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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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September 20, 2007

DENNIS B. FITZGIBBONS, CHIEF OF STAFF  
GREGG A. ROTHSCILD, CHIEF COUNSEL

The Honorable Michael Chertoff  
Secretary  
U.S. Department of Homeland Security  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20229

Dear Secretary Chertoff:

Under Rules X and XI of the Rules of the United States House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the management, operation, and activities of the Department of Homeland Security's (DHS) Plum Island Animal Disease Center (PIADC), including the recent proposal by DHS to close the PIADC and relocate its operations to a new facility, to be called the National Bio and Agro-Defense Facility (NBAF). The Committee has jurisdiction over interstate and foreign commerce generally, public health and quarantine, biomedical programs and health protection in general, food safety, drug safety, environmental protection, and the homeland security-related aspects of the foregoing.

The Plum Island research facility has been in operation for more than 50 years, the majority of that time owned and managed by the U.S. Department of Agriculture (USDA). In June 2003, operational responsibility for the PIADC was transferred to DHS, while the research staff continued to be employed by USDA. It is the Committee's understanding that the majority of the research at Plum Island has been concentrated on foot-and-mouth disease (FMD), which, as you know, is highly contagious. Research has also been conducted on classical swine fever, African swine fever, and other diseases.

The PIADC was originally sited on Plum Island due to concerns that an accidental release of the extraordinarily hazardous viruses and other diseases handled at that facility would pose a serious threat to animal health and, in some cases, human health and the environment. The natural barrier of water surrounding the island, along with its remoteness at the far end of Long Island, New York, were perceived as, and apparently have succeeded for more than 50 years, an effective buffer zone between Plum Island research and farming activities in the rest of the country.

There is no doubt that a release of FMD or swine fever could be devastating to the livestock industry in the United States. The 2001 outbreak of FMD in the United Kingdom resulted in the destruction of millions of cattle and sheep, and cost more than \$16 billion. The 2007 U.K. outbreak was identified and isolated almost immediately, so its economic effects were limited. It illustrates, however, how easily the disease can spread from a government research facility located in a farming community on the mainland of England.

We are concerned that inadequate consideration may have been given to the hazards of shutting down the Plum Island PIADC and transferring its operations—and the live virus stored there—to the interior of the United States. We are also concerned that the direct and indirect costs of this proposal may have not have been fully considered, including the environmental impact of closing Plum Island and building a new mainland facility.

To aid in our investigation, please provide the following information and records:

1. Why is DHS considering closing the Plum Island PIADC and transferring its operations elsewhere?
2. Please provide copies of all records, including memoranda, reports, studies, etc., dated January 1, 2002, or later, whether draft or final, discussing whether Plum Island should be closed and/or relocated.
3. Has an assessment been conducted that reviewed the need for the closure, expansion, or replacement of the PIADC? If so, please provide a copy.
4. Plum Island covers some 840 acres of land. If DHS has concluded that there is a need for a larger facility, please explain why 840 acres is not large enough to accommodate such expansion.
5. Please provide an estimate of the costs of each of the following: (a) closing the PIADC; (b) transferring PIADC personnel to a new facility; and (c) constructing the NBAF.
6. The scientific research conducted at the Plum Island PIADC typically requires highly trained professionals. Please provide a list of researchers employed at the PIADC, with names omitted, showing the education level, field of expertise, and pay grade/compensation rate for each.
7. Closing the PIADC and transferring its functions to the new NBAF would require the transfer of the current research staff to the new location. Experience at other Government laboratories shows that a large number of such personnel would be unable or unwilling to relocate, thus causing a substantial loss in expertise and continuity of operations. Has DHS estimated the number of researchers who would be likely to refuse a transfer from Plum Island? Please provide copies of any such analysis.

8. Has DHS or any other entity conducted an assessment of the nature and extent of any environmental cleanup that would be necessary following the closing of the PIADC? If so, what is the estimated cost of such cleanup?
9. Please provide copies of all records pertaining to the need for and cost of environmental cleanup at Plum Island.
10. How many people are employed at Plum Island? Of this number, please identify the number employed by DHS, USDA, or other entities.
11. Have any outside contractors been involved in proposing, analyzing, or planning the closing of the Plum Island PIADC or the establishment of the NBAF? If so, please provide their names and roles.
12. Please provide a description of all renovations and new construction carried out at Plum Island in the past 10 years. Please provide detailed cost data by year for each of the past 10 years on the cost of such renovations and new construction.
13. Classical swine fever and African swine fever could be devastating to the swine populations of the United States. Yet, apparently, swine fever research at Plum Island has been severely curtailed in recent years. Why has swine fever research at Plum Island been virtually eliminated? Please provide copies of all records since January 1, 2002, regarding the decision to reduce swine fever research at Plum Island.
14. Has DHS been contacted by members of the agricultural and livestock industries regarding the proposal to close Plum Island and transfer FMD and other livestock disease research to another facility in the United States? If so, please provide copies of all records pertaining to such contacts.
15. The PIADC includes a biosafety level 3 (BSL-3) laboratory. Please identify the types of research currently being performed in this BSL-3 laboratory and which have been performed at any time since January 1, 2002.
16. It is our understanding that DHS plans to construct a BSL-4 laboratory as part of the new NBAF.
  - a. What specific pathogens does DHS intend to study at this new BSL-4 facility?
  - b. Has a needs assessment been conducted for this proposed BSL-4 lab? If so, please provide a copy of the assessment.

- c. Has DHS considered using existing, government-owned BSL-4 laboratories to conduct this research? If so, please provide copies of all records discussing this alternative.
- d. What is the estimated cost of constructing a new BSL-4 laboratory as part of the NBAF? Please provide a copy of the most recent cost estimate.

Please deliver the requested information and records to the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce, room 316 Ford House Office Building, no later than the close of business on Tuesday, October 2, 2007.

In responding to this request, please be advised that the terms "records" and "relating to" are defined in the attachment to this letter.

If you elect to assert a privilege or objection to the production of the foregoing records or information, please provide a privilege log fully identifying each record withheld and the legal basis asserted for withholding the record from a congressional committee of competent jurisdiction.

If you have any questions regarding this request, please contact us or have your staff contact John Arlington, Senior Investigative Counsel with the Committee on Energy and Commerce staff at (202) 226-2424.

Sincerely,



John D. Dingell  
Chairman



Bart Stupak  
Chairman  
Subcommittee on Oversight and Investigations

Attachment

cc: The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable Ed Whitfield, Ranking Member  
Subcommittee on Oversight and Investigations

## ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.
2. The terms "relating," or "relate" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.