

BREAST  
CANCER  
ACTION

March 10, 2014

Representative John Shimkus, Chair  
Representative Paul Tonko, Ranking Member  
House Energy and Commerce Subcommittee on Environment and the Economy  
Rayburn House Office Building  
45 Independence Ave SW  
Washington, DC 20515

Attn: Mr. Nick Abraham, and Ms. Caitlin Haberman

Dear Representatives Shimkus and Tonko,

I am writing to express serious concerns about the discussion draft of the Chemicals in Commerce Act which was released in advance of the Subcommittee hearing scheduled for Wednesday, March 12, 2014 and to call upon the committee not to introduce this discussion draft formally as a bill.

Breast Cancer Action (BCAction) is a national, feminist, grassroots education and advocacy organization that works to address and end the breast cancer epidemic. We are committed to reducing involuntary exposure to toxins that are linked to increased risk of breast cancer.

BCAction recognizes that the current Congressional interest in reforming the Toxic Substances Control Act (TSCA) represents an important opportunity to pass landmark cancer prevention legislation. After years of work for strong regulation of toxic chemicals, alongside many partners, we are heartened to see widespread agreement that TSCA reform is a priority for the current Congress.

However, we believe that the Chemicals in Commerce Act, as it is currently written, falls far short of the reforms that are needed to protect public health and help stop breast cancer before it starts. This bill in its current form not only lacks key requirements to protect people from hazardous chemicals, but if implemented, could actually weaken the few strong toxic chemical regulations that currently exist.

It is imperative that strong, meaningful TSCA reform legislation achieve Congressional approval. Such legislation must include the following key principles to protect public health:

- **Precautionary Principle:** chemicals must be proven safe before they enter the marketplace.

- **Burden of Proof:** the burden of proof for chemical safety must be placed squarely on the shoulders of industry rather than on government regulators and private researchers.
- **Expedited Action on the Worst Chemicals:** existing chemical regulation requires unnecessary red tape before the EPA can phase out a chemical identified as dangerous. Instead of creating obstacles for regulators to protect the public, strong chemical reform must allow for expedited action for the worst chemicals.
- **Establish Deadlines and Timetables:** chemical regulation should have a realistic implementation schedule that requires compliance and gives the EPA the necessary incentives and resources to implement changes necessitated by the new law.
- **Protection for Heavily Impacted Communities:** central to any proposed chemical regulation must be a special focus to reduce toxic chemicals for “hot spot” communities who are heavily impacted by chemical exposures.
- **No Preemption of Stronger Laws:** federal chemical regulation should not be allowed to override existing or future state or regional laws that protect people from toxic chemicals.

Last fall, over 30,000 people from across the United States signed Breast Cancer Action’s *Toxic Time Is Up* petition to demand strong, comprehensive TSCA reform based on these principles. Public interest in chemical safety is growing and more and more people are calling on elected officials to enact strong chemical safety regulation that will reduce a range of devastating diseases and disorders, including breast cancer.

As you consider the future of TSCA, I call on you to pass the strongest bill that will protect all of us from hazardous chemicals in our daily lives and put public health first. We remain optimistic that by enacting strong, common sense TSCA reform, this Congress can deliver landmark cancer prevention legislation that will serve the public and protect our health.

Sincerely,

A handwritten signature in black ink, appearing to read "Karuna Jaggar". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Karuna Jaggar  
Executive Director