



COMMITTEE ON  
**ENERGY & COMMERCE**  
RANKING MEMBER FRANK PALLONE, JR.

DEMOCRATS

**FOR IMMEDIATE RELEASE**

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**Statement of Ranking Member Frank Pallone, Jr., as prepared for delivery  
House Committee on Energy and Commerce  
Subcommittee on Oversight and Investigations  
Hearing on “Continuing Concerns with the Federal Select Agent  
Program: Department of Defense Shipments of Live Anthrax”**

Thank you, Mr. Chairman, for convening this important hearing. I hope today we can get to the bottom of what happened at Dugway Proving Ground that resulted in live anthrax being shipped to 192 labs in all 50 states and at least seven foreign countries.

Deputy Defense Secretary Robert Work described these lapses as a quote “massive institutional failure.” I hope Dr. Hassell can explain to us today how these failures could possibly have occurred, as well as what DoD is doing to strengthen and standardize safety protocols across all DoD labs moving forward.

I am deeply relieved that no one has fallen ill as a result of these lapses, and I am hopeful that this will remain the case as DoD and CDC continue to track all of the labs that received these samples and the personnel that handled them. But this incident also raises broader questions about the safety of high containment laboratories across the country.

Every day, hundreds of laboratories in the federal government, as well as academic institutions and private companies, handle dangerous pathogens and toxins under the Federal Select Agent program.

Make no mistake, these laboratories perform important work. High-containment laboratories play a critical role in biodefense, by conducting research to improve our defenses against biological attacks and strengthening our public health response capabilities.

Laboratories that handle select agents are required to abide by a set of regulations commensurate with the risk that these agents pose. They are required to restrict access to select agents to individuals who have undergone a security risk assessment by the FBI, and implement physical security safeguards, lab safety measures, and incident response plans. They must also ensure that laboratory workers are properly trained on biosafety and security measures.

Labs that participate in the program are also subject to registration and inspections by the CDC's Division of Select Agents and Toxins. There are civil penalties associated with lapses in safety protocols. Unauthorized possession or misuse of select agents is subject to severe criminal penalties.

However, incidents in the past year involving anthrax, Ebola, and highly pathogenic avian flu raise questions about whether we need to strengthen our federal oversight of labs that are working with dangerous pathogens. Is the current regulatory framework sufficient? Do the enforcement agencies have sufficient resources to ensure that oversight is robust? What is CDC doing to improve the Federal Select Agent Program and prevent similar situations from occurring in the future?

I understand CDC and DoD have conducted reviews of these incidents and have promised several more. I look forward to hearing about the findings and recommendations from those reviews and how they can be used to enhance safety and security at all of our nation's high containment laboratories.

I also want to note that GAO has an important body of work that can inform this discussion. I look forward to hearing from GAO about its recommendations to strengthen safety measures across high containment laboratories.

I am glad nobody appears to have suffered any injuries because of this latest incident out of Dugway. Next time, however, the mishap may be from something more dangerous than liquid anthrax—such as a highly infectious pathogen. So, I hope we can all learn from this latest incident and will take seriously the important recommendations made by recent and ongoing investigations by GAO and others to make this program safer.

I look forward to a productive discussion today on how we can improve oversight of these labs, and what this Committee can do to facilitate this process.

Thank you to all of our witnesses for your testimony.

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