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U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515–6115

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October 2, 2008

Mr. Matthew Nicolai
President and CEO
Calista Corporation
301 Calista Court, Suite A
Anchorage, AK 99518

Dear Mr. Nicolai:

Under Rules X and XI of the Rules of the United States House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the administrative integrity of the Food and Drug Administration (FDA). As part of that inquiry, we are investigating FDA's management of important agency resources.

The Committee recently sent a letter to FDA expressing our concerns that FDA might be needlessly wasting critical agency resources by hiring outside public relations firms in an attempt to repair its damaged reputation. In that letter, we requested that FDA supply the Committee with records relating to any such contract and all communications between the agency and outside public relations firms. Through the records that the Committee obtained, we have learned of an existing contract between FDA and a subsidiary of Calista Corporation, Alaska Newspapers, Inc., in which Qorvis Communications is serving as a subcontractor. This contract is for an "FDA 2008 Public Awareness Campaign" that is intended "to create and foster [a] positive public image of the agency for the American public." Instead of spending money to protect the Nation from unsafe food, drugs, and medical devices, FDA has decided to spend it elsewhere. Needless to say, the Committee views this practice as unacceptable.

Accordingly, to assist the Committee in its investigation, we request that you provide the Committee with the following information:

1. All records relating to any contract by the Department of Health and Human Services (HHS) and/or FDA, in which Calista Corporation or one of its subsidiaries such as Alaska Newspapers, Inc., serves or served as the prime contractor, including the

above mentioned contract between FDA and Alaska Newspapers, Inc., in which Qorvis Communications serves as a subcontractor. This includes all draft and final work products and deliverables produced pursuant to those contracts; and

2. All records relating to any communications between Calista Corporation (or one of its subsidiaries such as Alaska Newspapers, Inc.) and HHS, FDA, Qorvis Communications, Don Goldberg of Qorvis Communications, and Red Team Consulting, including any communications by M. Therese O'Neill and Aaron Guiterman.

Please note that, for the purpose of responding to the above request, the terms "records" and "relating" should be interpreted in accordance with the attachment to this letter.

We request you supply all requested information no later than the close of business two weeks from the date of this letter. If you have any questions relating to this request, please contact Kevin Barstow or Steven Rangel with the Committee staff at (202) 226-2424.

Sincerely,

John D. Dingell
Chairman

Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable John Shimkus, Ranking Member
Subcommittee on Oversight and Investigations

ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.

2. The terms "relating," or "relate" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.