

April 28, 2014

Representative John Shimkus, Chairman  
U.S. House Subcommittee on Environment and Economy  
Committee on Energy and Commerce

Dear Chairman Shimkus,

Thank you for releasing a new discussion draft of the Chemicals in Commerce Act on April 22<sup>nd</sup>. We appreciate the process you have followed of oversight hearings and discussion drafts followed by legislative hearings.

Regrettably, our analysis is that the draft still does not establish a federal TSCA program necessary to protect public health and the environment and in fact remains weaker than even the status quo of chemical regulation.

In short, the provisions that weaken the current federal program, combined with the rollback of state programs, outweigh the improved provisions.

Though not an exhaustive list, our concerns include the following:

- EPA will remain unable to impose needed restrictions on unsafe chemicals. Though the new draft clarifies the role of cost benefit analysis in the regulation of existing chemicals compared to the earlier draft, the legal burden for EPA to take action is effectively the same as the unworkable current law.
- The required assessments fall short of the mainstream recommendations made by the American Academy of Pediatrics and the National Academy of Science, among others, which call for aggregating the chemical exposures to vulnerable populations like pregnant women, developing children or workers and ensuring they are protected. The precise meaning of “significant risk” in the draft is unclear.
- The existing federal program is weakened in several areas, including oversight of new chemicals, confidential business information, and the ability to restrict unsafe chemicals in consumer products.
- The “low priority” category still creates the possibility that many chemicals will be treated as safe - and proliferate in new products and applications- though they have not been subjected to a thorough safety review.
- The preemption remains sweeping, thereby curtailing functioning state programs in exchange for a federal program that will continue to be dysfunctional.

We encourage the committee to focus on creating credible and timely safety reviews for existing chemicals combined with crystal clear authority for EPA to impose needed restrictions, and to abandon efforts to weaken existing state and federal authority and reduce transparency. We look forward to working with you on meaningful federal reform.

Sincerely,

Pamela Miller  
Executive Director  
Alaska Community Action on Toxics

Elizabeth Saunders  
Coordinator  
Alliance for a Healthy Tomorrow

Katie Huffling, RN, MS, CNM  
Director of Programs  
Alliance of Nurses for Healthy Environments

Charles M. Loveless  
Director of Federal Government Affairs  
American Federation of State, County and  
Municipal Employees (AFSCME)

Mary Jo Assi, MS, RN, NEA-BC, FNP-BC, AHN-BC  
Director of Nursing Practice and Work  
Environment  
American Nurses Association

Annie Acosta  
Director of Fiscal and Family Support Policy  
The Arc

Scott Badesch  
President and CEO  
Autism Society

Betty Mekdeci  
Executive Director  
Birth Defect Research for Children

Monica Smith  
Executive Director  
Bladder Cancer Advocacy Network (BCAN)

Charlotte Brody  
Vice President for Health Initiatives  
BlueGreen Alliance

David Ozonoff, MD, MPH  
Professor of Environmental Health  
Boston University School of Public Health\*

Jeanne Rizzo, R.N.  
President and CEO  
Breast Cancer Fund

Dena Kitchens  
Director of Children's Ministries  
Briarcliff United Methodist Church (GA)

Jackie D. Igafo-Te'o  
Co-Founder  
Bridges4Kids.org

Ronald White  
Director of Regulatory Policy  
Center for Effective Government

Ansje Miller  
Eastern States Director  
Center for Environmental Health

Baskut Tuncak  
Staff Attorney  
CIEL (Center for International Environmental  
Law)

Kathleen A. Curtis, LPN  
Executive Director  
Clean and Healthy New York

Lynn Thorp  
National Campaigns Director  
Clean Water Action

Kathleen E. Aterno  
Florida Director  
Clean Water Action - Florida

Cindy Luppi  
New England Director  
Clean Water Action - New England

Sara Lu  
Colorado Director  
Clean Water Action- Colorado

David LeGrande  
Occupational Safety and Health Director  
Communications Workers of America

