

OS REGISTRY

*FILE Legal 3
Proposed EO
to Replace EO-1180
OLC 79-0825/C

Office of Legislative Counsel

Mr. William M. Nichols, General Counsel
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Nichols:

This is in response to your letter to Admiral Turner asking for comments on the revised Department of Labor draft Executive Order on federal workplace safety and health.

We were pleased to be included in the OMB meeting on 30 July, where our representative voiced concerns about the need for proper security clearances when an inspector visits an agency with national security responsibilities. It was pointed out that the inspector should be accompanied by an agency representative in such cases. These provisions have been included in the new draft. Also, the Director's intelligence sources and methods responsibilities have been properly protected in Section 6 of the proposed Order.

In the opening paragraph of section 4, we propose that the Government agency actually utilizing the leased space be involved in the division of responsibility in applying safety and health standards as they relate to that space. This would be consistent with the other sections of the draft Order wherein the agency head is responsible for implementing these procedures. We suggest, therefore, that section 4 be amended to read as follows:

"Section 4. Within six months of the effective date of this order the Secretary of Labor, and the Administrator of the General Services Administration, and the head of the agency leasing the space will negotiate..."

05-9-0729/4

With the inclusion of our suggested amendment to section 4, we fully support the proposed Executive Order. If you need further information or clarification, please feel free to contact me.

Sincerely,

Deputy Legislative Counsel

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