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JAMES E. DERDERIAN, CHIEF OF STAFF

U.S. House of Representatives
 Committee on Commerce
 Room 2125, Rayburn House Office Building
 Washington, DC 20515-6115

September 25, 2000

**VOTE NO
 OPPOSE H.R. 5175**

Dear Colleague:

There has been a significant amount of misinformation and mischaracterization about the Environmental Protection Agency's (EPA) and the Administration's position on H.R. 5175. They do not support H.R. 5175 as the EPA Administrator's letter demonstrates.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C. 20460

SEP 22 2000

THE ADMINISTRATOR

Honorable Edolphus Towns
 U.S. House of Representatives
 2232 Rayburn Office Building
 Washington D.C. 20515

Dear Congressman Towns:

Thank you for your letter of September 20, requesting the views of the Environmental Protection Agency (EPA) on H.R. 5175, the Small Business Liability Relief Act. As you know, the Clinton Gore Administration has long supported Superfund liability relief for small parties. For many years, I have encouraged Congressional committees in both the House and Senate to pass responsible, targeted legislation that addresses the Superfund liability of small parties. The Administration continues to support that goal.

Unfortunately, EPA's position on H.R. 5175 may have been mischaracterized. The bill contains provisions that are not consistent with legislative provisions the Agency has supported in the past. In particular, some of the provisions would promote litigation and increase transaction costs, the very result that the Administration has sought to avoid by supporting enactment of responsible legislation that relieves small parties from Superfund liability. While we cannot support the bill as drafted, we would welcome the opportunity to discuss our concerns with the Commerce and Transportation and Infrastructure Committees to reach bipartisan consensus and enact targeted legislation that addresses the Superfund liability of small parties.

Sincerely,

Carol M. Browner

While we have consistently supported carefully crafted and targeted legislation to deal with small business Superfund liability issues, H.R. 5175 is deeply flawed. H.R. 5175 is not the product of the Committee legislative process and is opposed by the environmental community, the Business Roundtable, as well as the Administration.

We urge a "NO" vote on H.R. 5175 when it is considered on the suspension calendar this week.

Sincerely,

JOHN D. DINGELL
 RANKING MEMBER
 COMMITTEE ON COMMERCE

EDOLPHUS TOWNS
 RANKING MEMBER
 SUBCOMMITTEE ON FINANCE
 AND HAZARDOUS MATERIALS