DEBBIE MUCARSEL-POWELL
26TH DISTRICT, FLORIDA

HOUSE COMMITTEE ON THE JUDICIARY

HOUSE COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE

# Congress of the United States
## House of Representatives
### Washington, DC 20515–0926

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October 7, 2020

Mary S. Walker
Administrator for EPA's Southeast Region (Region 4)
U.S. Environmental Protection Agency
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Dear Ms. Mary Walker:

I am writing you today to inquire further on some scientific concerns that constituents in my community continue to share regarding the Oxitec application for an experimental use permit OX5034 Aedes aegypti mosquito (EUP application).

I found the agency's September 30th response to the inquiries my office submitted on behalf of my community to be inadequate. Moreover, the agency has not yet responded to an inquiry submitted on June 1st and inquiry submitted on June 4th from other constituents. I believe the agency should be wholly transparent about the process and respond to the immediate concerns about the safety and wellbeing of the constituents of Florida's 26th Congressional District. Please find several questions outlined by my constituents that remained unanswered:

- My constituents state that these mosquitoes are reared in tetracycline and the real possibility of releasing millions of them in our environment could create antibiotic resistant bacteria problems. On July 13, 2018, a local Keys physician was so concerned about the probability of antibiotic resistance that he brought a petition to the EPA to express their concerns. According to these physicians, their request to test the mosquitoes for resistant bacteria was denied. Could your office provide an explanation for why this petition to test the GM Mosquito was denied?

- My constituents also stated that the EPA did not extend the comment period for the experimental use permit notice of receipt. According to my constituents, the decision to not extend the comment period was based on the fact that most of the requests for an extension of time for public comment were coupled with a request for additional data, and the EPA had not yet performed its analysis of the submission. Could your office provide an estimate of when this analysis will be completed?

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- My constituents are also concerned that Oxitec and the EPA are denying Monroe County residents the right of informed consent for the trial. Will there be a process for residents who are concerned about the risks of the trial to opt out?

- My constituents also stated that, during the open public comment period, the agency posted a two-page document to the regulatory site for public review and comment. On the date of the announcement of the approval, May 1, 2020, several additional documents were posted to the site. My constituents are concerned that this did not provide a reasonable opportunity for public comment since these additional documents were only made available six months after the closure of the public comments period on October 11, 2019. Could your office provide a response regarding why were these documents posted after the public comment period closed? Will there be a formal public comment process held for those documents specifically?

- My constituents also shared concerns that "biopesticides" cannot be contained if there is a "spill," and moreover, it cannot be rescinded nor remediated once released. Does the agency have a plan remediate matters if there is a spill or problems occur?

- Could your office provide information on who, if any, are the collaborating regulatory partners for this trial?

Thank you in advance for all the work that you do, your full and fair consideration and timely review by October 21st, 2020 is greatly appreciated.

Sincerely,

Rep. Debbie Mucarsel-Powell
Member of Congress, FL District 26