

House Resolution 649

By: Representative Marin of the 96<sup>th</sup>

### A RESOLUTION

1 Urging the National Institutes of Health and the United States Congress to take certain action  
2 with respect to the use of mercury; and for other purposes.

3 WHEREAS, the National Institutes of Health (NIH) is urged to release an independent  
4 evaluation of a highly suspect and corrupt process through which mercury amalgams were  
5 given a clean bill of health despite a Congressional mandate for a meaningful evaluation of  
6 the health hazards posed by continued use of mercury in dental fillings; and

7 WHEREAS, this evaluation was never carried out in a forthright and independent fashion;  
8 and

9 WHEREAS, the dental arm of the United States Food and Drug Administration (FDA)  
10 provided a blueprint to the consultant chosen to receive this contract outlining the desired  
11 mercury-favoring results; and

12 WHEREAS, a meeting coordinator was selected without background or experience in  
13 developing this kind of report and the coordinator inverted the terms of reference of the  
14 report from "finding evidence of harm," the Congressional mandate, to "proof that the  
15 product is unsafe"; and

16 WHEREAS, two FDA Scientific Advisory Committees rejected the report leading NIH  
17 Chairman Elias Zerhouni to hire an independent CPA firm to do an investigation and  
18 evaluation on the process and the report; and

19 WHEREAS, to date, despite two Freedom of Information Act requests, the CPA evaluation  
20 has not been released to the public; and

21 WHEREAS, this is representative of the corrupt, industry friendly, health hostile practices  
22 of the FDA and segments of the NIH; and

23 WHEREAS, this type of situation provides immediate harm through poor decision making  
24 and undermines the highly significant mandate of the FDA to safeguard American health,  
25 food, and products, and the following steps should be urged:

- 26 (1) Compel NIH Chairman Zerhouni to release the CPA report and the underlying  
27 documents upon which it is based to the public;
- 28 (2) Compel the FDA to commission a new and truly independent study under  
29 Congressional oversight on the dangers posed by dental mercury;
- 30 (3) Conduct Congressional hearings on the feasibility, impact, and mechanisms for  
31 splitting the FDA into two separate agencies to regulate food and to regulate drugs without  
32 contamination of food regulation by drug interests and vice versa, since clean,  
33 unadulterated food and supplements are a direct threat to the economic health of the  
34 pharmaceutical industry which provides a significant portion of the operating budget of the  
35 FDA through drug company "user fees";
- 36 (4) Conduct state legislative hearings on the feasibility, impact, and mechanisms for  
37 banning all medical uses of mercury in Georgia since the continued use of mercury poses  
38 a well-documented health hazard to the people of this state; and
- 39 (5) Consider state legislation to ban mercury from all medical uses and make its use or  
40 introduction into the human body a felony offense.

41 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
42 the members of this body urge the National Institutes of Health and the United States  
43 Congress to take certain action with respect to the use of mercury.

44 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized  
45 and directed to transmit an appropriate copy of this resolution to NIH Chairman Elias  
46 Zerhouni and each member of the Georgia Congressional Delegation.