

United States Senate

WASHINGTON, DC 20510

September 20, 2011

Dear Senator Menendez,

We appreciate your concern that Congress invest in medical science and research. We share your desire for life-improving medical treatments and therapies and believe Congress should prioritize medical research above other lower priority spending. Thankfully, there are opportunities to easily prioritize federal taxpayer dollars by ending programs that the Government Accountability Office has shown to be wasteful, duplicative, and inefficient.¹ Toward that end, we are writing to address some concerns related to the Combating Autism Reauthorization Act and request a few modifications.

- **Empower scientists, not politicians, to steer medical research and science.** Dr. Elias Zerhouni, the former Director of the National Institutes of Health, sent a letter to Congress that explained this: “As you consider legislation affecting NIH in the future, I caution you that it would be a grave mistake to go backwards in mandating disease-specific research at a time when barriers need to be torn down, not rebuilt.” Years of strategic planning, and programs in the middle of important work or right on the cusp of breakthroughs, may get tossed aside, delayed or interrupted, because staff must stop to rearrange organizational charts, write new administrative reports and set up a new commission to satisfy the directives of well-meaning politicians. How can politicians pick winners and losers with patients’ lives? The answer is: we should not. These decisions should be made by medical experts and scientists, in close collaboration with the patient and provider communities, not by politicians. Congress must begin acting more responsibly so important priorities, such as life-saving medical treatment, are not hindered by unnecessary or inappropriate federal spending.
- **Institute strong internal controls to prevent fraudulent diversion of research funds.** This past April a jury in Atlanta, Georgia indicted a scientist for apparently stealing \$1 million taxpayer dollars intended for autism research.² According to reports, the scientist “used the stolen money to buy a home in Atlanta, a Harley Davidson motorcycle and two cars.” In 2008, there were reports of a couple in Nebraska that allegedly falsified records and may have spent thousands of U.S. taxpayer dollars on fancy dinners, shopping outings, and home renovations – dollars that were marked for researching autism.³ The problem appears at a state level as well. A non-profit agency in New Jersey that advances autism research and services had to return more than \$350,000 after state auditors found the agency paid for personal items for employees – including luxury cruises. Even at a state level, this report calls into question whether or not

¹ Government Accountability Office, “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue,” March 2011.

<http://www.gao.gov/new.items/d11318sp.pdf>

² Reuters, “Denmark scientist accused of stealing autism research money,” April 17, 2011.

<http://www.reuters.com/article/2011/04/13/us-crime-research-funds-idUSTRE73C8J20110413>

³ Murphy, Carrie and Jordan, Jim. “Couple Fired From Autism Center,” Action 3 News, June 24, 2008. www.action3news.com/Global/story.asp?S=8549519

federal dollars may have been lost in other similar cases. In light of these reports, we believe more should be done to institute strong controls to prevent fraudulent spending.

- **Require strong oversight evaluating autism funding to determine if it is duplicative or inefficient.** Congress is right to spend money on medical research and science, but often does not ensure funding actually fixes alleged deficiencies they seek to resolve. To truly advance medical research in an age of increasingly scarce tax dollars, Congress should roll up its sleeves to conduct smart oversight and ensure programs are accomplishing their stated purpose. A 2006 GAO report shows that “NIH and CDC have increased their funding to support autism activities and have pursued many avenues of research” but “coordination among agencies in carrying out their autism activities remains limited.”⁴ After years of autism funding, we are concerned that federal efforts may not be coordinated sufficiently and believe GAO must re-examine the program to determine to what degree it is efficient, effective, and does not duplicate other federal efforts.

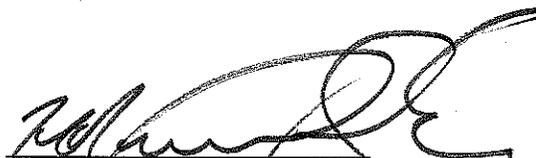
Therefore, in the interest of protecting taxpayer dollars and prioritizing medical research, we respectfully request the Combating Autism Reauthorization Act be modified to address our concerns in the following manner:

1. Change the program to be implemented from current discretionary accounts at CDC/NIH, or add additional discretionary funds with specific bipartisan offsets.
2. Institute strong internal controls to prevent fraudulent diversion of research funds.
3. Require a GAO report evaluating the past five years of autism funding to determine to what degree it may be duplicative across the federal government, or inefficient or ineffective.

Unless these changes are made, exercising our role as U.S. Senators under the rules of the Senate and Constitution, we will object to “unanimous consent” required to advance consideration of the bill in the Senate.

Respectfully,


Senator Jim DeMint


Senator Mike Lee


Senator Tom Coburn, M.D.


Senator Ron Johnson

⁴ Government Accountability Office, “Federal Autism Activities: Funding for Research Has Increased, but Agencies Need to Resolve Surveillance Challenges,” July 2006, <http://www.gao.gov/new.items/d06700.pdf>