



Alaska Trollers Association

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Senator Lisa Murkowski
709 Hart Senate Building
Washington, D.C. 20510

Dear Senator Murkowski:

The Alaska Trollers Association (ATA) sees benefit to the important safety research and programs being conducted and overseen by the National Institute for Occupational Safety & Health (NIOSH) and Health's (NIOSH) Agriculture, Forestry and Fishing Program (AFF). As such, **we support sufficient funding for these organizations**, to achieve the goal of finding practical and meaningful ways to improve workplace safety.

Given a number of large new tasks brought about by federally mandated safety rules for commercial fishing, such as stability requirements and additional safety training for fishermen, **we request your support for the inclusion of \$27 million in the FY 2016 Labor, Health and Human Services Appropriations Conference Agreement**. This is the House budget figure and a slightly over recent year funding, but note that the program has seen little increase in decades.

In FFY 2015, the Agriculture, Forestry and Fishing Program (AFF) received \$24 million and the Education and Research Centers (ERCs) received \$27.445 million. NIOSH utilized this funding to study relevant safety issues and provide programs and training to support worker safety improvements. NIOSH has a history of successful programs and appears to use its resources wisely. In fact, a 2006 National Academy of Sciences report states that the NIOSH Alaska team, "*... executed its research according to how an ideal program would operate.*"

NIOSH is the only federal program geared towards finding safety solutions for millions of Americans employed in high risk industries, like commercial fishing. NIOSH and AFF have been of practical benefit to fishermen, by providing the research, affordable training, and out-reach needed to help address real-time safety issues. Here in Alaska, fatalities have decreased by 75% since the mid-1980s, partly due to the efforts of NIOSH and the programs it administers. In the last four years, 56 fishermen who survived an emergency at sea had taken safety training made available by NIOSH. The Alaska Marine Safety Education Association (AMSEA) is the go-to source for marine safety training, due to the standard of training they deliver. Since 2011, AMSEA has utilized NIOSH funds to train 181 safety instructors; 100 who reside in Alaska. These individuals train and run monthly drills for 6,723 other fishermen. The scholarship program offered to take this training has been a great assist to those

willing to do the training, and is providing a high number of quality instructors to assist fishermen around the country.

The Alaska program has become a template for NIOSH efforts in fishing ports around the nation. NIOSH works to engage fishermen in its research efforts. Such cooperation has led to meaningful suggestions to improve safety, which are today being utilized by fishermen and equipment suppliers. From educational materials, to training and personal floatation devices, hatch cover monitors, emergency winch stops, and vessel flooding monitors, the work NIOSH does, and service it provides, has and will save lives.

In 2010 and 2012, Congress passed safety legislation under cover of the USCG Reauthorization. New and expanded rules from the USCG have been phased in and we anticipate more on the horizon. Several aspects of both the legislation and the previous draft USCG regulations are problematic for small fishing fleets like ours.

Many of the requirements are quite costly for small vessel operators and it's not obvious that they will actually improve safety. The Congressional Budget Office review of the legislation suggested that the cost of compliance *would be substantial* and *that the aggregate cost to private entities would exceed the annual threshold established in UMRA [Unfunded Mandates Reform Act of 1995] for private sector mandates.*

We are also concerned about whether the regulations will be practical and appropriate for the various vessel classes and operating conditions. NIOSH itself has suggested:

"...that the USCG develop strategies for preventing vessel capsizing and sinking that are targeted to particular vessel types, fleets, or operating conditions. Examination of each fleet of fishing vessels can indicate why vessels sink." NIOSH went on to say that, "...fleets require different solutions based on the specific conditions under which they are losing vessels."

Some members of congress recognized such issues, and worked to secure in the USCG legislation key provisions such as an *Alternate Compliance* option for one aspect of the new rule. It is crucial to have practical teams like those at Alaska NIOSH involved in the development of such programs.

As you know, NIOSH is housed under the Center for Disease Control (CDC). Knowing the value of many NIOSH programs to the millions of people who are responsible for our nation's food security, it was interesting to learn that the CDC may consider the Agriculture, Forestry, and Fishing (AFF) program to be a 'low priority' initiative. Yet reading CDC's [mission statement](#), it seems that this program is right up its alley:

Collaborating to create the expertise, information, and tools that people and communities need to protect their health – through health promotion, prevention of disease, injury and disability, and preparedness for new health threats.

Food producers work in some of the toughest and most dangerous environments in the country and protecting their health is crucial for the well-being of our communities. The old adage about 'an

ounce of prevention' is certainly relevant to preventing work related injury and illness, as well as saving human lives and millions of dollars in healthcare costs. It seems totally appropriate for CDC to oversee practical preventative programs for high risk industries like ours, and maintain its leadership role in providing occupational safety research and education for all US workers.

We encourage you to support ongoing, and ample, funding for NIOSH's effective safety research and education program. If congress intends for its legislated measures to reduce injury, save lives, and be meaningful and worthy of additional public sector expense, they must commit to focus on real-time problems and provide the necessary funding and support to find practical solutions. NIOSH has worked with industry to help to find those solutions. Hopefully, such spending can be made a permanent part of this and future funding efforts.

Thank you for considering ATA's point of view on this matter. Please contact me if I can provide additional information or otherwise be of assistance.

Best regards,

A handwritten signature in cursive script that reads "Dale Kelley".

Dale Kelley
Executive Director