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April 16, 2014

The Honorable John Shimkus
Chairman
Environment and the Economy Subcommittee
House Energy & Commerce Committee
2151 Rayburn House Office Building
Washington, DC 20515

The Honorable Paul Tonko
Ranking Member
Environment and the Economy Subcommittee
House Energy and Commerce House Committee
2322A Rayburn House Office Building
Washington, DC 20515

Dear Chairman Shimkus and Ranking Member Tonko:

I am writing on behalf of the National Hispanic Medical Association (NHMA) to express our concern of the discussion draft of the Chemicals in Commerce Act (CICA). We do support an overhaul of the outdated Toxic Substances Control Act (TSCA), but this draft bill does not address the key issues or give the Environmental Protection Agency (EPA) the ability to effectively regulate chemicals.

NHMA is the leading national organization representing Hispanic physicians. Our mission is to empower Hispanic physicians to improve the health of Hispanic populations, which we pursue through education and research initiatives and by providing support to Hispanic health professionals and students.

Many Hispanic communities are traditionally underserved, and issues of environmental exposures are of great importance to the health and well-being of those communities. Many of our communities reside near industrial areas and are in contact with toxic chemicals on a regular basis. As a result, Hispanics suffer from higher rates of cancer, asthma, and other conditions related to exposure to toxic chemicals. For these reasons, NHMA is especially interested in reforming TSCA, which has not been updated since 1976.

CICA does not address the following key areas:

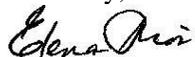
- **Lack of Health Protections:** CICA takes an unbalanced approach by requiring the EPA to undertake a safety determination for high priority chemicals and regulate those chemicals found to present an unreasonable risk of injury. Since the safety determination is based on unreasonable risk and not a risk-based safety standard, the determination could involve weighing health and economic factors. The big concern, especially for our physicians, is that safety and health concerns could be dropped from further action because their benefits outweigh their risk.
- **Insufficient Safety Standard:** The terms “safety” and “safety standard” legislation’s safety standard would place a burden on EPA to find that a chemical is unsafe, rather than shifting the burden to chemical companies to show that the chemicals they manufacture are safe. The end result creates another obstacle for the EPA.
- **Weakens EPA’s Authority:** The bill weakens EPA’s authority to require testing on new chemicals that require further evaluation, and in addition lack data sufficient to demonstrate that they will not pose a health risk.

- Lack of timeline for Safety Determinations: CICA does not provide deadlines for the EPA to complete safety determinations and rulemakings restricting high-priority chemicals. As a result, this will allow delays in addressing high-priority chemicals that should be assessed immediately.

We strongly urge leaders in the House of Representatives to consider the needs of Hispanic communities and other vulnerable populations throughout the country, and work constructively to amend the draft legislation.

NHMA welcomes the opportunity to work together on strengthening the Chemicals in Commerce Act. If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Elena Rios".

Elena Rios, MD, MSPH
President & CEO