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## Watch Out For The Super-Waiver

The new "super-waiver" legislation proposed in the House is dangerously broad and should be opposed by all nonprofits concerned with social justice.

A legislative provision with far-reaching effects that should be of concern to all nonprofits has been included in the TANF welfare reauthorization bill that will be marked up this week in the House. This "super-waiver" legislation has been introduced by Reps. Wally Herger (R-CA) and Buck McKeon (R-CA) as part of the TANF reauthorization bill (at page 88 of [H.R. 4090, The Personal Responsibility, Work and Family Promotion Act of 2002](#)) that will be marked up in the House in two subcommittees (Ways and Means Committee and Committee on Education and the Workforce) on Wednesday (April 17) and Thursday (April 18).

**What is a "super-waiver?"** This "super-waiver" legislation would allow the Secretaries of Health and Human Services and Labor (Herger bill), and Education ([H.R. 4092, the McKeon bill](#)) to approve requests by states to waive federal statutory and regulatory requirements, with hardly any restrictions, applicable to ANY program under those Departments in order for the states to conduct "demonstration projects." (Medicaid is exempt, however.) States have only to show that the waiver "has a reasonable likelihood of achieving the objectives of the program or programs involved" and that the waiver request is neutral in cost. If the appropriate Secretary does not act upon a state request within 90 days, it is presumed approved and can go forward. Waivers can last for up to five years and can be renewed.

The purpose is to allow states the local flexibility to design and run programs without being bound by federal statutes and regulations. Giving states the ability to design programs that are tailored to their particular circumstances is an idea supported by many people -- the problem is that this super-waiver legislation is much too broad. For example, the waiver provision for demonstration projects under TANF had prevented waivers of federal worker protection or minimum wage laws, and was specifically geared towards program improvement and innovation. In many cases, this resulted in useful state demonstration projects. The new proposed super-waiver legislation, however, is rife with problems. Without substantial modification and restrictions, it should be opposed by all nonprofits concerned with social justice and human needs.

The state waiver request could be used to transfer money from Head Start to another program, even programs not under the jurisdiction of the three departments. It could be used to create new block grants diminishing targeted services. It could be used to change eligibility requirements for programs (e.g., shift participation from 150% of poverty line to 100%) to save money or demonstrate improved performance. It could be used to waive various requirements imposed on a program, such as the requirement to do an environmental impact statement when constructing a school or various civil rights protections or insuring prevailing wages are paid under Davis-Bacon. It could be used to implement various initiatives not approved by Congress, such as expansion of charitable choice. Because the bill is written so broadly, the waiver requests could be used for just about anything.

**Is passage of super-waiver legislation likely?** This legislation would wrest considerable power away from Congress, moving programmatic and funding decisions from congressional appropriations and authorizing committees to the Executive Branch. While it should be expected that the President would support such additional powers, it is surprising that Congress would consider such delegations, particularly to waive any statutory requirements. Nevertheless, it will likely happen unless there is strong opposition raised by nonprofits. Moreover, the super-waiver might be extended to programs in other departments. In his April 2 speech announcing his new early childhood education initiative, President Bush expressed support for expanding the super-waiver ability to the Departments of Agriculture (USDA) and Housing and Urban Development (HUD).

**Is this new legislation?** Not really. In 1996, Congress came very close to passing similar legislation, the "Local Empowerment and Flexibility Act" ([H.R. 2086](#)), sponsored by Rep. Chris Shays (R-CT) in the House and by Sen. Mark

Hatfield (R-OR) in the Senate ([S. 88](#)). This legislation differed from the current super-waiver in four ways:

- It covered all of government, whereas this provision only covers HHS, Education, and DoL;
- It covered discretionary spending programs, whereas this provision also covers entitlement programs (excluding Medicaid);
- It allowed community panels to request the waivers, whereas this provision only allows states to make the waiver requests; and
- It created a "Community Empowerment Board" made up of the heads of federal departments and major agencies to approve or reject requests for waivers, whereas this provision has the Secretary of the applicable agency receiving the request making the decision.

Nonetheless, many of the issues with this year's super-waiver legislation are strikingly similar. OMB Watch analyses on the 1996 legislation are available online (See [Analysis of S. 88](#) and [Analysis of H.R. 2086](#)). The nonprofit community organized a strong coalition to oppose the local flexibility legislation, and was finally successful. The bill passed in both the House and the Senate, but in the wee hours of the morning, as the bill was being debated in conference, President Clinton threatened to veto the legislation, and the super-waiver was stopped.

