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The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20515

The Honorable Harry Reid
Minority Leader
United States Senate
Washington, DC 20515

Re: **Protecting the Health of American Families from Toxic Chemicals**

Dear Senators McConnell and Reid,

We appreciate the strong bipartisan support for Congressional reform of our nation's broken chemical safety law, the Toxic Substances Control Act of 1976 (TSCA). We represent parents and consumers who have worked for many years at the state level to protect children's health and pregnant women from unnecessary dangerous chemicals in everyday products. We welcome long overdue federal leadership on chemicals.

As you know, two TSCA reform bills are under consideration. The House approved H.R. 2576 by an overwhelming 398 - 1 vote on June 23rd following unanimous Committee passage. The Senate Environment and Public Works Committee reported out the much more controversial S. 697 by a 15 - 5 margin on April 28th.

We are writing to urge you to take up the House bill on the Senate floor as the easier pathway to TSCA reform, instead of S. 697, with perfecting amendments.

Although both bills represent modest if flawed TSCA reform, the House bill is clearer, more concise, and enjoys much broader support. The Senate bill, however, strikes the wrong balance and would significantly weaken current law. For example:

- * S. 697 severely curtails states' rights (through preemption) by blocking state actions years before the federal government finally acts on a chemical;
- * S. 697 would set aside many chemicals without a safety determination by simply claiming they were "low priority" despite inadequate data to ensure their safety; and
- * S. 697 would make it harder to halt imported consumer products that contain toxic chemicals restricted in the U.S., despite lax practices by some trading partners.

That's why we remain opposed to S. 697 and support using the House bill as the framework for completing TSCA reform. We are not alone.

The National Governors Association recently praised H.R. 2576, stating that: "The bill's amendments to TSCA and retention of key provisions that preserve states' rights



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strike a good balance on important health and economic issues in our states” (June 26, 2015 letter).

Further, the National Conference of State Legislatures and the Environmental Council of the States also praised passage of H.R. 2576 and its preservation of state authority, stating that: “We encourage the Senate to pass this, or similar, legislation in a timely manner (July 2, 2015 letter). NCSL and ECOS were specifically encouraged by the House language that “allows states to regulate a particular chemical in the absence of an EPA final determination” – a state authority under current law that would be expressly prohibited by the Senate bill.

In taking up H.R. 2576 on the Senate floor, we encourage you to embrace perfecting amendments to the House bill to clarify its pace of federal review of chemical safety. The House bill should be amended to ensure that:

- * The initiation of risk evaluations on 10 chemicals per year is clearly mandatory;
- * Collection of fees on industry fully supports the program, as proposed in the Senate bill.

We look forward to final Congressional action to modernize our nation’s chemical safety program. All American families deserve the assurance that the products we buy and use everyday are free from harmful chemicals.

Sincerely,

Michael Belliveau
Executive Director

cc: The Honorable Susan Collins
The Honorable Angus King