

Wednesday, September 16, 2020

The Honorable Nancy Pelosi
Speaker of the United States House of Representatives
H 222, U.S. Capitol
Washington, DC 20515

The Honorable Steny Hoyer
House Majority Leader
H-148, U.S. Capitol
Washington, D.C. 20515

Re: Urge Passage of the Alan Reinstein Ban Asbestos Now Act (H.R. 1603)

Dear Speaker Pelosi and Majority Leader Hoyer,

We are a group of scientists who have dedicated our careers as researchers, teachers and government officials to combatting the public health threat of asbestos. We are concerned by the continuing delay in enacting the Alan Reinstein Ban Asbestos Now Act ([H.R. 1603](#)) and are respectfully asking you again to bring this vital public health legislation to the House Floor for a vote.

We know that the COVID-19 pandemic has rightfully taken most of Congress's time and energy; however, it is more important than ever before that Congress take action to eliminate asbestos from U.S. commerce.

Asbestos causes numerous deadly diseases, including mesothelioma, lung cancer, asbestosis, and ovarian cancer. While asbestos use has declined since its height in 1973, the death toll from asbestos exposure remains alarmingly high, totaling nearly 40,000 Americans every year. Numerous studies have confirmed that there is no safe level of asbestos exposure.

Nearly 70 countries around the world have already banned asbestos, yet the U.S. has unfortunately lagged behind. We hoped that the 2016 Lautenberg Chemical Safety Act (LCSEA) amending the 2016 Toxic Substances Control Act (TSCA) would lead to a long-overdue asbestos ban, but this hope has been dashed by the disappointing and inadequate risk evaluation of the Environmental Protection Agency (EPA) under TSCA.

In their August 28 report, EPA's independent Science Advisory Committee on Chemicals (SAAC) categorically rejected the EPA draft evaluation, finding that it presented an incomplete picture of the current impacts of asbestos on public health, underestimated exposure and risk, and used novel and questionable methodologies that departed from previous assessments by EPA and other expert bodies. The fundamental flaws in the draft evaluation underscore that it will be years before EPA is able to ban asbestos under TSCA, and that action by Congress is urgently needed to eliminate this serious public health threat.

ARBAN has the support of a broad coalition of stakeholders and was approved by the Energy and Commerce Committee with a [47-1 vote on November 19, 2019](#). Although one group has objected

to the definition of asbestos in the bill, we do not believe this justifies blocking the bill's important public health benefits.

ARBAN would ban nearly all importation and use of asbestos and asbestos-containing products within one year of enactment. It would put in place a strong transition plan for the fifteen U.S. chlor-alkali plants in the U.S. that currently use asbestos diaphragms. Under this plan, these plants will stop importing asbestos within five years and convert to non-asbestos technology within 10 years of enactment. A new Right-to-Know program would also require all importers and users of asbestos and asbestos-containing products during the last three years to inform both the EPA and the public of their activities; including where and how much asbestos has been used and how many people have been exposed. Finally, the National Academy of Sciences would conduct a comprehensive study of risks presented by "legacy" asbestos often used in building construction decades ago that is still present in millions of residences, businesses, factories, public buildings, and schools across the country. This information will be used to recommend new, stronger policies to protect workers and the public from unsafe exposures.

We urge you to bring H.R. 1603, a strong bill to protect public health, to the House floor in September as Senators Steve Daines and Jeff Merkley are ready to advance the bill in the Senate.

Thank you again for your strong support for this landmark legislation.

Sincerely,

- Richard A. Lemen, PhD, MSPH, Assistant Surgeon General (Ret.), Rear Admiral, USPHS (Ret.)
- Arthur L. Frank, MD, PhD, Professor of Public Health and Chair Emeritus of the Department of Environmental and Occupational Health at the Drexel University School of Public Health in Philadelphia
- Brad Black MD, Medical Director, Center for Asbestos Related Disease, Libby, MT
- Carol Rice, PhD, CIH, Professor Emerita. University of Cincinnati, Department of Environmental Health
- Celeste Monforton, DrPH, MPH, Lecturer in Public Health, Texas State University*, and Fellow, Collegium Ramazzini
- Daniel Thau Teitelbaum, M.D., Adjunct Professor, Environmental and Occupational Health, Colorado School of Public Health, Aurora, Colorado
- David F. Goldsmith, MSPH, PhD, Professorial Lecturer, George Washington University
- David H Wegman, MD, MSc, Professor Emeritus, Department of Work Environment, UMass Lowell and Adjunct Professor Harvard School of Public Health

- David Kotelchuck, PhD, MPH, Prof. Emeritus, Hunter College of the City University of New York
- Denny Dobbin, CAPT USPHS (ret.)
- Henry A. Anderson, MD Adjunct Professor, Department of Population Health Sciences, Wisconsin School of Medicine and Public Health, Madison, WI
- Hester J. Lipscomb, Ph.D., Professor Emeritus, Division of Occupational and Environmental Medicine, Department of Community Health and Family Medicine, Duke University Medical School, Durham, N.C.
- Jacqueline Moline, MD, Vice President, Occupational Medicine, Epidemiology and Prevention, Northwell Health and Chair of Occupational Medicine, Epidemiology and Prevention, North Shore University Hospital
- John M. Dement, Ph.D., CIH, Professor Emeritus, Division of Occupational & Environmental Medicine, Department of Family Medicine & Community Health, Duke University School of Medicine
- Kenneth Rosenman MD, Professor of Medicine, Chief, Division of Occupational and Environmental Medicine, Michigan State University
- L. Christine Oliver, MD, MPH, MS, Adjunct Professor, Dalla Lana School of Public Health, University of Toronto, Toronto, ON
- Laurence J. Fuortes, MD, Department of Occupational and Environmental Health College of Public Health University of Iowa
- Peter F. Infante, D.D.S., Dr.P.H., Peter F. Infante Consulting, LLC
- Philip J. Landrigan, MD, MSc, FAAP, Director, Program in Global Public Health and the Common Good, Director, Global Observatory on Pollution and Health, Professor of Biology, Schiller Institute for Integrated Science and Society
- Raja Flores, MD, Chairman of the Department of Thoracic Surgery at the Mount Sinai Medical Center

cc: Rep. Frank Pallone
 Rep. Suzanne Bonamici
 Rep. Greg Walden
 Rep. Paul Tonko
 Rep. John Shimkus
 Rep. Elissa Slotkin
 Sen. Jeff Merkley