

U.S. HOUSE OF REPRESENTATIVES
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July 9, 2008

The Honorable Carlos M. Gutierrez
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave. NW
Washington, DC 20230

Dear Secretary Gutierrez:

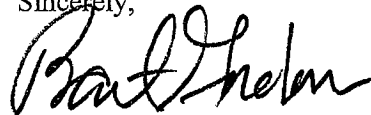
We are writing in response to the accidental release of plutonium at the National Institute of Standards and Technology (NIST) at Boulder on 9 June, 2008. We urge you to immediately establish an independent blue ribbon panel to thoroughly investigate the environmental, health, and safety programs at NIST—especially those for radioactive and hazardous materials.

The incident has revealed inadequate training of personnel handling radioactive materials—this includes the employees who accidentally released the plutonium. In addition, it is apparent that NIST had no emergency response plan in the event of such an incident. At best, NIST's response to date can be described as disorganized and reactionary. In addition, based on our conversations with NIST management we believe this incident is indicative of an endemic lax attitude to even basic environmental, health, and safety practices. We note that the Visiting Committee on Advanced Technology (VCAT) report of FY 2006 also raised this issue in their recommendations, stating:

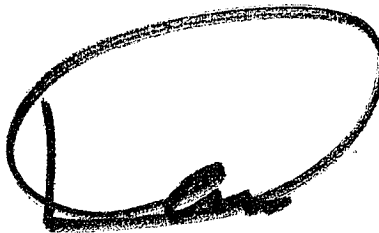
NIST has made solid improvements over the years to improve its laboratory safety. However there are still inconsistencies in application of procedures across the laboratories. Safety is a leadership activity that the senior NIST leadership must be actively involved in.

We hope that you will give this issue your personnel attention. Ultimately the responsibility for protecting NIST personnel's and the public's health and safety resides with the Director of NIST and you.

Sincerely,



BART GORDON
Chairman



DAVID WU
Chairman
Subcommittee on Technology & Innovation



MARK UDALL
Chairman
Subcommittee on Space & Aeronautics