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5TH DISTRICT, COLORADO

COMMITTEE ON NATURAL RESOURCES

COMMITTEE ON VETERANS' AFFAIRS



Congress of the United States
House of Representatives
Washington, DC 20515-0605

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July 11, 2007

The Honorable Elaine Chao
Secretary, U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Secretary Chao,

We are writing to express our concerns with the Occupational Safety and Health Administration (OSHA) Explosives Proposed Rule, which is intended to expand protections provided to employees engaged in the manufacture, storage, sale, transportation, handling, and use of explosives, including small arms ammunition.

While we appreciate the 60-day extension for additional public comment, we would like to address some issues that have come to our attention regarding this proposed rule based on the impact it will have on the economy and our national security.

Concerns have been raised that many of the regulations would move the scope of OSHA changes from "minor" to "major" and easily cost manufacturers, transporters, retailers and consumers of small arms ammunition more than \$100 million per year. For example, ammunition manufacturers and retailers would have to shut down and evacuate a factory when a thunderstorm approached. Retailers selling ammunition, such as Wal-Mart, would have to completely close down and evacuate customers. This is an undue burden on a single industry where facts do not support the need outlined by this proposed rule.

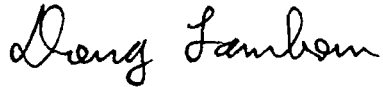
The proposed rule also has significant national security and homeland defense implications. There is already a shortage of ammunition for our troops and law enforcement. The Department of Defense has contracted to purchase ammunition from the commercial market because the Department's arsenal cannot meet demand. This rule could delay production and significantly increase prices, making the ammunition shortage even more severe.

It is our understanding that portions of this proposed rule are not feasible, making it realistically impossible for companies to comply with its tenets. The concept of evacuation to "a safe remote location" in case of thunderstorms or accident is untenable to manufacturers and retailers and is not consistent with the DoD Safety Manual for Ammunition and Explosives.

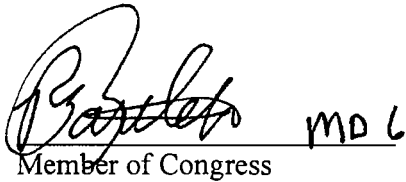
The proposal imposes the same unnecessary and burdensome requirements on all ammunition retailers regardless of their size, location, or other differences between retailers. While we can appreciate the concern for safety, we feel it can be addressed in a more reasonable manner that takes the above facts into consideration.

We hope you will keep these concerns in mind as you review the public comment on this proposed rule and keep us informed of your decision on this important matter.

Sincerely,



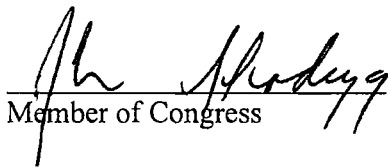
Doug Lamborn
Member of Congress



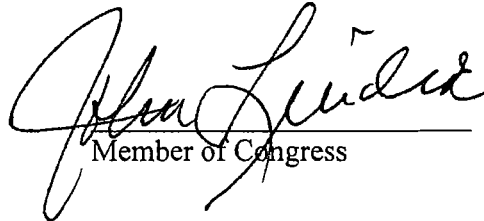
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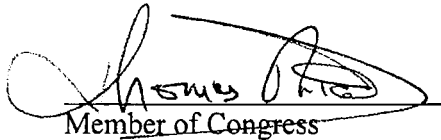
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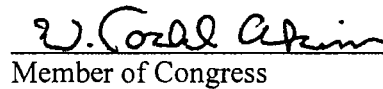
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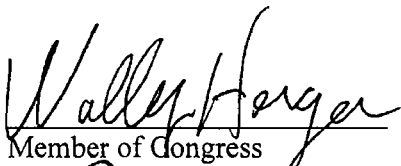
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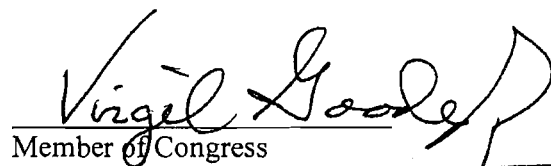
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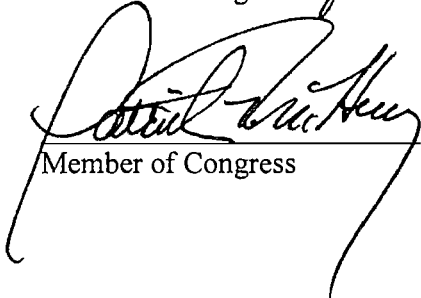
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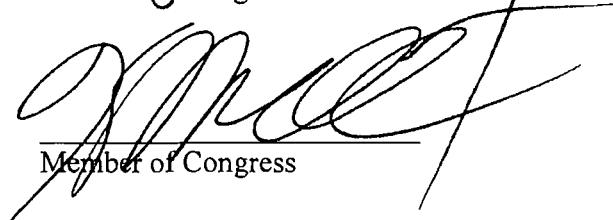
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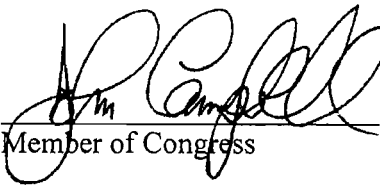


