



January 22, 2026

The Honorable Brett Guthrie  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Frank Pallone  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Gary Palmer  
Chairman  
Subcommittee on Environment  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Paul Tonko  
Ranking Member  
Subcommittee on Environment  
U.S. House of Representatives  
Washington, DC 20515

**Subject: Hearing on “Chemicals in Commerce: Legislative Proposal to Modernize America’s Chemical Safety Law, Strengthen Critical Supply Chains, and Grow Domestic Manufacturing”**

Dear Chairman Guthrie and Chairman Palmer:

The U.S. Chamber of Commerce appreciates your leadership in convening the January 22 hearing to examine targeted legislative proposals to modernize the Toxic Substances Control Act (TSCA). The domestic production of chemicals is foundational to U.S. economic growth, supply-chain resilience, and the development of advanced technologies that underpin nearly every sector of the American economy—from energy and infrastructure to semiconductors, healthcare, and national security.

Congress modernized TSCA in 2016 with the bipartisan goal of strengthening chemical safety while ensuring a predictable, science-based regulatory framework that supports innovation and investment. Nearly a decade later, however, implementation challenges—particularly within the EPA’s New Chemicals Program—have created delays, uncertainty, and inefficiencies that undermine these objectives. The Chamber welcomes this legislative hearing as a timely opportunity to examine pragmatic reforms that restore balance, accountability, and functionality to the statute while preserving health and environmental protections.

**Implementation Challenges Undermining Congressional Intent**

As the Subcommittee considers legislative updates, several persistent issues that have arisen in recent years warrant attention:

- **Chronic delays and missed statutory deadlines.** In recent years, EPA routinely failed to meet the 90-day determination deadline required under TSCA Section 5, with the majority of new chemical submissions significantly overdue. These delays were often extended through so-called “voluntary” clock suspensions that reduce predictability and discourage investment.
- **Expanding scope beyond statutory requirements.** Reviews increasingly extended beyond “reasonably foreseen conditions of use,” introducing speculative assumptions that drive unnecessary restrictions and regulatory overreach.
- **Inefficient use of resources and diminished transparency.** Despite increased appropriations and user fees, stakeholders have reported fewer determinations, diminished reliance on submitter-provided data, and limited transparency into EPA modeling and assumptions—making it difficult for companies to address concerns or plan commercialization.
- **Overuse of restrictions that hinder downstream adoption.** The routine imposition of consent orders and SNURs—even where risks can be managed through existing workplace practices—has created chilling effects across supply chains, particularly for small and medium-sized enterprises.

## Implementation Challenges Affecting Existing Chemicals

In addition to challenges within the New Chemicals Program, implementation issues affecting existing chemicals are also undermining the effective functioning of TSCA. Shifting and inconsistent policy interpretations have contributed to prolonged delays and a limited number of completed risk evaluations, creating uncertainty for manufacturers and downstream users alike. Frequent changes in approach reduce confidence in the regulatory process and complicate long-term planning, investment, and compliance decisions.

Further, duplicative and overlapping regulatory requirements—particularly between TSCA workplace chemical protection programs and longstanding Occupational Safety and Health Administration (OSHA) standards—have created confusion in workplace compliance obligations without demonstrable safety benefits. Greater clarity and coordination across federal programs is necessary to ensure worker protection goals are met efficiently, consistently, and in a manner aligned with congressional intent.

## Impacts on Supply Chains, Manufacturing, and Competitiveness

These challenges extend well beyond administrative inefficiency. The chemical sector sits at the front end of virtually every domestic manufacturing value chain. Regulatory uncertainty in TSCA implementation slows the introduction of safer, more efficient materials, discourages capital investment, and incentivizes companies to site innovation and production in jurisdictions with more predictable regulatory systems.

At a time when policymakers across both parties are focused on strengthening domestic manufacturing and reducing reliance on foreign supply chains, a functional and timely New Chemicals Program is essential. America's energy advantage and world-class innovation ecosystem cannot be fully leveraged if regulatory processes fail to operate as Congress intended.

### **Principles for Legislative Modernization**

The Chamber supports legislative efforts that reinforce TSCA's original goals and ensure the law functions effectively in practice. Key principles include:

- **Restoring accountability to statutory timelines.** Legislative clarity and oversight mechanisms that reinforce EPA's obligation to meet Section 5 deadlines—including clear performance expectations and consequences for persistent noncompliance—are critical to providing regulatory certainty.
- **Reaffirming statutory guardrails.** Clear direction that evaluations be limited to reasonably foreseen conditions of use and grounded in real-world data—including submitter-provided information and exposure controls—will improve both efficiency and scientific integrity.
- **Promoting transparency and due process.** Opportunities for submitters to understand and respond to EPA assumptions and data sources within defined timeframes will improve decision-making and outcomes.
- **Aligning resources with performance.** Any additional funding for TSCA implementation should be paired with objective performance metrics, public reporting, and accountability.

### **Conclusion**

The Chamber commends the Committee for examining thoughtful, targeted reforms to ensure TSCA protects health and the environment, while enabling innovation, strengthening supply chains, and supporting domestic manufacturing. A modernized and well-functioning chemical regulatory framework is essential to U.S. competitiveness and economic security.

We look forward to working with the Committee as it advances these discussions and would welcome the opportunity to provide additional input or technical assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Marty Durbin".

Marty Durbin  
Senior Vice President, Policy  
President, Global Energy Institute  
U.S. Chamber of Commerce