

109TH CONGRESS  
1ST SESSION

# H. R. 740

To amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2005

Mr. NORWOOD (for himself, Mr. BOEHNER, Mr. SAM JOHNSON of Texas, Mr. MCKEON, Mr. EHLERS, Mrs. BIGGERT, Mr. KELLER, Mr. WILSON of South Carolina, Mr. KLINE, and Mr. NEUGEBAUER) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission.

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 “Occupational Safety  
5 and Health Review Commission Efficiency Act of 2005”.

1 **SEC. 2. OCCUPATIONAL SAFETY AND HEALTH REVIEW**  
2 **COMMISSION.**

3 (a) INCREASE IN NUMBER OF MEMBERS AND RE-  
4 QUIREMENT FOR MEMBERSHIP.—Section 12 of the Occu-  
5 pational Safety and Health Act of 1970 (29 U.S.C. 661)  
6 is amended—

7 (1) in the second sentence of subsection (a)—

8 (A) by striking “three members” and in-  
9 serting “five members”; and

10 (B) by inserting “legal” before “training”;

11 (2) in the first sentence of subsection (b), by  
12 striking “except that” and all that follows through  
13 the period and inserting the following: “except that  
14 the President may extend the term of a member for  
15 no more than 365 consecutive days to allow a con-  
16 tinuation in service at the pleasure of the President  
17 after the expiration of the term of that member until  
18 a successor nominated by the President has been  
19 confirmed to serve. Any vacancy caused by the  
20 death, resignation, or removal of a member before  
21 the expiration of a term for which a member was ap-  
22 pointed shall be filled only for the remainder of such  
23 term.”; and

24 (3) in subsection (f), by striking “two mem-  
25 bers” each place it appears and inserting “three  
26 members”.

1           (b) NEW POSITIONS.—Of the two vacancies for mem-  
2 bership on the Occupational Safety and Health Review  
3 Commission created by subsection (a)(1)(A), one shall be  
4 appointed by the President for a term expiring on April  
5 27, 2008, and the other shall be appointed by the Presi-  
6 dent for a term expiring on April 27, 2010.

7           (c) EFFECTIVE DATE FOR LEGAL TRAINING RE-  
8 QUIREMENT.—The amendment made by subsection  
9 (a)(1)(B), requiring a member of the Commission to pos-  
10 sess a background in legal training, shall apply beginning  
11 with the two vacancies referred to in subsection (b) and  
12 all subsequent appointments to the Commission.

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