

**FOR IMMEDIATE RELEASE:**  
June 7, 2007

**CONTACT:** Laura Capps/ Melissa Wagoner  
(202) 224-2633

**KENNEDY, ENZI REQUEST INFORMATION FROM CENTERS FOR DISEASE CONTROL  
AND PREVENTION AND THE DEPARTMENT OF HOMELAND SECURITY ON  
TUBERCULOSIS PATIENT**

WASHINGTON, D.C.—Today, Senators Edward Kennedy, Chairman of the Senate Health, Education, Labor and Pensions Committee, and Michael Enzi sent letters to Dr. Julie Gerberding, Director of the Centers for Disease Control and Prevention, and Secretary Michael Chertoff of the Department of Homeland Security requesting information on interactions with Andrew Speaker, the man infected with drug resistant tuberculosis (XDR-TB). Chairman Kennedy and Senator Enzi requests specific times, documents, guidelines, and current procedures from both the CDC and DHS for dealing with similar situations.

Chairman Kennedy, along with Senators Brown and Hutchinson, introduced this week the Comprehensive TB Elimination Act of 2007, which is designed to fight the reemergence of TB in the United States and to help combat the disease globally. This bipartisan legislation would give the CDC more authority to react to international outbreaks of XDR-TB, and increases funds for the Center's National Program for the Elimination of Tuberculosis. It would also increase tuberculosis research at the CDC and the National Institute of Health.

The letters appear below.

June 7, 2007

**VIA FACSIMILE & U.S. MAIL**

Julie Gerberding  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road, N.E.  
Atlanta, GA 30333 USA  
Tel: (404) 639-3311

Dear Dr. Gerberding:

The recent handling by CDC of Andrew Speaker's infection with an extremely drug resistant strain of tuberculosis has raised serious questions about the nation's disease security system, its quarantine laws, and the ability of the states and the federal government to coordinate their response to an infectious disease outbreak. In an effort to identify and understand the breakdown in communication that occurred between state and local public health officials, CDC and the Department of Homeland Security, the Committee requests that CDC furnish our offices with the following information about the events as they unfolded from the time CDC first became aware of Mr. Speaker's infection to the present:

- A detailed time-line of the events, including but not limited to, how CDC first became aware of Mr. Speaker's tuberculosis infection, all actions taken by CDC following notification of Mr. Speaker's infection to inform other relevant government agencies about the need to quarantine or detain Mr. Speaker, and all steps taken by CDC to locate, detain and quarantine Mr. Speaker;

- A copy of all communications (including all emails, memos, letters and other correspondence) between CDC and DHS (including, but not limited to, Customs and Border Protection authorities), other federal and state agencies, foreign governments and/or organizations, Mr. Speaker and his family, and any other entity or person with whom CDC communicated about Mr. Speaker;
- A copy of CDC's guidelines, policies and operational plans on the use of quarantine authority at the federal and state level;
- A copy of CDC's current policy and procedure on when to place an individual on the international "no fly" list, and a detailed recounting of CDC's deliberations and decision to place Mr. Speaker on the "no fly" list; and
- A copy of CDC's current policy and procedure on the use of CDC's airplanes and a detailed recounting of any arrangements that CDC planned to make to bring Mr. Speaker home once it was determined that he had an extremely drug-resistant strain of tuberculosis, including information about CDC's decision not to send a CDC airplane to bring Mr. Speaker back to the US.

This information will help us examine our nation's quarantine laws and procedures, and revise them if necessary. The Committee appreciates your assistance with this request and asks you to coordinate the production of documents and other written material with Sandra M. Gallardo, Counsel to Chairman Kennedy, at (202) 224-2268, and Lauren Fuller, Investigations Counsel to Ranking Member Enzi, at (202) 224-9398. Many thanks for your cooperation.

With respect and appreciation,

Sincerely,

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Edward M. Kennedy  
Chairman

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Michael B. Enzi  
Ranking Member

June 7, 2007

**VIA FACSIMILE & U.S. MAIL**

Secretary Michael Chertoff  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Chertoff:

The recent handling by the DHS of Andrew Speaker's infection with an extremely drug resistant strain of tuberculosis has raised serious questions about the nation's disease security system, its quarantine laws and the ability of the states and the federal government to coordinate their resources to an infectious disease outbreak. In an effort to identify and understand the breakdown in communication that occurred between state and local public health officials, CDC and DHS, the Committee requests that DHS furnish our offices with the following information about the events as they unfolded from the time DHS first became aware of Mr. Speaker's infection to the present:

- A detailed time-line of the events as they unfolded, including but not limited to, how DHS first became aware of Mr. Speaker's tuberculosis infection, and all steps taken by DHS to locate, detain and assist in the quarantine of Mr. Speaker;
- All communications (including all emails, letters and other correspondence) between DHS and CDC, other federal and state government agencies, foreign governments and/or organizations, Mr. Speaker and his family and any other entity or person with whom DHS communicated about Mr. Speaker; and
- A detailed recounting of the U.S. Customs and Border Patrol's actions in Champlain, N.Y., where Mr. Speaker was granted entry into the U.S., despite reports that his passport sent up red flags on the computer which advised border security personnel to don protective masks, detain him and contact health authorities.

This information will help us examine our nation's quarantine laws and procedures, and revise them if necessary. The Committee appreciates your assistance with this request, and asks you to coordinate the production of documents and other written material with Sandra M. Gallardo, Counsel to Chairman Kennedy, at (202) 224-2268, and Lauren Fuller, Investigations Counsel to Ranking Member Enzi, at (202) 224-\_\_\_\_. Many thanks for your cooperation.

With respect and appreciation,

Sincerely,

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Edward M. Kennedy  
Chairman

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Michael B. Enzi  
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