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November 15, 2001

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The Honorable John E. Potter
Postmaster General and CEO
United States Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20060

Dear Mr. Postmaster General:

In responding to the recent anthrax crisis, the Postal Service has quickly and responsibly taken several important steps to protect postal employees, including the recent purchase of 4.8 million specialized masks. I have just learned, however, that the Postal Service is not following procedures recommended by the Centers for Disease Control (CDC) to assess whether the masks fit workers properly. Because the masks will not protect workers unless they fit correctly, I am writing to urge you to reconsider this policy.

On October 31, CDC issued recommendations for the use of specialized masks (also called "respirators") by selected postal workers. Specifically, CDC recommended: "Persons working with or near machinery capable of generating aerosolized particles (e.g., electronic mail sorters) or at other work sites where such particles may be generated should be fitted with . . . respirators that are at least as protective as an N95 respirator."¹ The masks recently purchased by the Postal Service meet this standard.

CDC also made three additional recommendations to assure worker protection. First, the agency advised that special "fit tests" of the masks be conducted, because "[w]ithout fit testing, persons unknowingly may have poor face seals, allowing aerosols to leak around the mask and be inhaled."² Second, CDC recommended that workers who cannot be fit with a regular mask (such

¹CDC, *CDC Interim Recommendations for Protecting Workers from Exposure to Bacillus anthracis in Work Sites Where Mail Is Handled or Processed* (Oct. 31, 2001).

²CDC, *CDC Interim* Recommendations for Protecting Workers from Exposure to Bacillus anthracis in Work Sites Where Mail Is Handled or Processed* (Oct. 31, 2001).

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as those with beards) be given an alternate type of protection. According to the agency, "Workers who cannot be fitted properly with a half-mask respirator based on a fit test may require the use of alternative respirators, such as full facepiece, negative-pressure respirators, PAPRs equipped with HEPA filters, or supplied-air respirators."³ Third, if because of medical reasons, neither the regular or alternate masks can be worn by a particular employee in a high-risk area, CDC advised that "the employer should consider reassigning that worker to a job that does not require respiratory protection."⁴ CDC concluded by recommending that the Postal Service establish a formal respiratory protection program for selected workers.

My understanding, however, is that the Postal Service is not following these additional CDC recommendations. As a result, even workers who are interested in having their masks fit properly cannot obtain fit tests nor be assured of alternate masks if a good fit cannot be obtained.

I am aware that the Occupational Health and Safety Administration (OSHA) has taken a different position from CDC. OSHA is not recommending that postal workers, even those working near electronic mail sorting machines, wear specialized masks. According to a letter from Assistant Secretary of Labor and OSHA Administrator John L. Henshaw to the *Washington Times*, OSHA considers the use of facial masks by postal employees to be "voluntary."⁵ Virtually the only step that OSHA currently requires is that the Postal Service provide basic information about respirators to postal employees.⁶ Part of this basic information is the advice to "keep track of your respirator so that you do not mistakenly use someone else's respirator."

While I realize you face a difficult challenge in evaluating conflicting advice from CDC and OSHA, the choices you have made are confusing. The Postal Service has followed CDC's advice to purchase N95 masks, but it has taken OSHA's perspective that providing proper fit testing is not necessary. This path incurs several million dollars of expense without necessarily providing workers with respiratory protection.

The result is that postal workers who wear the masks may have a false sense of security. I realize that the establishment of a respiratory protection program as recommended by CDC

³CDC, *CDC Interim* Recommendations for Protecting Workers from Exposure to Bacillus anthracis in Work Sites Where Mail Is Handled or Processed* (Oct. 31, 2001).

⁴CDC, *CDC Interim* Recommendations for Protecting Workers from Exposure to Bacillus anthracis in Work Sites Where Mail Is Handled or Processed* (Oct. 31, 2001).


⁵Letter from Assistant Secretary of Labor John L. Henshaw to the Editor of the *Washington Times*, (Nov. 5, 2001).

⁶29 C.F.R 1910.134, Appendix D.

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would require additional resources. At a minimum, however, I urge you to make all postal workers aware of CDC's full list of recommendations. I also urge you to ensure that all workers who would like to obtain a "fit test" as recommended by CDC are able to do so quickly.

Sincerely,



Henry A. Waxman
Ranking Minority Member