

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074

<http://oversight.house.gov>

**Opening Statement: Panel One**  
**Chairman Harley Rouda**  
**Hearing on “The Devil They Knew: PFAS Contamination and the Need for Corporate**  
**Accountability, Part II”**  
**Subcommittee on Environment**  
**September 10, 2019**

Good afternoon. This is the third hearing this Subcommittee has held on the dangers of perfluoroalkyl and polyfluoroalkyl substances—the man-made, toxic chemicals known by their acronym PFAS. And it is the second hearing that focuses on the role of industry in the contamination of Americans’ drinking water, groundwater, air and food supplies with these chemicals.

If this Subcommittee’s last two hearings haven’t made it abundantly clear, we’re dealing with a national emergency here. PFAS chemicals have been linked to serious, adverse health outcomes in humans, including low fertility, birth defects, suppression of the immune system, thyroid disease, and cancer. The EPA has issued a health advisory on two of the most well-known PFAS chemicals, PFOA and PFOS and is currently in the process of determining how these chemicals should be regulated. The current Assistant Administrator for the Office of Water at the EPA, David Ross, agreed that PFAS contamination was, quote, a “national emergency.” Several states have already taken steps to regulate these chemicals on their own. My point is, this is not a small or emerging or ambiguous problem—it is a full-blown crisis that our government has already acknowledged. So, our goal here today is to demand accountability for this crisis.

Our first witnesses are both attorneys: Lori Swanson, the former attorney general of Minnesota, who led a massive case against the 3M Company on behalf of the state of Minnesota for the company’s role in damaging the environment with perfluorochemicals, including PFOS and PFOA. After eight years of litigation, 3M settled the case with the state of Minnesota last year for 850 million dollars, which is the largest environmental settlement in the state’s history. That money will be used to clean up the sites that have contaminated Minnesota residents.

Our second witness, Robert Bilott, was one of the first lawyers to successfully sue DuPont on behalf of people who have been exposed to PFAS chemicals and have suffered greatly as a result, losing their livelihoods, their health, and their family members. Bucky Bailey, a witness at this Subcommittee's July 24th hearing, was one of the people Mr. Bilott defended. In 2017, DuPont and its spin-off company, Chemours, agreed to pay 671 million dollars for polluting the area around a DuPont manufacturing plant in Parkersburg, West Virginia—the same plant where Bucky Bailey's mother was poisoned when she was pregnant with him.

Representatives from 3M, DuPont and Chemours are here with us today. And let me say, we are not here to re-litigate the cases these companies have already settled, or quibble over each company's degree of liability—this Subcommittee is not a court, and I am not a judge. This Subcommittee is here today because we want more than legal accountability—though legal accountability is great, too. We want ethical accountability.

I look forward to the first panel of witnesses, which will help explain to the Subcommittee why and how these companies got away with poisoning people for more than half a century. Because make no mistake—that is exactly what happened. The documentation is clear: As early as the 1950s, in-house scientists at 3M and DuPont began discovering that PFAS chemicals were bioaccumulative—meaning they build up in the body, justifying their nickname “forever chemicals”—and toxic. And yet, despite the consensus among scientists within both companies, DuPont and 3M continued to deny the toxicity of long-chain PFAS chemicals.

I want everyone in this room to really think about what it must be like, to live next to a toxic waste dump with your family, your kids, that you never knew was a toxic waste dump. Imagine drinking and breathing toxic chemicals that you never knew were toxic, because the companies who made them never told you, and suppressed the research that confirmed just how toxic the chemicals were. And, as we'll learn from the testimony of Ms. Swanson and Mr. Bilott, there's extensive documentation that confirms that this is exactly what these companies did.

So, I'm not editorializing here, and this isn't faux outrage, and I'm not being hard on these companies just for show—these are people's lives we're talking about. I hope everyone watching here today will go and read more about this issue, and learn more about the extent of what has been happening over the past several decades, because what these companies have done is deeply immoral and shameful, and there's no other way to put it.

So I hope we don't waste our time today on phony debates over the science—it's been almost 70 years since research on the toxicity of these chemicals began. The evidence is clear and convincing. Enough is enough. And after hearing Mr. Bilott and Ms. Swanson's important testimony, the Subcommittee plans on using the information learned to press these companies to admit that they know these chemicals are toxic and to acknowledge their past conduct of concealing important scientific studies regarding PFAS toxicity. We will also urge them to work together with Congress to address this national emergency, which includes designating PFAS as a hazardous substance under the Superfund law.

I respect these companies' long and storied histories here in the United States, and I respect the fact that these companies have made products that Americans want to buy and that have made Americans' lives easier. But I am a compassionate capitalist. Don't think for one second that I won't hold companies accountable when they screw up—and these companies, with us here today, screwed up. I hope the people representing those companies here today will admit their mistakes, so that we can all move forward and achieve what I believe is our common goal: to clean up contaminated sites and stop exposing innocent people to toxic chemicals.

Thank you, and I now invite the Ranking Member of the Subcommittee, James Comer, to give a five-minute opening statement.