



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General
Office of Investigations
Special Investigations Branch
Washington, D.C. 20201

MAY 18 2010

Mr. Mark McCormack,
Special Agent in Charge
U.S. Department of Health and Human Services
Food and Drug Administration
Office of Criminal Investigations
Office of Internal Affairs
1 Church Street, Suite 700
Rockville, MD 20850

RE: Case Name: Unauthorized Disclosure of Information
OI File #: H100001413

SAC McCormack:

The U.S. Department of Health and Human Services (HHS), Office of Inspector General (OIG), Office of Investigations (OI), Special Investigations Branch (SIB), is in receipt of your referral (OIA File #: 2010-OIA-970-073). At this time, based on the information provided, OIG/OI/SIB will be taking no action. The referral lacks any evidence of criminal conduct on the part of any HHS employee. Additionally, 5 U.S.C. § 1213, identifies that disclosures, such as the ones alleged, when they relate to matters of public safety may be made to the media and Congress as long as the material released is not specifically prohibited by law and protected by Executive Order or National Security Classification.

The OIG is appreciative of your support in its overall mission. Thank you for contacting the OIG on this matter. Should you have any questions, or need any additional information, please feel free to contact me at (202) 619-1485.

Respectfully,

A handwritten signature in black ink, appearing to read "SAV", followed by a horizontal line.

Scott A. Vantrease
Assistant Special Agent in Charge
Special Investigations Branch