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The 111th Congress
U.S. House of Representatives
Washington, DC 20515

KURT SCHRADER
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September 30, 2009

Barbara Clark
Acting Assistant Secretary for Legislation
U.S. Department of Health and Human Services
Hubert Humphrey Building, Room 416 G
200 Independence Avenue, SW
Washington, DC 20201

Dear Ms. Clark:

I am writing on behalf of my constituent, Kenneth Boorum of Corvallis, Oregon.

Please find enclosed copies of documentation from Mr. Boorum and the Blastocystis Research Foundation, which Mr. Boorum represents, concerns about the Centers for Disease Control and Prevention (CDC), the National Institutes of Health (NIH) and Blastocystis infection. Please consider his concerns in accordance with all applicable laws and regulations.

Correspondence in this matter may be directed to Meagan Christensen in my Oregon City district office at 112 8th Street, Oregon City, OR 97045. Ms. Christensen may be contacted by phone at (503) 557-7599, by facsimile at (503) 557-1981 or by email at Meagan.Christensen@mail.house.gov.

Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Schrader".

KURT SCHRADER
Member of Congress

KS:mc
Enclosure
cc: Kenneth Boorum

From: Blastocystis Research Foundation [mailto:director@bhomcenter.org]

Sent: Sunday, September 27, 2009 2:00 PM

To: Christensen, Meagan

Subject: Meagan - Could you help us with the CDC and NIH?

Dear Ms. Christensen,

I wanted to thank you for your help earlier in the year and ask if Representative Schrader's staff may be able to help in an additional area. ...Our request, or possibly the legal question we are asking is, "What responsibility do the CDC and NIH have for completing a timely investigation into an infectious disease, and subsequently developing a policy to control it and make sure patients have reliable treatments?" ... We have not received many responses from the CDC, but in reviewing their staffing, they don't appear to have anyone working there who really understands the problem, and as such would have to rely on NIH expertise. Dr. Hugh Auchincloss of the NIH has said the NIH does not have any responsibility to take any action in this area, but they will review grants (see his letter in the the Lonnie King attachment).

The legislative questions would be as follows:

1. Do these organizations have a responsibility to make a timely decision as to whether an organism will cause symptoms in otherwise healthy (immunocompetent) patients?

2. Are public officials accountable if they fail to make a timely decision? That is, can they simply keep saying, "We can not make a decision, so we are not going to do anything."

3. Is there a court patients can use to get a hearing? If these agencies refuse to support research themselves, can studies from international agencies like Pasteur Institute, China's Center for Disease Control, and national universities in Malaysia and Singapore be used as evidence to overturn a policy of inaction?

4. In toxicological studies, showing a chemical causes disease in animals is sufficient. Blastocystis has been shown to cause disease in animal experimentation since 1997, and reports in the last several years show it will kill laboratory animals, even if some humans can carry it asymptotically (this is true in many infectious diseases - nothing makes everybody sick). Is this sufficient to cause an organism to be designated as a pathogen?

5. If the Federal Government has made a mistake and allowed a large number of people to be infected with a chronic disease, what responsibility does it have to redress this? Is there a watchdog agency for these groups? That is, if they have refused to provide any funding for 15 consecutive years, do they have a responsibility to develop an "emergency program" to recruit researchers and develop a treatment?

In testimony in 2007, a state of Oregon DHS employee indicated there were over a million cases of Blastocystis in Oregon. Given the numbers we are seeing in studies, about half of these people will have chronic gastrointestinal illness, and about a third will have severe symptoms which may put them in surgery or on disability.

In the case of Blastocystis, the NIH and CDC appear to have latched onto a small number of studies done by a doctor at a health maintenance organization in Oakland, California in the 1990's. These were used by officials to, in my opinion, evade their professional responsibility. When my family got sick in 2003, 8 years had lapsed since the last NIH funded work, which ended in 1995. That should have been an adequate amount of time to do the studies that are now being done in the Middle East and Asia which show Blastocystis is virulent enough to kill laboratory animals.

In general, the request my family, and those of other families, is that the CDC and NIH take positive action to identify drugs that will treat these diseases, and make sure those are available to patients.

Thank you for your attention.

Best Regards,

Ken Boorum
Corvallis, Oregon