Kari Christianson  
Program Director  
DES Action USA

Martin Hayden  
VP of Policy and Legislation  
Earthjustice

Tracey Easthope, MPH  
Director, Environmental Health Project  
Ecology Center

Mary Lou Ballweg  
President / Executive Director  
Endometriosis Association

Emily Figdor  
State Director  
Environment Maine

Michael Belliveau  
Executive Director  
Environmental Health Strategy Center

Bill Newton  
Executive Director  
Florida Consumer Action Network

Sue Phelan  
Director  
GreenCAPE (Georgia)

Gary Cohen  
President and Co-Founder  
Health Care Without Harm

Jane Bright  
Board Member  
Healthlink (Marblehead, MA)

Kathleen Schuler  
Co-Director  
Healthy Legacy (Minnesota)

Karen Joy Miller  
President  
Huntington Breast Cancer Coalition

Josh Nassar  
Legislative Director  
International Union, United Automobile,  
Aerospace & Agricultural Implement Workers of  
America (UAW)

Joan Kulash  
Executive Director  
Jericho Road Lawrence, Inc

Montie Stone  
Executive Director  
Kids Enabled (Georgia)

Tiernan Sittenfeld  
Senior Vice President of Government Affairs  
League of Conservation Voters

Martha Moriarty  
Executive Director  
Learning Disabilities Association Minnesota

Nancie Payne  
President  
Learning Disabilities Association of America

Mark Halpert and Cathy Einhorn  
Co-Presidents  
Learning Disabilities Association of Florida

Joan K. Teach  
President  
Learning Disabilities Association of Georgia

Tracy Gregoire  
Program Director  
Learning Disabilities Association of Maine

Loreena Parks & Annette Lalley  
Co-Chairs - Healthy Children Project  
Learning Disability Association of Michigan

Matt Schlobohm  
Executive Director  
Maine AFL-CIO

Peter Crockett  
Executive Director  
Maine Labor Group on Health

Jessa Barnard, J.D.  
Associate General Council  
Maine Medical Association

Amy Halsted  
Associate Director  
Maine Peoples Alliance

Tina Pettingill, MPH, CPC  
Executive Director  
Maine Public Health Association

Kathy Kilrain del Rio  
Program Director  
Maine Women's Policy Center

Cheryl Osimo  
Executive Director  
Massachusetts Breast Cancer Coalition

Erica Bloom  
Policy Manager  
Michigan League of Conservation Voters

Rebecca Meuninck  
Campaign Director  
Michigan Network for Children's Environmental  
Health

David Goldston  
Director of Government Affairs  
NRDC

Melanie Houston, MS  
Director of Environmental Health  
Ohio Environmental Council

Tiffany Wenter  
Director of Health Policy  
Ohio Nurses Association

Catherine Thomasson  
Executive Director  
Physicians for Social Responsibility

Stephanie Dernek  
Director  
Physicians for Social Responsibility Michigan

Lynn Ringenberg, MD  
President  
Physicians for Social Responsibility Florida

Karen D'Andrea  
Executive Director  
Physicians for Social Responsibility Maine

Mark Ferrulo  
Executive Director  
Progress Florida

Jessica Arons  
President & CEO  
Reproductive Health Technologies Project

Sarah Doll  
National Director  
SAFER

Debbie Sease  
Director of Federal Campaigns  
Sierra Club

Kit Rafferty  
Executive Director  
South Florida Voices for Working Families

Joyce Stein  
President  
Southeastern Association of Neonatal Nurses

Susie Davidson  
Coordinator, Boston chapter  
The Coalition on the Environment and Jewish Life  
(COEJL)

Andrew A. Rosenberg  
Director, Center for Science and Democracy  
Union of Concerned Scientists

Holly Hart  
Assistant to the President/ Legislative Director  
United Steelworkers

Paul Burns  
Executive Director  
Vermont Public Interest Research Group (VPIRG)

Lori Dubrawka  
President  
West Virginia Learning Disabilities Association

Michelle Naccarati-Chapkis  
Executive Director  
Women for a Healthy Environment

*\* organization for identification purposes only*

cc: Environment and Economy Subcommittee Ranking Member Paul Tonko  
Energy and Commerce Committee Chair Fred Upton  
Energy and Commerce Committee Ranking Member Henry Waxman