

105TH CONGRESS
1ST SESSION

H. R. 2451

To protect children and other vulnerable subpopulations from exposure to certain environmental pollutants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 1997

Mr. MORAN of Virginia introduced the following bill; which was referred to the Committee on Commerce

A BILL

To protect children and other vulnerable subpopulations from exposure to certain environmental pollutants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Children’s Environ-
5 mental Protection Act”.

6 **SEC. 2. ENVIRONMENTAL PROTECTION FOR CHILDREN.**

7 (a) IN GENERAL.—The Toxic Substances Control Act
8 (15 U.S.C. 2601 et seq.) is amended by adding at the end
9 the following:

1 **“TITLE V—ENVIRONMENTAL**
2 **PROTECTION FOR CHILDREN**

3 **“SEC. 501. FINDINGS AND POLICY.**

4 “(a) FINDINGS.—Congress finds that—

5 “(1) public health and safety depends on citi-
6 zens and local officials knowing the toxic dangers
7 that exist in their homes, communities, and neigh-
8 borhoods;

9 “(2) children eat more food, drink more fluids,
10 and breathe more air in proportion to their body
11 weight than adults;

12 “(3) these factors put children at greater risk
13 from environmental pollutants than adults, and as a
14 result children face unique health threats that need
15 special attention;

16 “(4) risk assessments of pesticides and other
17 environmental pollutants conducted by the Environ-
18 mental Protection Agency do not clearly differentiate
19 between the risks to children and the risks to adults;

20 “(5) a study conducted by the National Acad-
21 emy of Sciences on the effects of pesticides in the
22 diets of infants and children concluded that ap-
23 proaches to risk assessment typically do not consider
24 risks to children and, as a result, current standards

1 and tolerances often fail to adequately protect in-
2 fants and children;

3 “(6) data are lacking that would allow adequate
4 quantification and evaluation of child-specific and
5 other vulnerable subpopulation-specific susceptibility
6 and exposure to environmental pollutants;

7 “(7) data are lacking that would allow adequate
8 quantification and evaluation of child-specific and
9 other vulnerable subpopulation-specific bioaccumula-
10 tion of environmental pollutants;

11 “(8) the absence of data precludes effective gov-
12 ernment regulation of environmental pollutants, and
13 denies individuals the ability to exercise a right to
14 know and make informed decisions to protect their
15 families; and

16 “(9) research must be coordinated within the
17 Environmental Protection Agency and other Federal
18 agencies to identify key data needs to ensure the
19 best science and to enhance the Nation’s under-
20 standing of environmental health and safety threats
21 to children.

22 “(b) POLICY.—It is the policy of the United States
23 that—

24 “(1) policies, programs, activities, and stand-
25 ards of the Environmental Protection Agency must

1 address disproportionate risks to children that result
2 from environmental health risks;

3 “(2) information, including a safer-for-children
4 product list, should be made readily available by the
5 Environmental Protection Agency to the general
6 public and relevant Federal and State agencies to
7 advance the public’s right-to-know, and allow the
8 public to avoid unnecessary and involuntary expo-
9 sure; and

10 “(3) scientific research opportunities should be
11 identified by the Environmental Protection Agency,
12 the Department of Health and Human Services (in-
13 cluding the National Institute of Environmental
14 Health Sciences and the Agency for Toxic Sub-
15 stances and Disease Registry), the National Insti-
16 tutes of Health, and other Federal agencies, to study
17 the short-term and long-term health effects of cumu-
18 lative, simultaneous, and synergistic exposures of
19 children and other vulnerable subpopulations to envi-
20 ronmental pollutants.

21 **“SEC. 502. DEFINITIONS.**

22 “In this title:

23 “(1) AREAS THAT ARE REASONABLY ACCES-
24 SIBLE TO CHILDREN.—The term ‘areas that are rea-
25 sonably accessible to children’ means homes, schools,

1 day care centers, shopping malls, movie theaters,
2 and parks.

3 “(2) CHILDREN.—The term ‘children’ means
4 individuals who are 18 years of age or younger.

5 “(3) ENVIRONMENTAL POLLUTANT.—The term
6 ‘environmental pollutant’ means a hazardous sub-
7 stance, as defined in section 101 of the Comprehen-
8 sive Environmental Response, Compensation, and
9 Liability Act of 1980 (42 U.S.C. 9601), or a pes-
10 ticide, as defined in section 2 of the Federal Insecti-
11 cide, Fungicide, and Rodenticide Act (7 U.S.C.
12 136).

13 “(4) FEDERAL PROPERTIES AND AREAS.—The
14 term ‘Federal properties and areas’ means areas
15 owned or controlled by the United States.

16 “(5) VULNERABLE SUBPOPULATIONS.—The
17 term ‘vulnerable subpopulations’ means children,
18 pregnant women, the elderly, individuals with a his-
19 tory of serious illness, and other subpopulations
20 identified by the Administrator as likely to experi-
21 ence elevated health risks from environmental pollut-
22 ants.

