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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

November 10, 2008

Dr. Andrew C. von Eschenbach
Commissioner
U.S. Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Dear Dr. von Eschenbach:

We write today with great concern over apparent disregard for proper and transparent procedure at the Food and Drug Administration (FDA) regarding a contract for a public relations campaign, as recently reported by the Washington Post. Allegations that FDA officials steered a no-bid contract toward a Washington public relations firm with ties to agency officials lead us to demand real answers for the American people about FDA's actions.

Congress listened to and granted the FDA's requests for millions of dollars in additional funding to improve and expand the agency and its workforce to give the American public faster access to safe and effective new therapies. We did this in the hope that the FDA would use its new resources to improve its performance and focus on the agency's core mission. Included in that core mission must be an awareness by senior management of the activities being carried out by FDA officials under their employ.

We find it ironic that the contract in question, to "create and foster a lasting positive public image of the [FDA] for the American public," will in fact damage the FDA's image.

We respectfully request that you share with us your future plans to ensure that the FDA leadership conducts better management of its employees. We also look forward to learning your plans to ensure better coordination between the program and contracting offices at the FDA. To assist the HELP Committee with continuing oversight of this matter, we request that you also provide:

- Copies of all written (including electronic) communication regarding this matter;
- A detailed timeline of events beginning with the decision to pursue a contract for public relations work;
- A detailed description of processes and standards to prevent any conflicts of interest regarding other clients of subcontractors;

- A detailed description of current processes and any planned changes in oversight of program office employees;
- A detailed description of current processes and any planned changes regarding coordination between program office and contracting office; and
- Ongoing updates on the internal investigation of this matter.

We would like this information by December 1st. We look forward to your prompt reply.

Sincerely,



Michael B. Enzi
Ranking Member



Tom Coburn, M.D.
United States Senator