United States Senate

August 23, 2024

James S. Frederick
Deputy Assistant Secretary of Labor for Occupational Safety and Health
U.S. Department of Labor
200 Constitution Ave NW
Washington, D.C. 20210

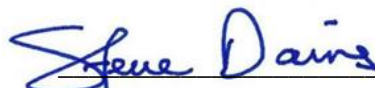Dear Deputy Assistant Secretary Frederick:

I write today regarding my concerns with the Occupational Safety and Health Administration's (OSHA) recently proposed Emergency Response Standard rule. This new rule will have a profoundly negative impact on volunteer and career emergency responders across Montana and the country. I urge you to withdraw this costly and burdensome proposal.

Montana's vast rural and forested landscape provides unique challenges for the small volunteer and career fire departments who serve on the frontlines every day, and especially during wildfire season. These departments, despite facing an ever-growing list of challenges, always answer the call to keep Montanans and their property safe. Unfortunately, the more than $14,000 a year in unfunded mandates imposed as a result of this proposed rule is a burden too heavy to bear for many of them. If this rule is implemented, the critical services these departments provide to their communities may be lost as a result with no one left to fill the gap.

The proposed rule will also negatively impact volunteer Search and Rescue (SAR) operations in Montana. Unlike in other areas of the country where SAR operations are performed by firefighters, SAR units in Montana operate under the authority of the 56 County Sheriffs and are largely volunteer-based. The onerous requirements placed on SAR units and operations by the proposed rule are wholly unworkable for small, volunteer-based SAR units in Montana.

It is clear that this proposed rule was drafted without proper understanding of the impact it would have on fire and rescue operations in rural states like Montana. Therefore, I urge you to withdraw the Emergency Response Standard rule.

Sincerely,

Steve Daines
United States Senator