



Office of Advocacy

August 29, 1996

Greg Watchman
Deputy Assistant Secretary
for Occupational Safety and Health
Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Mr. Watchman:

This letter is to confirm receipt of your letter dated August 16, 1996, regarding the Occupational Safety and Health Administration's (OSHA) tuberculosis rulemaking. As required by the Small Business Regulatory Enforcement Fairness Act, [\(1\)](#) the Small Business Administration's Office of Advocacy has identified small entity representatives to be consulted by OSHA in the formulation of the referenced rule. The list is attached.

Before convening a Small Business Advocacy Review Panel as required, the following should occur:

- 1) Sufficient time should be given to the Office of Advocacy and the Office of Management and Budget's Office of Information and Regulatory Affairs for review of the draft proposed rule, the initial regulatory flexibility analysis and any other supporting materials prepared for the rulemaking;
- 2) The small entity representatives identified by the Office of Advocacy need to be contacted by OSHA and comments solicited on the draft rule, the initial regulatory flexibility analysis and any other background materials; and
- 3) OSHA needs to analyze the comments received and prepare background information for consideration by the panel, ensuring that the original comments, etc. are available for direct review by the panel.

As part of the background materials prepared for the panel, it would be helpful if a memorandum were provided to the panel describing the outreach activities of OSHA to the entities identified by Advocacy. Also, OSHA should be prepared to organize a face-to-face meeting or conference call with the small entity representatives if the panel finds it advisable in order to evaluate the rule more fully.

We look forward to working with you on this new process.

Sincerely,

Jere W. Glover
Chief Counsel for Advocacy

cc: Honorable Sally Katzen

ENDNOTES

1. Public Law 104-121