

Opening Statement of Chairman Bart Stupak
Oversight & Investigations Subcommittee
“Germs, Viruses, and Secrets: The Silent Proliferation of Bio-Laboratories in the
United States”
October 4, 2007

“This is the first of what will likely be several hearings this committee intends to hold to examine the risks associated with the recent proliferation of high-containment biological research laboratories.

“Today’s hearing is focused on high-containment bio-laboratories known as BSL-3 and BSL-4 labs in the United States. We anticipate a future hearing will examine the proliferation of high-containment labs outside the United States. Another hearing will examine the Department of Homeland Security’s plan to close the Plum Island Animal Disease Center and build a new, \$500 million animal research facility elsewhere, including a new BSL-4 lab.

“Our hearing today will focus on the risks associated with the recent increase of domestic BSL-3 and BSL-4 labs. These BSL-3 and BSL-4 labs are the facilities where research is conducted on highly infectious viruses and bacteria that can cause serious injury or death. Some of the world’s most exotic and most dangerous diseases are handled at BSL-3 and 4 labs, including anthrax, foot-and-mouth disease, and Ebola fever.

“The accidental or deliberate release of some of the biological agents handled at these labs could have catastrophic consequences. Yet, as we will hear from the Government Accountability Office (GAO), no single government agency has the ultimate responsibility for ensuring the safety and security of these high-containment labs. Moreover, GAO states there is a major expansion in the number of BSL laboratories occurring both in the U.S. and abroad, but the full extent of that expansion is unknown. No one in the federal government even knows for sure how many of these labs there are in the U.S., much less what research they are doing, or whether they are safe and secure.

“What we do know is that the federal government has been funding the proliferation of these labs on an unprecedented scale. Over the past five years, NIH has spent more than \$1 billion on the construction of new BSL-3 and 4 labs. Given the serious risks associated with these labs, we must ask if all these new labs are necessary. Has NIH carefully assessed the need for these labs before writing checks to build them? Would we be better off expanding existing facilities rather than building dozens of new ones? When it comes to BSL-4 facilities – which are those labs that deal with the most serious diseases for which there is no cure – should we significantly limit the number of labs so there are fewer chances for an accidental or intentional release of these most dangerous substances? Has the proliferation of these labs reached a point at which there are so many labs doing this research that you actually increase the chances of a catastrophic release of a deadly disease?

“Apart from the issue of the mushrooming growth of these labs, perhaps the most important question looming over all this is, are these labs safe?”

“The most serious accidents so far have occurred outside the U.S., including the death of a Russian lab worker exposed to Ebola, and the SARS infections that sickened several people and killed a lab worker in Asia. Here in the U.S., over the past four years the CDC has received more than 100 incident reports from labs handling select agents. However, there are indications that the actual number of incidents may be much higher. It is also alarming to note that more than a third of the incident reports are from 2007, which begs the question of why there has been such a steep increase in BSL incidents?”

“Federal regulations require reports only for incidents involving so-called “select agents,” a list of highly dangerous pathogens. But other dangerous biological pathogens are not on the select agent list, such as hanta virus, SARS, and dengue (ding gee) fever. It appears that there is no federal oversight of the possession, use, or transfer of these dreaded diseases, nor is there any requirement that the theft, loss, or release of these agents will be reported to federal officials.

“Even for select agents – which are regulated – there may be a significant amount of under-reporting of laboratory mishaps. A case in point is Texas A&M University. Texas A&M recently reported to the CDC that one of its lab researchers had been infected in 2006 with brucella and that blood tests of three other workers indicated Q fever exposure. They reported these incidents only after one of our witnesses, Edward Hammond of the Sunshine Project, exposed the incidents on his website. The CDC’s subsequent investigation of the Texas A&M lab revealed a number of serious violations of the select agent rules, including lost samples, unapproved experiments, a lack of safety training, and lab workers without the an FBI clearance which is required for working with select agents.

“Unfortunately, the CDC’s August investigation revealed not only shortcomings on Texas A&M’s part, but also shortcomings on the part of CDC’s own oversight. It turns out that the CDC had inspected the very same Texas A&M lab prior to the disclosure of these incidents and found only minor problems. This may indicate that the periodic lab inspections that CDC carries out may not be as thorough as one might hope.

“Other recent incidents indicate additional problems presented by these labs. Problems at the CDC’s own lab in Atlanta and recent outbreaks of foot-and-mouth disease in the UK linked to a high-containment lab complex at Pirbright illustrate the importance proper laboratory design, construction, and maintenance, in addition to worker training, safety and security.

“The potential human health risks involved in high-containment laboratory biological research deemed that this subcommittee takes a close look at whether these labs are being designed, constructed, and operated safely.

“As I said, this is the first of several hearings the Oversight & Investigations Subcommittee will conduct on high containment biological research laboratories.”

###