

# United States Senate

WASHINGTON, DC 20510

February 14, 2024

The Honorable Xavier Becerra  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

Dr. Mandy K. Cohen  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30329

Dr. Aaron Bernstein  
Director  
National Center for Environmental Health and the Agency for Toxic Substances and Disease Registry  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30329

Dear Secretary Becerra, Director Cohen, and Director Bernstein:

Just over a year ago, on the night of February 3, 2023, several Norfolk Southern train cars derailed in East Palestine, Ohio causing physical and emotional distress to the community and local responders. We write to you today to urge the U.S. Department of Health and Human Services (HHS) to utilize its full authorities to continue to support the local community and monitor and ensure affordable treatment for the potential long-term health impacts of the train derailment, and to establish a voluntary disease registry for the residents of East Palestine.

Under the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) Section 104(i), the Centers for Disease Control and Prevention (CDC) Agency for Toxic Substances and Disease Registry (ATSDR) has the authority to “establish and maintain a national registry of serious diseases and illnesses and a national registry of persons exposed to toxic substances.” ATSDR also has the authority in cases of public health emergencies caused by exposures to toxic substances, such as this one, to “provide medical care and testing to exposed individuals, including but not limited to tissue sampling, chromosomal testing where appropriate, epidemiological studies, or any other assistance appropriate under the circumstances.”<sup>1</sup>

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<sup>1</sup> <https://www.govinfo.gov/content/pkg/COMPS-886/pdf/COMPS-886.pdf#page=33>

These types of voluntary public health surveillance activities are critical to understand the scope of potential health consequences caused by the derailment that many residents and responders may have been exposed to. ATSDR has experience with establishing such case registries in order to understand the prevalence and causes of certain diseases, such as the National Amyotrophic Lateral Sclerosis (ALS) Registry and the World Trade Center Health Registry. The World Trade Center Health Registry, in particular, exemplifies the CDC ATSDR's experience with disease registries in the aftermath of disasters covering both first responders and those in the immediate area of Ground Zero.<sup>2</sup>

Our offices have heard from several residents of East Palestine who are concerned about the health effects of toxic chemicals that they may have been exposed to during the derailment. At a recent workshop on public health priorities in East Palestine hosted by the National Academies of Sciences, Engineering, and Medicine (NASEM), several experts discussed the importance of establishing a disease registry to monitor and address health concerns for community members and responders following a contamination. They cited examples of existing registries include the Michigan Long-Term Polybrominated Biphenyl (PBB) Study and Registry, the World Trade Center Health Registry, and the Flint Registry.<sup>3</sup>

The residents of East Palestine deserve to know how this disaster has impacted their long-term health. We appreciate the aid and guidance that the Administration has already provided to respond to the immediate health effects of the train derailment,<sup>4</sup> and request your continued support to ensure long-term health monitoring for the community, including the establishment of an ATSDR registry for interested individuals.

Sincerely,



Sherrod Brown  
United States Senator



J.D. Vance  
United States Senator

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<sup>2</sup> [https://www.atsdr.cdc.gov/publications\\_health\\_registries.html](https://www.atsdr.cdc.gov/publications_health_registries.html)

<sup>3</sup> <https://nap.nationalacademies.org/catalog/27441/public-health-research-and-surveillance-priorities-from-the-east-palestine-train-derailment>

<sup>4</sup> <https://www.atsdr.cdc.gov/sites/east-palestine-train-derailment/index.html>