA. OSHSPA is fully supportive of a credible and meaningful partnership with federal OSHA and we encourage Congress to support such a partnership to make it a reality. Our State Plan Programs are not merely an extension of federal OSHA; we represent distinct and separate government entities operating under duly elected governors or other officials and, in addition to the protocols provided by Congress and federal OSHA, also operate under State constitutions and legislative processes. State Plans are not just more “OSHA offices” and are not intended to be identical to federal OSHA, but rather were created to operate in such a manner as to provide worker protection at least as effectively as OSHA. Words such as “transparency,” “partnership,” “one-OSHA” and “one-voice” have been circulating for years as the desired relationship between State Plans and OSHA. Since we all share the common goal of improving nationwide occupational safety and health conditions, this would appear to make perfect sense. However, in reality there has often been an unequal “partnership” between OSHA and State Plans, especially when it comes to policy development, funding, and program implementation. All too often, the “one-voice” is interpreted to mean “federal OSHA’s voice.”

Like OSHA, each State Plan Program is staffed with dedicated occupational safety and health professionals with years of valuable experience. Although OSHSPA members’ contributions could be a

more integral part of the OSHA strategic planning process, our members are quite often excluded from providing critical input. Often State Plans are not brought into the discussion of important plans and policies that directly affect our programs until all the critical decisions have been made. The same can be said for OSHA's development of its regulatory agenda and legislative initiatives. State Plan Programs are not looking for preferential or special treatment, but feel strongly that OSHA should work harder at establishing a true "partnership" with State Plan Programs and be more cognizant of the effects that its unilateral policy decisions have on State Plan Programs.

Together, State Plan Programs and OSHA can successfully improve workplace conditions and continue to drive down workplace injury, illness and fatality rates. We should always be working toward program improvement with the single goal of having a positive impact on nationwide occupational safety and health. Establishing an "us versus them" relationship between OSHA and State Plan Programs will do little to enhance nationwide workplace safety and health.

OSHA, State Plan Programs and Congress need to join forces to best ensure that workplace injuries, illnesses and fatalities continue to decline nationwide. There should be a true partnership between OSHA and State Plan Programs to ensure all employers and employees are afforded equivalent workplace protections nationwide. Efforts should be made to ensure State Plan partners are included in the OSHA strategic planning and policy development process. OSHA should also work to complete national regulations in a timely manner. OSHA and State Plan Programs should be held equally accountable regarding performance, and matching federal funding should be provided to State Plans as Congress originally intended. These measures together will do more to enhance nationwide occupational safety and health than any other measures being considered at this time. Thank you again for the opportunity to discuss State Plan issues. I look forward to your questions.