

**Opening Statement of Republican Leader John Shimkus
Subcommittee on Environment and Climate Change
“Protecting Americans at Risk of PFAS Contamination and
Exposure”
May 15, 2019**

As Prepared for Delivery

Thank you, Mr. Chairman. I appreciate that we are meeting to learn more about the bills introduced this Congress to tackle various forms of contamination linked to highly fluorinated chemicals — known as PFAS, for short.

Based on a cursory read of the long titles of the bills both introduced and referred to our Committee this Congress, we are looking at a comprehensive set of proposals that range from instituting sweeping mandates in just about every law this subcommittee oversees, authorizing significant amounts of Federal money for PFAS related actions – on top of those programs currently operated by Federal and state governments, and creating labeling programs for consumer products that do not contain PFAS.

If you are serious about these proposals becoming law, they need a full and fair airing, with a complete legislative history and record. I hope you will, at the very least, commit to us today that you will bring in EPA as part of this hearing, but on another day, for questioning on the technical aspects of these bills before the

Committee schedules any markups of these bills or they are considered on the House floor.

Mr. Chairman, this is NOT a delay tactic; this is a plea to prevent major, expensive mandates on States as well as unintended consequences on EPA's ongoing work both on PFAS and many other substances that would have to take a back seat the mandates in these bills.

In addition to our subcommittee's current lack of Agency input, I am concerned that almost one-third of our subcommittee's members were not around last fall when this Subcommittee held both a member briefing with EPA career staff and an oversight hearing about PFAS, ways the Federal government was and could respond under existing laws, and ways to address contamination and appropriately communicate risk.

That said, I am sympathetic to my colleagues whose communities want urgent action to address PFAS. I also, though, am not a fan of rushing to instill broad-based, major changes to Federal law at a time when high levels of anxiety exceed what we know. This does not mean "do nothing." Rather, I believe we should not make shortcuts in the law while EPA is taking steps, based on solid scientific data

to make regulatory decisions. Moreover, if the problem is urgent, the Federal government has imminent hazard authority under many of the laws we will talk about today to go in and take immediate action.

This view may not be popular with some of my colleagues, but I believe we cannot only support the use of good science or public input when it guarantees our preferred policy solutions. This was a major principle for me during enactment of the major reforms to the Toxic Substances Control Act. It is striking to me that we are disregarding both these tenets to regulate between 3,000 to 5,000 substances by statutory fiat. Moreover, these bills do not give the Federal government the ability to prioritize the risk of PFAS versus greater environmental and public health efforts or other currently ongoing work – meaning scarce resources would need to be moved to meet the mandates in the bills before us at the expense of those other items.

It may not sound like it, but I may be open to getting to “yes” on some of these proposals. Yet, of the bills for which I have seen text and without getting technical feedback from the Agency that needs to implement, I have too many questions about wholesale regulation of this large class of chemicals when there are only a handful of these chemicals that we know something about, such as the ability to

detect them in water or their causal adverse health effects. Further, States and the Federal government, including the EPA or the Agency for Toxic Substances and Disease Registry, have been taking collaborative and independent action to drive down and properly communicate the risks, and the equipment to detect and treat all these substances is still evolving. Fundamentally, I just need more information about the impacts – both positive and negative – that these proposals could have, to make sure they are tailored to address established risks without establishing bad precedents for regulatory efforts driven by fear rather than data.

I look forward to hearing from our witnesses today. And hope they will not be the last word on these bills in committee before they are considered.

I yield back the balance of my time.