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NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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House Energy and Commerce Committee Announces Investigation

WASHINGTON, D.C. – Top members of the House Committee on Energy and Commerce today asked the Bush Administration to explain why, more than five years after the enactment of the Public Health Security and Bioterrorism Preparedness Act of 2002 (Public Law 107–188), the crucial anti-radiation drug potassium iodide (KI) has not been distributed to populations living within 20 miles of a nuclear power plant, as required by the law.

The science supporting KI distribution and utilization in the event of a nuclear release is well established and unambiguous. However, earlier this year the Bush Administration transferred authority to implement the long-delayed program from the Department of Health and Human Services (HHS), which supported its implementation, to the Nuclear Regulatory Commission (NRC), which has repeatedly stated its opposition to expanding the distribution of KI beyond the 10-mile radius Emergency Planning Zone;

“For our system of government to succeed, the Administration must be willing to enact the laws passed by Congress and signed by the President. Although the House and Senate have developed and approved critical protective measures, the Administration’s refusal to enact them has put communities at considerable risk,” said Rep. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce. “I urge the Administration to fulfill its responsibility and, for the sake of American families, to start carrying its end of the log.”

“It is inexcusable that the White House has flat-out refused to implement the critically important potassium iodide program for over five years. This is yet another example of the Bush Administration thinking that it is above the law and above the Congress,” said Rep. Edward J. Markey (D-MA), Chairman of the Subcommittee on Telecommunications and the Internet. “Now that the House Energy and Commerce Committee has initiated an official investigation into this glaring failure to protect Americans living near our nuclear power plants, we will finally get to the bottom of the delay and obfuscation. The Administration must obey the law and provide potassium iodide to vulnerable Americans, especially children, living within twenty miles of nuclear power plants.”

“Studies have demonstrated that it is good public policy to have potassium iodide available in a twenty mile radius of nuclear facilities,” said Rep. Bart Stupak (D-MI), Chairman of the Subcommittee on Oversight and Investigations. “The Administration’s failure to implement this law by making potassium iodide available within 20 miles of nuclear facilities is yet another troubling example of how the Administration believes it can flaunt Congress’ will. I will continue working with Chairman Dingell and my colleagues on the House Energy and Commerce Committee to see that the Administration follows the law.”

“The Public Health Security and Bioterrorism Preparedness Act of 2002 was passed to ensure that Americans living near nuclear power plants are protected from the harmful effects of exposure to radiation in the event of a release,” said Rep. Frank Pallone, Jr. (D-NJ), Chairman of the Health Subcommittee. “By refusing to distribute anti-radiation drugs to populations living within 20 miles of a plant, the President and his administration are unnecessarily putting the lives and health of these Americans at risk. We want the administration to not only explain why it decided to take this dangerous course of action, but also immediately comply with the law.”

In their letter, the members ask the Administration to respond to specific questions including:

- Why does the requirement for KI stockpiling and distribution remain unimplemented?
- Why were draft HHS guidelines for implementing KI stockpiling never finalized?
- Why did the White House call for the creation of an interagency group to re-examine the use of KI when the Secretary of HHS has already stated: “We are not aware of any alternative and more effective prophylaxis or preventive measures” that could be offered in place of potassium iodide in conjunction with other protective measures.?

Read the letter

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Prepared by the Committee on Energy and Commerce

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