#### **What are the problems?**

- The bill is too broad, allowing any state to request a waiver from regulations and statutes that apply to any program under HHS, Education or Labor (specifically excepting Medicaid).
- The bill can undermine regulatory and statutory protections. The bill has no provisions to prevent state waivers of regulations that safeguard health, occupational safety, and the environment, or that promote civil and reproductive rights, or that allow equal opportunity for education, disability services, or any number of the protections guaranteed by federal statute and regulations.
- The bill does not require that a demonstration project actually improve an existing program, or be a well-evaluated test of an innovative program. In the application, states must describe how the waiver is expected to "improve or enhance" the purposes of the program or programs involved "from the standpoint of quality, of cost effectiveness, or of both." This provision gives too much authority to improvements in programs being based on either quality or cost effectiveness. It is possible the quality of the proposed waiver might not even be an issue, if it is determined to be cost-effective. Even when quality is emphasized, no benchmarks are identified against which to measure "quality."
- Accountability can be greatly undercut. While states must assure that there will be ongoing and final evaluations of the waivers, there is no provision for an independent evaluation. There is also no assurance of data collection, potentially undermining a national database about program performance and achievement.
- If a state request for a waiver is not approved or rejected by the Secretary within 90 days, it is deemed approved, without any evaluation at all. If a Secretary is overwhelmed with waiver requests or cannot coordinate with other departments (if the waiver requests cuts across jurisdictional boundaries), the presumption is on approval.
- Without congressional authority, the bill would allow the transfer of significant resources from one program to another -- funds for low-income programs could be transferred to another program serving an entirely different population. It would not matter that Congress appropriated "x" amount of dollars for one program and "x" amount for another. Eligibility provisions made at the federal level could be waived by states.
- There are no provisions for public input and there are no assurances of public accountability. Could states waive various cost principles and audit requirements? This legislation would not seem to prevent that from happening.
- The super-waiver provision would also terminate currently existing waiver programs under TANF, some of which have continued from waivers under the old Aid to Families with Dependent Children (AFDC) program, and many of which are the foundations of state welfare programs -- which raises a more fundamental question: Why is this provision needed?

#### **What's the Future?**

The rumor is that Republicans are realizing that this super-waiver legislation is far too over-broad, and will amend the legislation during the mark-up to make the provision seem more palatable. For example, they may limit the waiver authority to specified programs and/or provide certain types of statutory requirements that could not be waived. This was the approach taken in 1996 to make the local flexibility legislation seem more reasonable.

This seems to be part and parcel of the general strategy to draft a truly outrageous bill and then "fix" it, so it becomes less troublesome, but frequently remains bad legislation. But the "fixed" version gives the impression that the sponsors are quite reasonable. Given the number of problems with the super-waiver provision, it would require a major rewriting to "fix" it. We will be watching the results of the mark-up and keep you posted.

In the meantime, if you have thoughts about how this super-waiver legislation could affect you or the people with whom you work, let us know. You can [vote in our online poll](#) or send your comments directly to the OMB Watch staff: please email them to [ombwatcher@ombwatch.org](mailto:ombwatcher@ombwatch.org).

## OMB Watch Online Poll: Super-Waiver

OMB Watch is closely following renewed efforts to develop a "super-waiver" for states (see [OMB Watcher story](#)). Please help us by [taking part in our Super-Waiver Poll](#).

OMB Watch is closely following a renewed effort by the President and some members of Congress to create over-broad "Super-Waivers" that would enable states to secure waivers of ANY requirement of ANY program in the Departments of Education, HHS, and Labor -- the approval of the Secretary of the overseeing Department would be sufficient.

OMB Watch is very concerned about the implications for students, low-income communities, worker safety and health, the environment, and many other important areas that fall under these three departments. (See [related OMB Watcher story](#).) If you have thoughts about how it would affect you or the people you work with, please let us know. We are interested in examples of how this type of super-waiver might play out in your state.

Please help us in our efforts by [taking part in our Super-Waiver Poll](#).

You can also provide more detailed comments directly to OMB Watch staff: please email them to [ombwatcher@ombwatch.org](mailto:ombwatcher@ombwatch.org).

