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ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6115
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October 29, 2013

Mr. William K. Rawson
Chemical Regulation, Product Strategy
and Defense Practice
Latham & Watkins, LLP
555 11th Street, N.W., Suite 1000
Washington, D.C. 20004

Dear Mr. Rawson:

Thank you for appearing before the Subcommittee on Environment and the Economy on Wednesday, September 18, 2013, to testify at the hearing entitled "Regulation of Existing Chemicals and the Role of Pre-Emption under Sections 6 and 18 of the Toxic Substances Control Act."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Tuesday, November 12, 2013. Your responses should be e-mailed to the Legislative Clerk in Word format at Nick.Abraham@mail.house.gov and mailed to Nick Abraham, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,

John Shimkus
Chairman
Subcommittee on Environment and the Economy

cc: The Honorable Paul Tonko, Ranking Member,
Subcommittee on Environment and the Economy

Attachment

The Honorable John Shimkus

1. Why do you think the Toxic Substances Control Act (TSCA) included a pre-emption provision when environmental statutes enacted around that time actually allowed the states to act more stringently that the Federal government? What is different about TSCA?

2. TSCA Section 18 includes exceptions to the general pre-emption accorded to rules under issued by EPA under Sections 5 and 6. Please discuss these exemptions to the Section 18 preemption provisions. Do you consider these exemptions to be broad?