

January 31, 2005

The Honorable George W. Bush  
President  
The White House  
1600 Pennsylvania Ave. N.W.  
Washington, D.C. 20050

Dear Mr. President:

We, the undersigned members of the Senate Committee on Health, Education, Labor and Pensions, believe that the nomination and confirmation of a Commissioner of Food and Drugs is necessary to bring to bear the expertise, resources and authority of that agency in the most effective manner possible. An Acting Commissioner, regardless of his or her qualifications and accomplishments, simply lacks the mandate for action that comes only through the constitutional process that includes the Commissioner's nomination by the President and subsequent confirmation by the Senate.

The Food and Drug Administration (FDA) is at a crucial juncture in its history. Congress and the public are intensely scrutinizing the agency's processes for reviewing drug applications and for ensuring drug safety. At the same time, advances in genetics, pharmacology, and related fields soon will challenge our conventional regulatory approaches. The FDA needs a leader with the vision to guide the agency through this critical period and maintain the public's confidence in its work.

As you know, the Committee was unanimous in its support for Governor Mike Leavitt to serve as our next Secretary of Health and Human Services. Committee members across the political spectrum have pledged to work energetically and collegially to help him carry out his daunting task.

So that Secretary Leavitt can do his job most effectively, you and he need to identify a nominee for FDA Commissioner who has demonstrated leadership capabilities, a strong knowledge of science, and an unwavering commitment to promoting and protecting the public health. We urge you to nominate such a person as soon as possible, and we will hold a hearing on your nominee expeditiously.

Very sincerely yours,