



DEPARTMENT OF HEALTH & HUMAN SERVICES

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Food and Drug Administration  
Rockville MD 20857

The Honorable John D. Dingell  
Chairman  
Committee on Energy and Commerce  
House of Representatives  
Washington, D.C. 20515-6115

JAN 28 2008

Dear Mr. Chairman:

Thank you for the letter of August 13, 2007, co-signed by Ranking Member Joe L. Barton, Committee on Energy and Commerce, Chairman Bart Stupak, Subcommittee on Oversight and Investigations, and former Ranking Member Ed Whitfield, Subcommittee on Oversight and Investigations, in which you inquired about compensation practices at the Food and Drug Administration (FDA or the Agency). Specifically, you requested records related to compensation for time set aside for religious observances. We provided a partial response to your letter on September 5, 2007. This letter completes our response.

Please note that some of the documents we are providing to you with this response are, and some may be, records maintained in a privacy act system of records, as that term is defined in The Privacy Act of 1974, Title 5, United States Code, § 552a. Consequently, FDA would not publicly disclose such documents except as provided in under appropriate statutes, and we trust that you will accord such records appropriate protection.

We have restated your request in bold followed by our response.

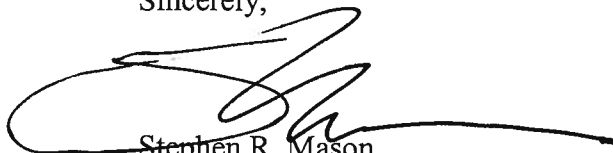
**The amount of accumulated earnings or credit time for time set aside for religious observances, the date(s) of the supervisor's approval of the accommodation of the employee's religious observance, and all records relating to approval of modified work schedules for religious observances by FDA employees who have accumulated retroactive earnings or credit.**

We have enclosed all the documents we were able to locate in response to your request.

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Thank you for your continued interest in this matter. A similar response has been sent to the co-signers of your letter, without enclosures.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Mason', written over a horizontal line.

Stephen R. Mason  
Acting Assistant Commissioner  
for Legislation

Enclosures