

**FOR IMMEDIATE RELEASE**  
September 29, 2005

**CONTACT:** Laura Capps (Kennedy)  
(202) 224-2633  
Craig Orfield (Enzi)  
(202) 224-6770

**KENNEDY, ENZI CALL FOR REVIEW OF CRAWFORD FDA RESIGNATION**

Washington, D.C. – Today, Senators Edward M. Kennedy and Michael Enzi sent the following letter to Department of Health and Human Services Inspector General Daniel R. Levinson calling for an investigation into Lester Crawford’s resignation from the FDA. The text of the letter is below, pdf is available upon request:

September 29, 2005

Daniel R. Levinson

Inspector General

Department of Health and Human Services

330 Independence Avenue, S.W.

Washington, D.C. 20201

Inspector General Levinson:

The Committee on Health, Education, Labor and Pensions (hereinafter “the Committee”) is examining the circumstances surrounding the September 23, 2005, resignation of Food and Drug Administration (hereinafter “FDA”) Commissioner Lester M. Crawford, D.V.M.

As Chairman and Ranking Member of the Committee with jurisdiction over the FDA and with responsibility for the programs administered by that agency, we are requesting the Office of Inspector General to conduct a thorough review of the reasons surrounding Dr. Crawford’s resignation. Specifically, we would appreciate if you would examine his financial reporting in accordance with the various ethics laws to determine whether he was in compliance and whether he was forthcoming in his attestations to the White House Counsel, the Department of Health and Human Services, the Office of Government Ethics, and the Committee. Further, it would assist the Committee to know the dates in Dr. Crawford’s tenure, if any, in relation to his

financial holdings at those times that pose conflicts of interest with regard to specific decisions he made in his official capacities at FDA.

The Ethics in Government Act of 1978, as amended, Pub. L. 95-521, was part of a comprehensive legislative initiative to improve public confidence in the integrity of Government operations. In general, filers must provide information about their assets and the income derived from them; the income that they earned for performing services; the purchase, sale and exchange of certain assets; gifts of food, lodging, transportation, or entertainment, and reimbursements that they received; certain of their liabilities; their agreements for future employment, as well as their continuing agreements and arrangements, such as continued participation in employment benefit plans of former employers; positions they hold, or recently held, outside the Government; and the identities of those who recently paid compensation over \$5,000 for their personal services. As originally envisioned by Congress, the public financial disclosure requirement was intended to provide a tool for identifying and resolving potential conflicts of interest and to:

- Increase public confidence in the government;
- Demonstrate the high level of integrity of the vast majority of Government officials;
- Deter conflicts of interest from arising because official activities would be subject to public scrutiny;
- Deter persons whose personal finances would not bear up to public scrutiny from entering public service; and
- Better enable the public to judge the performance of public officials in light of their outside financial interest.

To the extent there was a breakdown in the disclosure process, it is of crucial importance that the Committee be apprised of the details as soon as is practicable. Numerous Presidential nominations must be approved by this Committee. It is essential that this Committee be able to rely on the information presented involving each nominee. With regard to an appointment of the magnitude of Commissioner of the Food and Drug Administration, it is unquestionably of significance that confirmation be based on a full and accurate disclosure. The FDA is one of this country's most important agencies. The nation must have complete confidence that FDA is led by a fully vetted Commissioner, free from conflicts of interest. Once again, FDA is without a Commissioner who has been nominated by the President and confirmed by the Senate. This is a matter of great concern to us.

Our staff is prepared to assist you fully in your investigation. Please keep us apprised of the progress of the investigation. We would appreciate your expeditious review of these allegations.

Thank you again for your cooperation in this matter. Please do not hesitate to contact us or Lauren Fuller of the majority staff (202-224-9398) at any time if there are questions or if we may be of further assistance.

Sincerely,

MICHAEL B. ENZI

Chairman

EDWARD M. KENNEDY

Ranking Member

###