

**Alaska Community Action on Toxics (ACAT)**  
**Alliance of Nurses for Healthy Environments \* Center for Effective Government**  
**Clean and Healthy New York \* Clean Water Action \* Citizens' Environmental Coalition**  
**Environmental Health Strategy Center \* Greenpeace \* Healthy Schools Network**  
**Natural Resources Defense Council \* Northwest Atlantic Marine Alliance**  
**Physicians for Social Responsibility \* Physicians for Social Responsibility - Los Angeles**  
**Science and Environmental Health Network \* Union of Concerned Scientists**  
**Women's Voices for the Earth**

July 9, 2014

Dear Senator,

The organizations listed above are writing to express our opposition to the "Bipartisan Sportsmen's Act of 2014" (S. 2363). This legislation includes sweeping special interest provisions that directly threaten public lands meant for all Americans. Most egregious is the bill's treatment of the Toxic Substances Control Act (TSCA), the National Environmental Policy Act (NEPA) and public lands.

The bill's TSCA provision (Section 102) would exempt from the law's jurisdiction lead *and any other chemical* used in ammunition, and in the components of both firearms and ammunition – such as propellants, primers and projectiles. There are thousands of military and civilian facilities and sites, as well as other wetlands, groundwater and surface waters, that have been contaminated by chemicals used in these munitions including lead, perchlorate, RDX, DNT, dibutyl phthalate and numerous other chemicals of concern.

The provision would exempt many uses of these chemicals from TSCA's jurisdiction, eliminating EPA authority under the law to require testing, gather information, conduct health and exposure assessments or regulate disposal of these substances *as well as any new chemicals proposed as substitutes*. Section 102 also contains a new exemption from TSCA for *any* chemical used in certain sports fishing equipment and its components. Incredibly, despite its breadth, the TSCA provision is misleadingly titled, "Modifications of Definition of Sport Fishing Equipment Under the Toxic Substances Control Act."

It is especially unfortunate that Congress would consider such a broad exemption from basic health protections without holding a single hearing on the issue or provision. There is extensive pollution from the toxic chemicals used in munitions all over the country, which poses real threats to public health and the environment and which taxpayers are spending hundreds of millions of dollars to clean up. The ostensible "need" for this provision is to prevent EPA from regulating the use of lead in bullets and fishing sinkers -- something EPA has already made clear it has no intention of doing. There is simply no reason for Congress to rush ahead on this issue.

The bill's treatment of NEPA and public lands is no better. S. 2363 would open Bureau of Land Management and Forest Service lands to indiscriminate trapping and recreational hunting, fishing, and shooting in a manner that could prevent standard environmental reviews of these activities under NEPA. The NEPA process helps ensure that agencies properly consider the

impacts of their land-use decisions and that the public can see and respond to agency actions that may have significant consequences. The bill could impair a process that helps prevent short-sighted decisions.

S. 2363 also threatens unique wilderness areas designated under the Wilderness Act by mandating that they be “open unless closed.” Wilderness areas have typically been closed to commercial competitive events to preserve their unique characteristics. Allowing activities such as sports, training, and competition on Forest Service and Bureau of Land management lands, regardless of their wilderness status, as S. 2363 does, would undo decades of Congressional protection for our wildest areas. Worse, the bill requires all federal lands managers (except for National Park Service or U.S. Fish & Wildlife Service) to “facilitate” the use of and access to their public lands. Such “facilitation” could run directly counter to the Wilderness Act.

Hunting and fishing is already permitted on 85% of public lands. This bill would mandate these activities over others and wreck the existing balance between immediate use and preservation for the future of our public lands. For these reasons, we urge you to oppose S. 2363.

For more information, please contact Scott Slesinger, Legislative Director for the Natural Resources Defense Council, at (202) 289-6868 or [sslesinger@nrdc.org](mailto:sslesinger@nrdc.org).

Sincerely,

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