## Tax Day

As people around the country bring last-minute work on their tax returns to a close today, the House Republican leaders are gearing up for their annual "Tax Freedom" day – a time for denigrating government spending and the taxes that enable the government to provide the services that help support the country. This year, the legislative focus of their Tax Freedom day is likely to be the introduction, on April 18, of legislation to make permanent last year's \$1.35 trillion tax cut, which expires (or "sunssets") at the end of 2010.

The tax cut's short duration was a direct result of its size and enormous cost to the federal government – the only way to cram the tax cut into the program and tax cut spending limits agreed to by the House and Senate last year was to have the tax cuts end after 2010. In all, 87% of the 10-year tax cut will not take effect until the second 5-year period, beginning in 2008, according to the [Center on Budget and Policy Priorities \(CBPP\)](#). This has created some bizarre situations. For example, full repeal of the estate tax will only come after an 8-year phase out, and will only last for 1 year. For other tax cuts, including those that benefit middle-income tax payers, it will mean either an early termination date or a later effective date. The adjustments made to the Alternative Minimum Tax (AMT), necessary to prevent millions of middle-income tax payers from owing more on their income taxes because of the President's tax cut, for example, will last only 4 years and end in 2006.

Ironically, though the country's ability to pay for expensive tax cuts that favor the most wealthy among us has only decreased over the last year, while its need for government spending has continued to increase, House Republicans and President Bush have made it clear that making the tax cuts permanent will take precedence over paying for more teachers, providing access to job training centers for workers around the country, health care for the uninsured, and an adequate, affordable prescription drug plan for seniors, among the many other spending options people around the country prefer over tax cuts.

A recent [CBPP analysis](#) derived from the Congressional Budget Office's calculations shows that making all of the tax cuts permanent would cost an additional \$397 billion – just in 2011 and 2012, alone – this would translate into a \$4 *trillion* drain on the federal budget over the decade beginning in 2012. According to CBPP's analysis, when the tax cut has taken full effect, just that part of it that benefits the top 1% of the nation's wealthiest will be 1.5 times larger than the entire budget of the Department of Education. If, however, the tax cuts were held at their current level, the CBPP analysis indicates that the vast majority of the country would continue to receive the maximum benefits the tax cut can offer to them, the nation's wealthiest tax payers would also continue to receive a substantial tax cut, and the country would have an additional \$500 billion over the next 10 years to allocate to its priorities.

With so many pressing needs and with the [American public's full support](#) behind an exchange of tax cuts for spending on education, health care, unemployment benefits, and a prescription drug benefit for the elderly, it remains unclear why the House Republican leadership continues to push to make the tax cuts permanent. As a [Washington Post editorial noted today](#), contrary to the campaign speeches of the President and many other Republicans, "Right now, it looks a lot more like the federal government is shortchanging citizens over the long term than overcharging them." We need our representatives in Washington (for a list of the few who have, see OMB Watch's "[A Sacrifice Worth Making](#)") to stand up to the "investment deficit" that will surely result from making the tax cuts permanent – a day when the government allocated the resources to ensure that all Americans had the education and training and opportunity and resources to provide for themselves and their families would indeed be something worth celebrating.

## Data Quality Approaches

Government agencies are busy working on their data quality guidelines with many looking to a draft release for public comment in May. According to the [Office of Management and Budget \(OMB\) guidelines](#), issued January 3, 2002, each agency must implement agency specific information quality guidelines by October 1, 2002.

A great deal of concern surrounds the Data Quality guidelines since several business groups categorized these guidelines as the best opportunity to challenge regulatory protections since passage of the Administrative Procedure Act in the 1940's. One organization, [The Center for Regulatory Effectiveness](#), didn't even wait for the guidelines to be finalized before challenging, in a letter to the White House Office of Science and Technology Policy, the National Assessment on Global Climate Change on the basis of the OMB guidelines. The [Environmental Protection Agency \(EPA\)](#) appears to be one of the main targets of these industry groups in their efforts.

While high quality data is important and useful in policy process and decision-making, OMB Watch is worried that this guidance will allow certain stakeholders to bog down EPA's efforts to protect the health and environment of U.S. citizens. EPA, which already has procedures in place to improve data quality, should make specific efforts to structure its guidelines in such a way as to safeguard itself from this potential outcome.

The hope is that the data quality process will actually engender greater dissemination of information with constructive efforts to correct errors and improve data after its release. The data quality guidance issued by OMB specifically states that these standards and procedures should not be an impediment to agencies disseminating information to the public.

