

**Opening Statement of the Honorable Fred Upton
Subcommittee on Oversight and Investigations
Hearing on “Review of CDC Anthrax Lab Incident”
July 16, 2014**

(As Prepared for Delivery)

Two years ago, after allegations about problems in CDC’s Building 18 – the home to the world’s deadliest agents and pathogens - this committee investigated whether the CDC was complying with federal safety requirements in the operation of its main lab facilities. In response to our concerns, CDC Director Tom Frieden sent the committee a letter in September 2012.

The CDC letter, which I would like to include in the record, outlined the agency’s efforts to ensure better oversight and safe handling of select agents at CDC labs. These measures included rigorous training, constant review of safety measures, and multiple layers of engineering and operational systems. The letter also stated that a senior official – who was not identified – would be designated to report directly to the CDC Director on safety at CDC labs. These measures sound very similar to the corrective actions Dr. Frieden outlined last Friday to address the current lab crisis. Why should we believe this time that things will be different?

We asked CDC two years ago to identify each biosafety incident that had taken place at its main lab since January 1, 2005. CDC provided the committee with a list back in 2012 – but we now know from CDC’s internal investigation report released last Friday that the list was not complete. Improper shipments of pathogens in 2006, including anthrax, were not included in CDC’s list of safety incidents that was provided to this committee. CDC staff has now acknowledged to committee staff that the 2006 incidents, which were reported to the HHS Inspector General, should have been included. We don’t know why they were not. This raises the question of whether CDC leadership is receiving all the information about its biosafety systems.

Add to the possible anthrax exposure the delayed notice provided to CDC leadership about avian flu shipments and the discovery of smallpox vials in a cardboard box in an FDA storage room on the NIH campus, and these incidents no longer appear isolated; a dangerous pattern is emerging, and there are a lot of unknowns out there. When dealing with pathogens such as the ones being discussed today, unknowns are unacceptable.

What you don’t know can hurt you. Why do these events keep happening? What will be next? CDC needs to solve this safety problem now, as a team. The agency needs to get as much as information as possible from its workers about the true state of biosafety at CDC, and keep this committee and the American people fully informed on its progress. There is zero tolerance for unlocked refrigerators and Ziploc bags – those days are over.

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