

**AMENDMENT TO H.R. 2661**  
**OFFERED BY MR. BALLENGER**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Sound Scientific Prac-  
3 tices Act”.

4 **SEC. 2. PEER REVIEW.**

5       (a) **GENERAL RULE.**—Whenever the Secretary of  
6 Labor determines that a standard should be promulgated  
7 under section 6(b) of the Occupational Safety and Health  
8 Act of 1970, the Secretary shall, in order to serve the ob-  
9 jectives of such Act and in lieu of the authority of the  
10 Secretary to appoint an advisory committee described in  
11 section 6(b)(1) of such Act, appoint a panel of individuals  
12 to review—

13           (1) the scientific and economic data which  
14 forms the basis for such standard; and

15           (2) the relevance of the data to industries and  
16 workers which would be affected by such standard.

17       (b) **PANEL.**— A panel appointed under subsection (a)  
18 shall be balanced in terms of the points of view rep-  
19 resented and shall consist of persons who are able to give  
20 independent judgment and who have expertise in scientific

1 or economic analysis related to the matter which is the  
2 subject of the standard. Any individual with a financial  
3 interest in the outcome of the standard shall be excluded  
4 as a member of the panel unless such individual fully dis-  
5 closes such interest to the Secretary.

6 (c) REPORTS.— Reports of the panel, including any  
7 individual or minority reports, shall be published together  
8 with any proposed or final rule promulgating a standard.  
9 The Secretary shall provide a written response to all sig-  
10 nificant comments of the panel and shall include such re-  
11 sponses with the proposed or final rule to which the re-  
12 ports of the panel are attached.

13 (d) NEGOTIATED RULEMAKING.— The requirement  
14 of subsection (a) shall not apply when the rule is com-  
15 pleted through negotiated rulemaking under subchapter  
16 III of chapter 5 of title 5, United States Code.