Indeed EPA has a useful integrated error correction process for many of its databases. The mechanism has been up and running for 18 months, receiving over 1,000 correction requests, resulting in 120 actual data corrections. A critical component of this error correction system is the process by which data that has been questioned in an error report is not removed from dissemination but only flagged to acknowledge its status as "under review." This is a case where dissemination has been a boon to data quality by allowing broader efforts to improve the databases.

OMB Watch has encouraged EPA to utilize requirements in the administrative mechanisms for correction that would minimize any undue burden on the agency, such as requiring that data challenges be submitted in a timely manner (limit of 90 days after dissemination), submitters establish that they are "an affected party," and explain in what way they have been "harmed."

OMB Watch has also urged EPA to model its data quality guidelines on the principles that guided the establishment and operation of its integrated error correction system. EPA should build upon its experience from this system in its efforts to deal with other forms of information outside of databases. It is unlikely that EPA will ever have perfect data or unquestionable scientific information, especially within the resource and time constraints that it must operate to protect human health and the environment. The EPA should be establishing guidelines and procedures that encourage and assist data correction while avoiding removal of data or information.

OMB Watch will continue tracking this process of establishing data quality guidance at EPA, as well as at other key agencies, and plans to participate in the process in the future.

## President Continues to Push Faith-Based Program

In a [speech at the White House](#) last week, the President noted that contributions to many charities have declined, and urged Congress to pass the CARE Act ([S. 1924](#)), the [faith-based compromise bill](#) sponsored by Sens. Joseph Lieberman (D-CT) and Rick Santorum (R-PA) as one way to address the problem.

The bill has incentives for charitable giving, including a deduction for contributions by nonitemizers, and provisions for equal treatment of faith-based and other organizations in the federal grantmaking process.

OMB Watch feels that the bill is far superior to the House version passed last year, but we have questioned whether the version of the nonitemizer in the CARE Act would generate enough new giving, given the cost in lost federal revenue, combined with the large tax cut of last summer. The Congressional Research Service (CRS) has [issued a report](#) that says it would generate only 12 cents in new giving for every dollar lost to the treasury. Of that amount, half would go to non-religious sacramental activity. The CRS report suggests there may be other ways of offering the non-itemizer that might be more efficient. Another Congressional report, however, from the Joint Committee on Taxation was critical of any type of non-itemizer.

The President urged action in the Senate Finance Committee by Memorial Day. However, Committee Chair Max Baucus (D-MT) and Ranking Member Charles Grassely (R-IA) are said to be concerned about the cost of the nonitemizer, and may modify or eliminate the provision. However, because the White House continues to advocate for the non-itemizer deduction, the future remains unclear.

If the CARE Act passed it would have to be reconciled with a much different version, ([H.R. 7](#)), passed by the House last July. That bill contains controversial charitable choice provisions that would allow direct funding of congregations and hiring discrimination based on religion for publicly funded staff positions. There may be room for compromise, however. Last week Health and Human Services Secretary Tommy Thompson told a House committee that he is opposed to discrimination with federal funds.

## Senator Grassley Asks for Investigation of Charities' Fundraising

Sen. Chuck Grassley (R-IA) has asked the Internal Revenue Service (IRS), the Federal Trade Commission and the Department of Justice to conduct an investigation of charities that raise large amounts of money, but use only small amounts for charitable purposes.

While the request specifically cites the [Children's Wish Foundation International](#), which has spent only 8% of its funds on charitable purposes over the past 10 years, the investigation will look at the entire charitable sector.

The investigation will also look into the scrutiny that the IRS gives to charities' income versus expenses, the IRS's standards for revoking the tax-exempt status of misleading charities, the number of complaints that were referred to the IRS by states concerning charitable tax fraud, and whether the IRS should share information about its examinations of charities with states. The investigation will also focus on off-shore telemarketers who fraudulently solicit contributions to charities. Grassley has asked for the agencies to respond by May 2, 2002.

## Online Monitoring of Corporate and Foundation Philanthropic Policy Influence

An often overlooked realm of nonprofit use of technology for advocacy involves access to information, not only with respect to government, but also financial information from corporations and nonprofits themselves. One way such information is used is to demonstrate the influence of special interests on public policy formulation, discourse, and decision-making, under the veneer of nonprofit public interest work and/or grassroots activity. Are there special interests hidden behind the online philanthropic policy watchdogs?

