

The Department of the Air Force on behalf of the Department of Defense is opposed to enactment of S. 2678 for the following reasons.

The primary responsibility of the military departments is to maintain the Armed Forces in a state of readiness to accomplish the assigned mission. This bill would permit the Director of Federal Safety, Department of Labor, to impose operating safety requirements on the military departments without cognizance as to the effect of those requirements on fulfillment of the military mission.

The safety measures of the military departments consist of unified programs integrated with all operations and covering military personnel, civilian personnel, and foreign national employees. The proposed bill relates to civilian employees covered by the Federal Employees' Compensation Act only, and would require a division of the military safety programs into two parts, one for such employees and another for other civilians and military personnel. This would divide responsibility, complicate the application of preventive controls and increase administrative costs.

Governmentwide safety authority vested in a Director of Federal Safety, as proposed by the bill, would improperly restrict the authority of the heads of the military departments with respect to the safety supervision and administration of their particular activities. Further, it would place the Secretary of Labor in a position of authority over the activities of departments of equivalent level. As safety is a management function, both the authority and responsibility for safety inherent in command would be usurped.

The proposed bill would give the Director of Federal Safety authority to develop and promulgate minimum safety standards and educational programs for the military departments. The military safety programs already accomplish these functions in consonance with established objectives. External influences would interfere with the attainment of these objectives and prejudice the priority and direction of safety efforts.

A provision of the bill would give the Director of Federal Safety authority to recommend to the Secretary of Labor the amount which should be included in the budget of each Federal agency to carry out safety programs and minimize hazardous work practices. This provision is unrealistic and violates the basic prerogative of heads of departments to determine their own fiscal needs based on the full knowledge of assigned tasks.

The proposed Director of Federal Safety would be empowered to collect and analyze data regarding safety standards and programs of the military departments. This function would increase administrative overhead, and complicate data collection procedures, without any apparent benefits.

The bill would authorize the Federal Safety Division periodically to inspect the premises of the military departments, review records, and interview personnel. This authority would interfere with command structure and responsibilities and would expose all military operations classified and otherwise, to policing and surveillance by an outside agency. Further, it is unlikely that inspections by persons outside the military departments, if authorized, could produce findings commensurate with expended effort in view of the highly diverse and specialized nature of many military activities.