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ONE HUNDRED TENTH CONGRESS

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

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May 10, 2007

DENNIS B. FITZGIBBONS, CHIEF OF STAFF
GREGG A. ROTHSCHILD, CHIEF COUNSEL

The Honorable W. Ralph Basham
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

Dear Mr. Basham:

Pursuant to 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 have been conducting an inquiry into the adequacy of the efforts of the Food and Drug Administration to protect the American public from contaminants in the food supply. As part of that investigation, we are examining importations of food products and the process by which they enter into the commerce of the United States. Of paramount concern at this time is the importation of wheat gluten, rice gluten, corn gluten, soy gluten, rice protein, and soy protein.

As recently as May 1-3, 2007, Committee investigators traveled to the Customs Examination Stations (CES) in San Francisco and Los Angeles, California, and observed importation of wheat gluten from China. In connection with this field investigation and in preparation for a Congressional hearing planned for the near future, we request that you provide the Committee with all records relating to:

1. Copies of all entry documents for the shipments of wheat gluten inspected at the San Francisco CES that were identified to your Office of Congressional Liaison during the visit by Committee staff in May 2007.
2. Copies of all entry documents for the shipments of wheat gluten inspected at the Los Angeles/Long Beach CES that were identified to your Office of Congressional Liaison during the visit by Committee staff in May 2007.

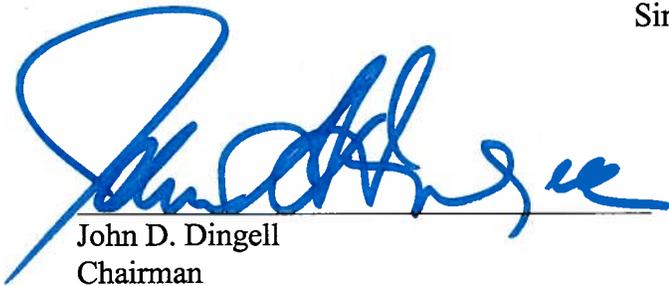
3. Copies of all entry documents for the shipment of wheat cake product imported from Japan and inspected at the Los Angeles/Long Beach CES that were identified to your Office of Congressional Liaison during the visit by Committee staff in May 2007.

In responding to this and all other requests for documents, please be advised that the terms "records" and "relating to" are defined in the attachment to this letter. Please deliver all requested documents to the office of the Committee on Energy and Commerce in room 316 of the Ford House Office Building, Washington, D.C. 20515, by no later than Monday, May 14, 2007.

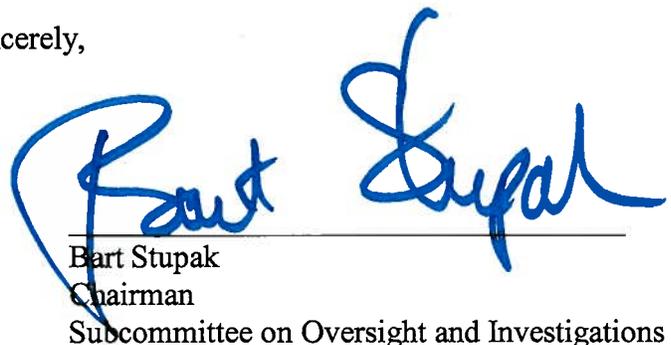
You should be aware that other briefings and interviews with the U.S. Customs and Border Protection (CBP) personnel and other documents related to this investigation might be requested by Committee staff. Please treat this letter as the authorization necessary to facilitate your cooperative efforts in support of our investigation. We wish to express our appreciation for the cooperation that Committee staff received from CBP officials during our recent trip to the West Coast.

If there are any questions regarding this request, please contact us or have your staff contact David Nelson with the Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

Attachment

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

The Honorable Ed Whitfield, 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.