23 **“SEC. 503. SAFEGUARDING CHILDREN AND OTHER VULNER-**
24 **ABLE SUBPOPULATIONS.**

25 “(a) IN GENERAL.—The Administrator shall—

1 “(1) consistently and explicitly evaluate and
2 consider environmental health risks to vulnerable
3 subpopulations in all of the risk assessments, risk
4 characterizations, environmental and public health
5 standards, and regulatory decisions carried out by
6 the Administrator;

7 “(2) ensure that all Environmental Protection
8 Agency standards protect children and other vulner-
9 able subpopulations with an adequate margin of
10 safety; and

11 “(3) develop and use a separate assessment or
12 finding of risks to vulnerable subpopulations or pub-
13 lish in the Federal Register an explanation of why
14 the separate assessment or finding is not used.

15 “(b) REEVALUATION OF CURRENT PUBLIC HEALTH
16 AND ENVIRONMENTAL STANDARDS.—

17 “(1) IN GENERAL.—As part of any risk assess-
18 ment, risk characterization, environmental or public
19 health standard or regulation, or general regulatory
20 decision carried out by the Administrator, the Ad-
21 ministrator shall evaluate and consider the environ-
22 mental health risks to children and other vulnerable
23 subpopulations.

1 “(2) IMPLEMENTATION.—In carrying out para-
2 graph (1), not later than 1 year after the date of en-
3 actment of this title, the Administrator shall—

4 “(A) develop an administrative strategy
5 and an administrative process for reviewing
6 standards;

7 “(B) publish in the Federal Register a list
8 of standards that may need revision to ensure
9 the protection of children and vulnerable sub-
10 populations;

11 “(C) prioritize the list according to the
12 standards that are most important for expe-
13 dited review to protect children and vulnerable
14 subpopulations;

15 “(D) identify which standards on the list
16 will require additional research in order to be
17 reevaluated and outline the time and resources
18 required to carry out the research; and

19 “(E) identify, through public input and
20 peer review, not fewer than 20 public health
21 and environmental standards of the Environ-
22 mental Protection Agency to be repromulgated
23 on an expedited basis to meet the criteria of
24 this subsection.

1 “(3) REVISED STANDARDS.—Not later than 6
2 years after the date of enactment of this title, the
3 Administrator shall propose not fewer than 20 re-
4 vised standards that meet the criteria of this sub-
5 section.

6 “(4) COMPLETED REVISION OF STANDARDS.—
7 Not later than 15 years after the date of enactment
8 of this title, the Administrator shall complete the re-
9 vision of all standards in accordance with this sub-
10 section.

11 “(5) REPORT.—The Administrator shall report
12 to Congress on an annual basis on progress made by
13 the Administrator in carrying out the objectives and
14 policy of this subsection.

15 **“SEC. 504. SAFER ENVIRONMENT FOR CHILDREN.**

16 “Not later than 1 year after the date of enactment
17 of this title, the Administrator shall—

18 “(1) identify environmental pollutants com-
19 monly used or found in areas that are reasonably ac-
20 cessible to children;

21 “(2) create a scientifically peer reviewed list of
22 substances identified under paragraph (1) with
23 known, likely, or suspected health risks to children;

24 “(3) create a scientifically peer reviewed list of
25 safer-for-children substances and products rec-

1 ommended by the Administrator for use in areas
2 that are reasonably accessible to children that, when
3 applied as recommended by the manufacturer, will
4 minimize potential risks to children from exposure to
5 environmental pollutants;

6 “(4) establish guidelines to help reduce and
7 eliminate exposure of children to environmental pol-
8 lutants in areas reasonably accessible to children, in-
9 cluding advice on how to establish an integrated pest
10 management program;

11 “(5) create a family right-to-know information
12 kit that includes a summary of helpful information
13 and guidance to families, such as the information
14 created under paragraph (3), the guidelines estab-
15 lished under paragraph (4), information on the po-
16 tential health effects of environmental pollutants,
17 practical suggestions on how parents may reduce
18 their children’s exposure to environmental pollut-
19 ants, and other relevant information, as determined
20 by the Administrator in cooperation with the Centers
21 for Disease Control;

22 “(6) make all information created pursuant to
23 this subsection available to Federal and State agen-
24 cies, the public, and on the Internet; and

1 “(7) review and update the lists created under
2 paragraphs (2) and (3) at least once each year.

3 **“SEC. 505. RESEARCH TO IMPROVE INFORMATION ON EF-**
4 **FECTS ON CHILDREN.**

5 “(a) TOXICITY DATA.—The Administrator, the Sec-
6 retary of Agriculture, and the Secretary of Health and
7 Human Services shall coordinate and support the develop-
8 ment and implementation of basic and applied research
9 initiatives to examine the health effects and toxicity of pes-
10 ticides (including active and inert ingredients) and other
11 environmental pollutants on children and other vulnerable
12 subpopulations.

13 “(b) BIENNIAL REPORTS.—The Administrator, the
14 Secretary of Agriculture, and the Secretary of Health and
15 Human Services shall submit biennial reports to Congress
16 on actions taken to carry out this section.

17 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated such sums
19 as are necessary to carry out this title.”.

20 (b) TECHNICAL AMENDMENT.—The table of contents
21 of the Toxic Substances Control Act (contained in section
22 1 of such Act) is amended by adding at the end the follow-
23 ing:

“TITLE V—ENVIRONMENTAL PROTECTION FOR CHILDREN

“Sec. 501. Findings and policy.

“Sec. 502. Definitions.

“Sec. 503. Safeguarding children and other vulnerable subpopulations.

“Sec. 504. Safer environment for children.

“Sec. 505. Research to improve information on effects on children.

“Sec. 506. Authorization of appropriations.”.

