



July 16, 2007

Honorable George Miller  
United States House of Representatives  
Washington, DC 20515-0507

Dear Representative Miller:

On behalf of the American Industrial Hygiene Association (AIHA) I am writing to respond to discussions that there may once again be an attempt to add a rider to the House fiscal year 2008 Labor, Health and Human Services and Education appropriations bill regarding the Occupational Safety and Health Administration's (OSHA) enforcement of respiratory protection requirements for tuberculosis.

AIHA supported OSHA in its decision in December 2003 to withdraw the proposed tuberculosis (TB) rule, revoke the respiratory protection interim rule used to enforce the Centers for Disease Control and Prevention (CDC) TB guidelines (1971 29 CFR 1910.139), and simultaneously apply the General Industry Respiratory Protection Standard (1910.134) for occupational exposure to *M. tuberculosis*.

Following the withdrawal of this proposed rule, OSHA announced that it would enforce the General Industry Standard. Unfortunately, the appropriations bills for FY 2005-2007 prohibited OSHA from inspecting or citing employers that did not conduct annual respirator fit testing. AIHA and many others in the occupational health and safety field opposed the rider attached to these fiscal year appropriations bills.

We now hear that there may be another attempt in the fiscal year 2008 appropriations bill to prohibit OSHA from inspecting or citing employers that fail to conduct annual respirator fit testing for employees occupationally exposed to tuberculosis.

As you consider the FY 2008 Labor, Health and Human Services and Education appropriations bill, AIHA urges you to reject any efforts to renew the prohibition on OSHA respirator standard enforcement. In previous OSHA correspondence to Congress, OSHA was quoted as saying that "OSHA believes annual fit testing is an appropriate standard to ensure that respirators continue to provide protection for employees". AIHA is in agreement with this statement. AIHA also believes there is a scientific basis for requiring fit testing and scientific evidence to support annualized fit testing.

AIHA urges you and members of the House to reject any effort to impose restrictions on OSHA.

Thank you for your time and consideration.

Sincerely,

Donald J. Hart, PhD, CIH  
AIHA President

cc: AIHA Board of Directors  
Steven Davis, AIHA Executive Director