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U.S. House of Representatives
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Washington, DC 20515-6115

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November 9, 2007

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The Honorable Daniel R. Levinson
Inspector General
U.S. Department of Health and Human Services
330 Independence Avenue, S.W.
Cohen Building, 5th Floor
Washington, D.C. 20201

Dear Mr. Levinson:

The ethics violations at the Food and Drug Administration (FDA) and elsewhere at the Department of Health and Human Services have been the subject of a longstanding investigation by the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations. We understand that you have recently decided to revoke the Memorandum of Understanding (MOU) wherein the Office of Inspector General (OIG) ceded certain initial investigatory jurisdiction over conflict of interest violations or other ethics or criminal violations of law by FDA employees to the Office of Internal Affairs at FDA. We applaud this decision. This Committee has long held that such a delegation was improper and a violation of the intent of the Inspector General statutory purpose.

We request that you provide us with copies of all correspondence and other documents related to the implementation of this decision to terminate the MOU and the transfer of cases from FDA to the OIG. You may exclude documents relating to individual open cases being transferred.

We are also aware that your office is preparing a closing memorandum regarding the 103 cases of conflict of interest at the National Institutes of Health that you reviewed at the request of the Committee to determine if they were handled properly and if all criminal violations had been competently investigated. Please supply us a copy of this memorandum and any related documents. You may exclude information relating to the cases still undergoing criminal review.

The Honorable Daniel R. Levinson
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Thank you for your cooperation in these matters. If you have any questions regarding these requests, please contact us or have your staff contact David Nelson of the Committee Majority staff at (202) 226-2424 or Alan Slobodin of the Committee Minority staff at (202) 225-3641.

Sincerely,




John D. Dingell
Chairman



Joe Barton
Ranking Member



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations



Ed Whitfield
Ranking Member
Subcommittee on Oversight and Investigations