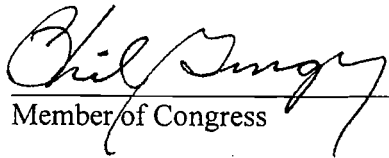
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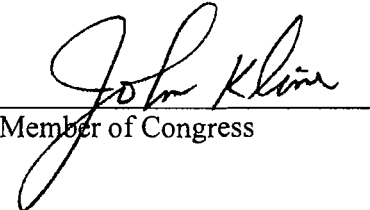


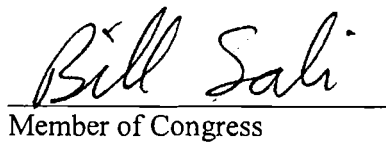
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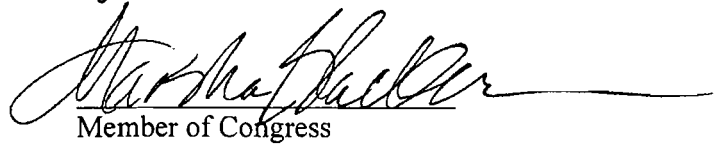

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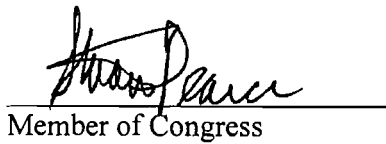

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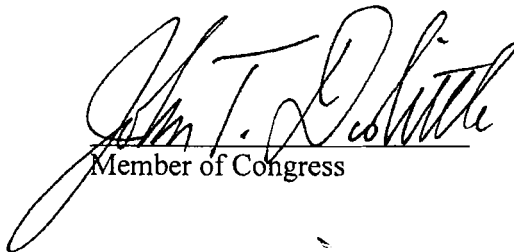

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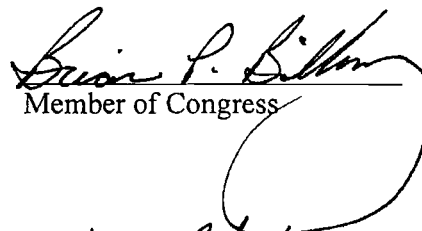

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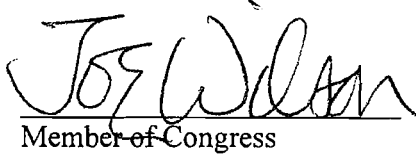

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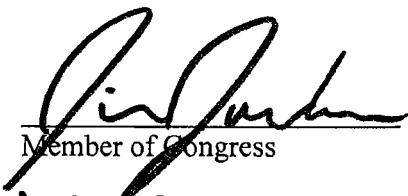

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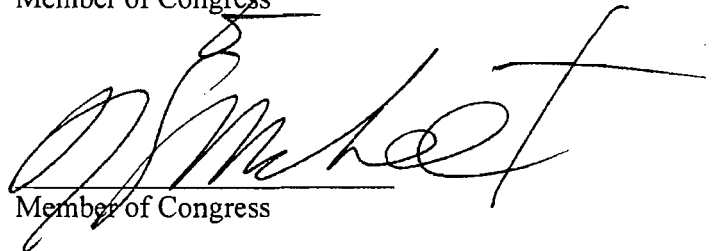

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