



May 28, 2014

Honorable Cathy McMorris Rodgers  
203 Cannon House Office Building  
Washington, DC 20515

Dear Rep. McMorris Rodgers,

I'm writing to you as a fellow Washingtonian, as someone who served with you in the Washington State House of Representatives, and as a cancer survivor. I've seen (and was touched by) your Mother's Day videos and know we both care about our children's health and their exposure to toxic chemicals. I have serious concerns with an important bill you may soon be considering as a member of the House Energy and Commerce committee. You should be concerned as well, and I'm hoping you'll take action to make it a bill that focuses on protecting children instead of one that goes in the other direction.

There is overwhelming agreement that the federal law governing toxic chemicals—the Toxic Substances Control Act—is badly broken and must be updated, but the Chemicals in Commerce Act (CICA) makes the situation worse. This proposal would take away our right as a state to protect our citizens from harmful chemicals and it will put the health of our children at serious risk.

As you know, Washington has been a leader in filling the major gaps left by the inadequacy of federal law. For example, I was proud to prime sponsor the bill to ban the neurotoxic PBDE flame retardants in furniture, electronics and mattresses. These harmful and unnecessary chemicals were found in people, orca whales and in the food our families eat. We don't need fireproof Orcas, and the dust from the products damages little kids when they play on the floor. They don't even provide an added fire safety benefit, but do put our firefighters at risk when they have to fight fires involving them.

Our state was one of the first to take action. The bill passed the House with a significant bipartisan vote of 71-24 and 41-8 in the Senate. By passing our bill, Washington state led the way to market and federal action. A number of states followed with bans, WalMart adopted their own policy to ban PBDEs, and the PBDE manufacturers eventually agreed to voluntarily phase them out. The bill had no negative effects on the economy and reduced the health risks to our kids, particularly the littlest ones.

State disclosure laws such as Washington's "Children's Safe Products Act" have also provided some of the best available data for chemicals in the marketplace. Again, this bill passed with strong bipartisan support in both chambers. However, the proposed CICA contains far-reaching language that would prevent states from enforcing existing laws, passing new ones, collecting

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information or creating warnings for chemicals of concern, with absolutely no flexibility for exemptions or exceptions.

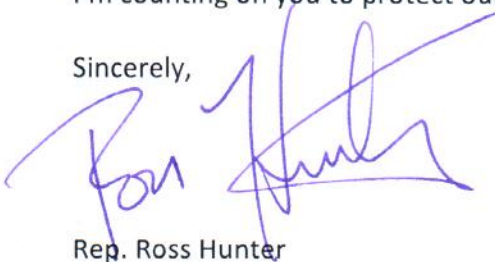
**States have a right to protect their children and communities from harmful chemicals. If you care about states' rights, please don't take this one away.**

Other deficiencies in the bill include:

- It fails to require basic minimum health and safety data for chemicals on the market. One of the biggest current challenges in determining the safety of a chemical is a lack of data and transparency for consumers. People have a right to know what chemicals are in common products and their potential health risks.
- It doesn't require immediate action on the worst toxic chemicals. Persistent bioaccumulative toxic (PBT) chemicals, including PBDEs, build up in people, the environment and the food chain. Washington state has a program to phase out these chemicals. The federal government should follow our lead, particularly since these are the most challenging and costly chemicals to clean up once they enter the environment.
- The heavy reliance on badly-structured "cost-benefit analyses" in regulating chemicals will likely prevent EPA from being able to ban or restrict even the most dangerous chemicals to protect public health.
- It would allow companies to mask the identity of a chemical linked to toxic health effects.

I'm counting on you to protect our citizens, our rights as a state, and the health of our children.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ross Hunter", is written over the typed name. The signature is stylized and cursive.

Rep. Ross Hunter