



ACTION ALERT

National Conference of State Legislatures Office of State-Federal Relations

March 6, 2014

URGE MEMBERS OF CONGRESS TO OPPOSE THE “CHEMICALS IN COMMERCE ACT”

The National Conference of State Legislatures (NCSL) urges you to call members of the U.S. House of Representatives Energy and Commerce Committee this week and tell them to oppose the “Chemicals in Commerce Act,” which was recently proposed by Representative John Shimkus (R-Ill.). This bill includes broad preemption language that would prohibit states from establishing or continuing to enforce state laws that require chemical use reporting, prohibit or restrict the manufacture and distribution of a chemical, or contain additional reporting requirements to the state enforcement agency, once EPA completes a safety determination on that chemical. The bill would also preempt a state from regulating any new chemical that is introduced into commerce under the new law.

The “Chemicals in Commerce Act” is scheduled for a hearing before the House Energy and Commerce Subcommittee on March 12. The members of this committee need to hear from you that the preemption language in this bill is unacceptable to states.

Tell the House Energy and Commerce Committee members that the Chemicals in Commerce Act would:

- Impede upon states’ abilities to protect the health, welfare and safety of its citizens by preempting state authority over toxic chemical regulations.
- Prevent states from establishing or continuing to enforce any state regulation of chemicals if the Environmental Protection Agency (EPA) has made a safety determination on the chemical.
- Prohibit states from regulating or banning any new chemicals even if the EPA has not made a safety determination within 90 days of introduction of the chemical.
- Exclude states from being able to impose stricter or stronger regulations on toxic chemicals than the federal regulations
- Preempt over 60 state laws in at least 22 states, as currently written.
- Not require or even suggest that the EPA should consult with states during the safety determination process or before a state law is preempted.

If you are from a state with a member(s) on the House Energy and Commerce Committee, it would be extremely helpful if these members could hear from you on why they should oppose the Chemicals in Commerce Act. Otherwise contact your entire House delegation because this bill will most likely move quickly to the floor.

For more information, please contact [Susan Parnas Frederick](#) or [Melanie Condon](#) at NCSL at 202-624-5400.

House Committee on Energy and Commerce

Rep. Fred Upton (R-Mich.), Chair (202)225-3761

Rep. Henry Waxman (D – Calif.); Ranking Minority Member (202)225-3976

Rep. John Shimkus (R –Ill.), Sponsor of the Chemicals in Commerce Act (202)225-5271

Majority Members:

Rep. Ralph Hall (R- Texas), (202)225-6673

Rep. Joe Barton (R-Texas), (202)225-2002

Rep. Ed Whitfield (R-Ky.), (202)225-3115

Rep. Joe Pitts (R- Penn.), (202)225-2411

Rep. Greg Walden (R – Ore.), (202)225-6730

Rep. Lee Terry (R – Neb.), (202)225-4155

Rep. Mike Rogers (R – Mich.), (202)225-4872

Rep. Tim Murphy (R – Penn.), (202)225-2301

Minority Members:

Rep. John D. Dingell (D –Mich.), (202)225-4071

Rep. Frank Pallone, Jr. (D –N.J.), (202)225-4671

Rep. Bobby L. Rush (D –Ill.), (202)225-4372

Rep. Anna G. Eshoo (D –Cali.), (202)225-8104

Rep. Eliot L. Engel (D –N.Y.), (202)225-2464

Rep. Gene Green (D –Texas), (202)225-1688

Rep. Diana DeGette (D –Colo.), (202)225-4431

Rep. Lois Capps (D –Cali.), (202)225-3601

Rep. Michael C. Burgess (R – Texas), (202)225-7772
Rep. Marsha Blackburn (R – Tenn.), (202)225-2811
Rep. Phil Gingrey (R – Ga.), (202)225-2931
Rep. Steve Scalise (R – La.), (202)225-3015
Rep. Bob Latta (R – Ohio), (202)225-6405
Rep. Cathy McMorris Rodgers (R – Wash.), (202)225-2006
Rep. Gregg Harper (R – Miss.), (202)225-5031
Rep. Leonard Lance (R – N.J.), (202)225-5361
Rep. Bill Cassidy (R – La.), (202)225-3901
Rep. Brett Guthrie (R – Ky.), (202)225-3501
Rep. Pete Olson (R – Texas), (202)225-5951
Rep. David B. McKinley (R – W.V.), (202)225-4172
Rep. Cory Gardner (R – Colo.), (202)225-4676
Rep. Mike Pompeo (R – Kan.), (202)225-6216
Rep. Adam Kinzinger (R – Ill.), (202)225-3635
Rep. Morgan Griffith (R – Va.), (202)225-3861
Rep. Gus Bilirakis (R – Fla.), (202)225-5755
Rep. Bill Johnson (R – Ohio), (202)225-5705
Rep. Billy Long (R – Mo.), (202)225-6536
Rep. Renee Ellmers (R – N.C.), (202)225-4531

Rep. Mike Doyle (D – Penn.), (202)225-2135
Rep. Jan Schakowsky (D –Ill.), (202)225-2111
Rep. Jim Matheson (D –Utah), (202)225-3011
Rep. G.K. Butterfield (D –N.C.), (202)225-3101
Rep. John Barrow (D –Ga.), (202)225-2823
Rep. Doris Matsui (D –Cali.), (202)225-7163
Rep. Donna M.C. Christensen (D –VI), (202)225-1790
Rep. Kathy Castor (D –Fla.), (202)225-3376
Rep. John Sarbanes (D –Md.), (202)225-4016
Rep. Jerry McNerney (D –Cali.), (202)225-1947
Rep. Bruce Braley (D –Iowa), (202)225-2911
Rep. Peter Welch (D –Vt.), (202)225-411
Rep. Ben Ray Luján (D –N.M.), (202)225-6190
Rep. Paul Tonko (D –N.Y.), (202)225-5076

IT IS CRITICAL THAT STATE LEGISLATORS CONTACT THEIR HOUSE DELEGATIONS AND URGE THEM TO OPPOSE THE CHEMICALS IN COMMERCE ACT.