*The following was originally posted to the NPTalk online forum.*

An **April 16, 2001 NPTalk** and a **December 13, 2001 Wall Street Journal editorial** by Kimberley Strassel point out that there are legitimate questions around what constitute grassroots activity, as more direct big dollar resources find their way into "astroturf"-- grassroots activity generated, organized, and conducted within a fixed time period, around a single issue, by actors or entities who are not themselves grassroots actors, yet shield their involvement and influence in the overall proceedings.

While Strassel asserts that the scope of corporate involvement in such activity is expanding, such that it is bankrolling questionable activist activity by grassroots groups, creating the "illusion" of on-the-ground public interest activity and foundation-backed "research," the NPTalk piece points out that "besieged" corporate actors are responsible for bankrolling a number of campaigns designed to confuse, if not undermine, legitimate grassroots activity -- especially in the regulatory arena.

Strassel lauds a website called **ActivistCash**. Launched in mid-December 2001, ActivistCash is powered by a growing database of Internal Revenue Service (IRS) documents (currently over 100,000 pages) filed by targeted tax-exempt nonprofits (and foundations that support them). It purports to counter, under a banner of right-to-know, a "... web of anti-consumer activism -- promoting false science, scare campaigns, inflated public health causes, and sometimes violent anti-consumer 'actions'" by educating the public and donors around the duplicity of funders, and nonprofits who mislead foundations, into funding "...politicized polemics under the guise of 'research,' or who funnel money to a cadre of activist networks."

Approximately 20 groups are currently profiled, featuring commentary on their motivations, financial information, connections to one another, and contradictions in their activities or public statements. In addition to financial records, individual management staff, directors, and trustees are listed such that, when clicked on, their links to other profiled groups are revealed.

The ActivistCash.com effort, however, assumes that there is an imbalance in the amount of information available to the public, with nonprofits and their foundation donors responsible for withholding the disproportionate amount of that information. It also assumes the existence of a network of civic-minded foundations, infiltrated by activist plants, that are steering philanthropies further and further away from their missions, and more towards coordinated attacks on a under-resourced corporate/private sector community. Well, guess what? ActivistCash.com doesn't necessarily come clean on its own site about the source of its funding.

While it asserts that it receives no foundation funding ("unlike the activists we track", it proudly asserts), it makes passing reference to a sister site called **ConsumerFreedom.com**. This is the site for the Center for Consumer Freedom, a coalition of 30,000 restaurant and tavern owners (as well as individual alcohol and tobacco interests) engaged in public outreach and education, research, and training activities in opposition to regulations on drinking, health, food safety, tobacco, labor, and environmental issues and the groups that advocate around them.

As a counterweight to the ActivistCash, **MediaTransparency.org** has provided access to news and commentary around conservative foundations and donors, the groups that benefit from their support, and the issues around which they are most active. Since July 1999, it has attempted to fill the gap between awareness of foundations that support conservative groups and causes, and information on the groups receiving such money, by providing access to information around the people involved in both camps, how the money is spent, and the amount of funds that have been distributed since 1990.

Users can track funding sources behind movements around faith-based charities, public school privatization, social security privatization, influence in state and local courts, and even the controversial "Arkansas Project" through which over US\$2 million in conservative funding was funneled through two nonprofits established by a conservative magazine to conduct questionable inquiries into former President Clinton's private life and activities in his capacity as Arkansas governor.

There are, however, two features that stand out in particular. First is the grants database, which lets users search by funder, recipient, people involved, purpose of the grant, or a combination thereof (including date range of funding). Even more interesting is the "Fundometer." This is an online gauge of how much bias a given web URL has compared to the donor database. In other words, if you enter a website URL, it conducts a search against the database of people, funders, and recipients, and reports back where there is potential overlap by way of text as well as two graphical displays: a traffic light ("red" means high conservative bias, "green" low conservative bias) and a corresponding meter gauge. Click on any of the results that turn up, and you can find out about the entities and funding it has received or given.

The site, much like ActivistCash.com, makes a convincing case that a small pool of donor resources supports organizations

that are tied to institutions of policy ranging from the academic, legal, think tank, media, and government, such that ideology is effectively formulated, developed, tested, disseminated, marketed, and infused into decision-making while masquerading as legitimate policy deliberation and citizen-based and/or grassroots advocacy.

Since both corporations and nonprofits are required to disclose information and financial records around their operations, this raises questions around how much information is available to the public, such that it can determine what interests are actually behind what types of public interest advocacy.

