

# United States Senate

WASHINGTON, DC 20510

July 26, 2024

The Honorable Douglas L. Parker  
Assistant Secretary of Labor for Occupational Safety and Health  
Occupational Safety and Health Administration  
U.S. Department of Labor  
200 Constitution Ave, NW  
Washington, D.C. 20210

Dear Assistant Secretary Parker,

We are writing to express our concerns regarding the Occupational Safety and Health Administration's (OSHA) proposed "Emergency Response Standard." In February, OSHA announced a proposed rule to replace the existing "Fire Brigades Standard." We acknowledge that aspects of this proposed rule are necessary to address present-day risks. However, a one-sized-fits-all approach to regulating emergency response activities is not the solution. As members of the Senate Western Caucus who represent states with OSHA-approved State Plan programs, we have concerns regarding the implementation of this proposed rule and potential unintended consequences to recruitment of volunteer firemen and EMS as well as wilderness search and rescue operations.

The risks firefighters and emergency service providers face on the job are incredibly different than wilderness search and rescue. This proposed rule would impose additional health and safety requirements on wilderness search and rescue crews that are not relevant to their daily operations. Furthermore, the new compliance requirements included in the rule not only cover public and private firefighters, but also would extend to volunteer firefighters and EMS. Volunteers are not covered by federal OSHA, and therefore, these requirements reflect federal overreach that would result in detrimental harm to rural states.

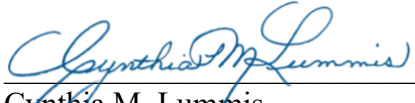
In addition to federal overreach, this rule would threaten the volunteer model that is so prevalent in the western United States. Most rural fire departments and search and rescue crews rely entirely on volunteers, many of whom already have full time jobs and cannot comply with hundreds of hours of additional training. Imposing these requirements would also place significant financial strain on volunteer organizations. This combination will be devastating, leaving many communities at risk of being left without wilderness search and rescue operations.

To protect these organizations in the West, we request that OSHA exclude volunteer firefighters, volunteer EMS, and wilderness search and rescue from this proposed rule. We appreciate your attention to this matter and urge your agency to account for the unique circumstances of wilderness search and rescue in the West, allowing them to continue providing essential services.

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Sincerely,



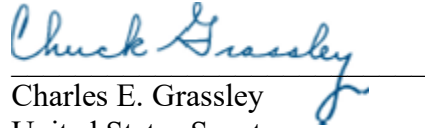
Cynthia M. Lummis  
United States Senator



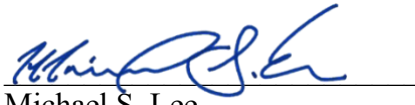
Dan Sullivan  
United States Senator



John Barrasso, M.D.  
United States Senator



Charles E. Grassley  
United States Senator



Michael S. Lee  
United States Senator