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ONE HUNDRED EIGHTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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June 22, 2004

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BUD ALBRIGHT, STAFF DIRECTOR

The Honorable Colin L. Powell
Secretary
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Powell:

On May 17, 2004, the Stockholm Convention on Persistent Organic Pollutants (POPS) went into effect after ratification by fifty-nine countries. The Stockholm Convention had previously been signed by the EPA Administrator Christine T. Whitman on behalf of the United States at the Conference of Plenipotentiaries in Stockholm, Sweden, on May 23, 2001.


In order to further understand the Administration's position on ratifying and implementing this international treaty, we request responses to the following questions as soon as possible.

1. Please identify each statutory change to the Toxic Substances Control Act that is deemed necessary to allow the United States to fully meet its obligations under the Stockholm Convention.
2. Please provide an analysis that correlates or connects the language in the Stockholm Convention to the specific provisions of the Toxic Substances Control Act that need to be changed or modified.
3. Has the Administration submitted legislation to the 108th Congress proposing to amend the Toxic Substances Control Act to implement the Stockholm Convention? If so, please provide us with a copy. If not, please explain when you intend to do so.
4. On April 29, 2004, the Senate Committee on Environment and Public Works reported S. 1486, the POPS, LRTAP POPS, and PIC Implementation Act of 2003 (Senate Rpt. 108-256). Has the Administration taken a position on S. 1486 or requested any specific changes to S. 1486, as reported?

5. The Stockholm Convention includes a science-based procedure for the international community to add new chemicals in the future. Please describe in detail each of the steps or procedures that must be followed under the POPs Convention for a new POP to be listed under the Convention.
6. When depositing the articles of ratification does the Administration intend to elect the procedure whereby it would affirmatively have to opt-in to each new chemical in order for the restrictions to apply to the United States?
7. On April 11, 2002, President Bush submitted the Stockholm Convention on Persistent Organic Pollutants to the U.S. Senate for its advice and consent to ratification. Please provide the President's statement describing the treaty and his intention to implement the treaty along with any accompanying documents or materials submitted at the time and any clarifications or additional documents submitted subsequently.

If you have any questions about this request, please have your staff contact Richard A. Frandsen, Senior Minority Counsel, at (202) 225-3641. Thank you for your cooperation in this matter.

Sincerely,



JOHN D. DINGELL
RANKING MEMBER
COMMITTEE ON ENERGY AND COMMERCE



HILDA L. SOLIS
RANKING MEMBER
SUBCOMMITTEE ON ENVIRONMENT
AND HAZARDOUS MATERIALS

cc: The Honorable Joe Barton, Chairman
Committee on Energy and Commerce

The Honorable Paul E. Gillmor, Chairman
Subcommittee on Environment and Hazardous Materials