One of the compelling elements of both sites is their quest not only to provide public access to financial data, but also reveal the broader philosophical framework through which donors and recipients interact to affect policy. Similar resources can also be found through the **National Committee for Responsive Philanthropy**, which also reports on the role of conservative donors in shaping public policy (including the use of think tanks), and **OpenSecrets.org**, which tracks campaign donations by corporate actors. Mediatransparency.org is actively looking to explore other ways conservative influence is felt, particularly in the court of popular culture and opinion, something also explored by **PR Watch** and **Fairness and Accuracy in Reporting**, which track corporate and media influence in shaping public policy. [NOTE: While not exclusively focused on foundation or corporate influence on policy through the media, another organization, **Accuracy in Media**, does provide occasional investigation, critique, and analysis on these themes, albeit from a conservative perspective.]

Also, **PR Watch's Impropaganda Review** provides a reference explaining the history and techniques behind "front groups" or vehicles through which industry actors (including trade associations) and their public relations resources attempt to influence media and public opinion by planting editorials or news articles which favor a particular position, and/or underwriting research that is passed off as independent or unbiased but that actually reflects the sponsors wishes.

The issue is that by failing to reveal who is funding what articulations of opinion and bias in material that is ultimately cited as "proof," such influence is based on "lies of omission" perpetuated as a rationalization, to paraphrase PR Watch's words. In short, it is manufactured news used against legitimate public interest entities to counter (or blunt, if not block) genuine public interest perspectives from gaining visibility in the media and press.

#### Resources Cited

[4/16/01 NPTalk](#)

[12/13/01 Wall Street Journal editorial](#)  
Kimberley Strassel

[Activist Cash](#)

[ConsumerFreedom.com](#)

[MediaTransparency.org](#)

[National Committee for Responsive Philanthropy](#)

[OpenSecrets.org](#)

[PR Watch](#)

[Fairness and Accuracy in Reporting](#)

[Accuracy in Media](#)

[PR Watch Impropaganda Review](#)

## NPTalk Reader Survey 2002

On NPTalk's third anniversary, we invite you to participate in the following online survey. It'll help us to make NPTalk more useful to you over the course of the next 3 years and beyond.

NPTalk was launched in March 1999 as a simple list to disseminate occasional information around the role of technology in nonprofit policy and advocacy work. It quickly grew into a daily forum on nonprofit technology and advocacy-related items, covering a broad range of topics, highlighting a growing number of nonprofit resources, and sharing strategies to help improve nonprofit thinking and use around technology in public policy participation, with an average daily readership of 1,000 organizations in the U.S. and abroad.

Our third anniversary provides a great opportunity to assess both our track record and our future direction, as we work to improve the range of services we can offer. To that end, we are conducting our first ever NPTalk reader survey throughout the month of April. Your input is crucial, so please take a moment to participate.

[NPTalk Reader Survey](#)

## Bush Administration Peddles Ergonomics Smokescreen

Over a year after [Congress voted to repeal Clinton-era ergonomics standards](#) at the urging of President Bush, the [Department of Labor \(DOL\)](#) announced on April 5 the release of its [replacement "plan"](#) that is nothing more than a smokescreen to mask the administration's unwillingness to seriously address injuries caused by repetitive motion -- the most pressing health and safety issue confronting the workplace today.

An estimated one million workers suffer from serious injuries related to ergonomic hazards each year, according to a [January 2001 report from the National Academy of Sciences](#), and these injuries cost the economy \$45 billion to \$50 billion annually. Yet the administration appears not to take this seriously.

[Assailed by AFL-CIO President John Sweeney](#) as "a meaningless measure," the administration's plan does not commit to enforceable standards, and only mentions Labor's intention to develop *voluntary* guidelines for industries that it has not yet even identified.

Oddly, the administration's plan also calls for the formation of an advisory committee to evaluate research on work-related musculoskeletal disorders caused by repetitive motion, even though this research is the responsibility of the [National Institute of Occupational Safety and Health \(NIOSH\)](#). At the same time, the administration has proposed to cut \$20 million from the NIOSH job and safety budget and \$10 million from the OSHA enforcement and training budget.

Despite Labor Secretary Elaine Chao's [stated commitment](#) "to help workers by reducing ergonomic injuries in the shortest possible time frame," corporate interests -- which have fought tooth and nail against any ergonomics standard for more than a decade -- have won out with the Bush administration once again.

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