

October 5, 2021

Brenda Mallory, Esq., Chair
Cecilia Martinez, Senior Director for Environmental Justice
White House Council on Environmental Quality

Dear Chair Mallory and Dr. Martinez:

One year ago, the Food and Drug Administration's safety communication called for dentists to cease use of dental amalgam in children, most women of childbearing age, and people with either kidney impairments or neurological disorders – deeming each to be “high-risk populations” for mercury toxicity from amalgam exposure. Federal agencies which provide dental care of millions of Americans have not yet implemented the FDA recommendations – even continuing amalgam to children.

In light of the health and equity concerns posed by amalgam, we the undersigned health and science professionals urge the White House Council on Environmental Quality to insist on full compliance with the FDA recommendations by the Indian Health Service, the Department of Defense, the Bureau of Prisons, the Veterans Administration, and the Center for Medicare and Medicaid Services.

Composed of 50% mercury, a well-known neurotoxicant, dental amalgam is a potential health risk for children and other vulnerable populations, and results in a significant release of mercury pollution. Once dominant in dentistry, amalgam has been surpassed in technology by non-bioaccumulative, non-polluting, tooth-friendly, and comparably-priced alternatives.

As noted in the Journal of the National Medical Association commentary “Is Amalgam Toxic to Children of Color?” the risks of mercury exposure falls most heavily on children of color. Amalgam's mercury disproportionately pollutes the lower-income and Black and Brown neighborhoods often located near remaining sources of mercury, including waste incinerators, coal-fired power plants and crematoria. The 2016 National Congress of American Indians resolution calling for the cessation of amalgam use on tribal lands, is being ignored by Indian Health Services.

One would hope that the government agencies providing dental care would be first in line to comply with FDA's recommendations – instead of the contrary. Thus “high-risk” consumers – including pregnant and breastfeeding women and children; soldiers, sailors, airmen and Marines and their families; Native American and Indigenous peoples; veterans; incarcerated persons; people with neurological or kidney disease; and families receiving dental care via Medicaid – continue to receive mercury-laden dental fillings in contradiction to FDA's recommendations.

It is not just exposure to mercury in the amalgam itself, but also the life cycle of amalgam that adds to cumulative and disproportionate impacts on communities of color. These communities already face higher exposure to mercury and other harmful chemicals where they live, learn, and work – such as dietary mercury from fish, crematoria, and toxic waste facilities.

Recognizing the paramount role of CEQ to correct environmental injustices heretofore ignored, we ask you to insist that the Indian Health Services, Department of Defense, Bureau of Prisons, and the VA immediately cease placing amalgam in (1) children; (2) women who are pregnant, breastfeeding,

or planning pregnancy; (3) patients with kidney disease; and (4) patients with a neurological disease – and that the Center for Medicare and Medicaid Services change its financing system accordingly.

Sincerely,

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