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December 16, 2009

The Honorable Hillary Rodham Clinton
Secretary of State
Washington, D.C. 20520

The Honorable Lisa P. Jackson
Administrator
Environmental Protection Agency
Washington, D.C. 20460

Re: Your public support for congressional action on global chemical pollutants

Dear Secretary Clinton and Administrator Jackson:

We are writing to request your public support for strong legislation that will protect all Americans from dangerous chemicals, including those known as persistent organic pollutants, and that will enable the United States to be an international leader in eliminating the global threat that these chemicals pose. As the international climate negotiations demonstrate, achieving progress abroad goes hand-in-hand with America's ability to take decisive action at home. The same is true for controlling toxic chemical pollutants, especially those that persist in the environment and build up in the food chain and our bodies.

The Stockholm Convention on Persistent Organic Pollutants (POPs) provides a global framework for eliminating the production and use of these dangerous man-made chemicals. Because POPs can be carried by wind and water thousands of miles from where they originate, the success of this treaty is crucial to safeguarding the health of Americans everywhere. This is particularly important for the most vulnerable, including children and women of child-bearing age, and for Arctic and other Indigenous communities that are exposed to very high concentrations of POPs through fish and other traditional foods.

The United States helped negotiate the POPs treaty, which has since been adopted by 168 Parties, including all of our major trading partners and most of the developing world. More than five years after the POPs treaty entered into force, the United States is still not a Party, because Congress has yet to adopt implementing legislation that would allow us to comply with the treaty's technical requirements. Worse still, the 1976 Toxic Substances Control Act (TSCA) leaves EPA nearly powerless to restrict dangerous chemicals, including persistent, bioaccumulative and toxic chemicals, here at home. Because it lacks the power to regulate them effectively, EPA often finds itself at international meetings arguing why the United States *cannot* take action on POPs, rather than working with our allies to solve the problem.

Now, for the first time in more than three decades, Congress is considering a comprehensive overhaul of TSCA that would include giving EPA the authority to take decisive action against POPs and other dangerous chemicals. This broad reform legislation can, and should, contain the language needed to permit the United States to comply with the requirements of the POPs treaty. Such language would be entirely consistent with the Obama Administration's recently announced "Essential Principles" for reforming TSCA, which include a call for Congress to give EPA the tools to take timely action on priority chemicals such as POPs.

Strong TSCA reform legislation that includes EPA authority to address persistent, bioaccumulative and toxic chemicals—coupled with succinct enabling provisions for the POPs treaty—will empower the United States to be a leader, rather than a laggard, in phasing out global pollutants that threaten Americans every day. We ask that you publicly support broad TSCA reform that includes the means for EPA to protect Americans from persistent, bioaccumulative toxics, and that enables the United States to tackle this critical environmental health challenge at home and as a constructive member of the Stockholm POPs Convention.

Respectfully,

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