Congress of the United States
House of Representatives
Washington, D.C. 20515

January 16, 2004

The Honorable David M. Walker
Comptroller General of the United States
U.S. General Accounting Office
Washington, DC 20547

Dear Mr. Walker:

We are writing to request a General Accounting Office investigation into potential conflicts of interest at the National Institutes of Health (NIH).

The *Los Angeles Times* recently reported that top NIH scientists received hundreds of consulting payments, worth hundreds of thousands or even millions of dollars, from pharmaceutical manufacturers with an interest in their work.[1] This report also found that over 90% of NIH scientists were able to avoid disclosure of these consulting arrangements, and that recusal agreements signed by these scientists do not prevent conflicts of interest.[2]

We are very concerned about these allegations. If true, they indicate that the work of the government's top scientific research agencies could be tainted by real or perceived conflicts of interest. In light of these concerns, we are writing to request a GAO study of conflicts of interest at NIH. Specifically, we would like GAO to:

(1) Determine the extent to which NIH employees have financial relationships with pharmaceutical manufacturers or those acting on behalf of pharmaceutical manufacturers, and determine whether there is adequate disclosure of these relationships. Please identify the specific manufacturers involved, as well as the frequency and amount of payments by these manufacturers.

(2) Provide a review of NIH procedures (and the implementation of these procedures) designed to prevent conflicts of interest among agency scientists, compare these procedures to those of other scientific agencies in the U.S. government, and determine the extent to which these procedures successfully prevent real or perceived conflicts of interest.

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[1] *Stealth Merger: Drug Companies and Government Medical Research*, Los Angeles Times (Dec. 7, 2003).

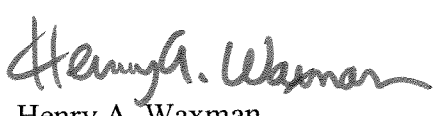
[2] *Id.*

(3) Provide a review of actions taken by the NIH director in response to the report in the *Los Angeles Times*, and determine if these actions were adequate to (a) terminate any existing conflicts of interest, real or perceived, (b) prevent future real and apparent conflicts of interest, and (c) ensure adequate disclosure of NIH scientists' outside relationships.

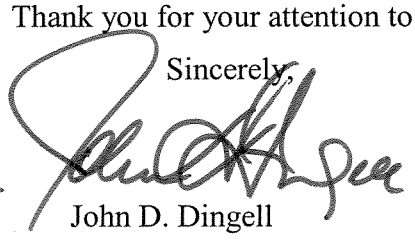
(4) Provide additional recommendations to ensure that conflicts of interest, and the appearance of such conflicts, are reduced at NIH.

Our staff contacts for the project are Brian Cohen (Rep. Waxman), David Nelson (Rep. Dingell), and Ellie Dehoney (Rep. Brown), who can discuss additional details of this work and the time frames for completion. Thank you for your attention to this request.

Sincerely,



Henry A. Waxman
Ranking Minority Member
Committee on Government Reform



John D. Dingell
Ranking Minority Member
Committee on Energy and Commerce

Sherrod Brown
Ranking Minority Member
Subcommittee on Health
Committee on Energy and Commerce