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Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce “Revisiting the Toxic Substances Control Act of 1976” Subcommittee on Commerce, Trade, and Consumer Protection February 26, 2009

I want to commend Chairman Rush for holding the Subcommittee’s first hearing of the 111th Congress on the incredibly important issue of reforming the Toxic Substances Control Act of 1976, or TSCA.

This is an important day for consumers, businesses, workers, and especially for kids, who are most vulnerable to the effects of toxic chemicals.

Today marks the beginning of a much needed national conversation on the use of chemicals in our communities. This conversation is long overdue. For years, it has been clear that TSCA is not living up to its intent.

For example, in 1991, the Environmental Protection Agency tried to ban the use of asbestos -- a known human carcinogen. But EPA’s efforts were struck down on the grounds that they didn’t satisfy the statute’s requirements.

The Government Accountability Office first recommended changes to make TSCA more effective in 1994. Now, thirteen years later, GAO has added EPA’s assessment and control of toxic chemicals to its “High Risk Series,” a list of the government programs most at risk for failure.

GAO added only three issues to its high-risk list this year. The other two were the entire financial regulatory system and the safety of medical drugs and devices. So that gives you a sense of just how urgent GAO believes this problem is.

This hearing is a good beginning to address the challenge of TSCA reform. In the coming months, we will look closely at the specific provisions of the statute and their implementation. We will learn from what has been done in the states and in other countries to create a more effective system of protecting against the dangers of toxic chemicals.

In order to be successful, however, we will have to work cooperatively to ensure that a reformed TSCA achieves its essential goals: to protect human health and the environment, to make decisions based on sound science, and to encourage American innovation and leadership.

We need to get this right. We owe it to our children and our grandchildren to protect them from the dangers of toxic chemicals.

I look forward to meeting this challenge with Chairman Rush, Ranking Member Radanovich, Ranking Member Barton, and all Members of the Committee.

Finally, let me just say that I know this Subcommittee will tackle many other important issues this Congress as well, and I want to commend Chairman Rush for his leadership on all of these issues.