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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, *MAJORITY STAFF DIRECTOR*  
RUTH VAN MARK, *MINORITY STAFF DIRECTOR*

July 23, 2012

The Honorable Frank Lautenberg  
324 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Lautenberg,

Protecting the health and safety of American families and our environment is a top priority that we all share. We agree that it is time to update the federal regulations that oversee the production and use of industrial chemicals and feel that partisanship has prevented progress for far too long.

That is why we recently approached you about entering into bipartisan negotiations to craft a fresh legislative proposal to reform the Toxic Substances Control Act (TSCA). Senator David Vitter agreed to lead our efforts with you to develop legislation that will protect American consumers; enhance confidence in the federal regulatory system; and ensure American manufacturers can continue to innovate, compete in the global economy, and grow and create jobs here at home.

We were very pleased when you agreed to put aside existing proposed legislation and start with a “blank sheet” in the interest of bipartisan cooperation and success. As discussed at the outset of these negotiations in mid-June, chemical regulatory reform is a highly complex issue that touches nearly every aspect of America’s economy. We acknowledged that reaching agreement on proposed legislation would take time, but we also agreed that a mutual goal was to try to achieve a draft as early as this September.

Over the past few weeks, our respective staffs have met to discuss TSCA reform, prioritizing areas for negotiation and exchanging concepts with the aim of developing new legislative language. As expected, this process has been challenging at times, and there remain many issues to address, but overall we felt that we had put in place a process that could achieve success and that progress was being made.

July 23, 2012

It is for this reason that we are deeply troubled that you are pursuing a markup of a modestly revised Safe Chemicals Act this week. This decision is completely inconsistent with our joint commitment to a good faith, bipartisan negotiation process and a vast deviation from the procedural promises made. We have had less than a week's notice of this markup and, just days prior to forcing a vote, we have yet to see the revised language. We can only conclude that you are no longer interested in working in a bipartisan manner to develop successful legislation, and we are concerned this week's markup is counterproductive to long-term efforts of advance meaningful reform.

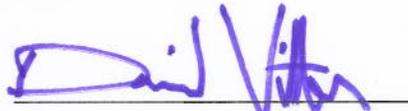
We are very disappointed that partisanship is yet again derailing the process that we have all worked so hard to establish, just as it did last November in the highly charged and partisan hearing on the Safe Chemicals Act in your Subcommittee following productive bipartisan discussions with Senator Inhofe. In light of your decision to abandon our agreement and the recently commenced negotiations, we fully intend to continue our own efforts to develop a realistic path forward for legislation that can be supported by the many stakeholders interested in TSCA reform. Your rejection of the process is certainly an unfortunate development, but not one that will deter us. As we move forward, we will welcome the constructive participation and input of any Members of the Democratic caucus who share our commitment to this issue and to bipartisan reform.

Sincerely,



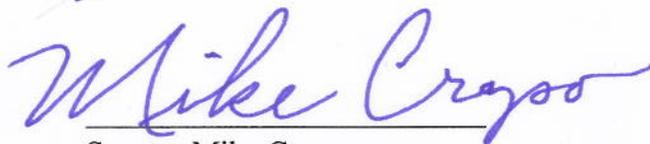
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Senator James M. Inhofe



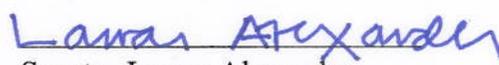
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Senator David Vitter



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Senator Mike Crapo



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Senator Lamar Alexander