

5/13/09

Robert Cusick, Director
United States Office of Government Ethics
1201 New York Avenue, NW, Suite 500
Washington, DC 20005-3917

Cc: Raynard S. Kington MD, PhD, Acting Director, NIH
: Rich Smith, CEO & President, American Liver Foundation
: The Honorable Chuck Grassley
: Congressman Jesse L. Jackson
: John Stossel, ABC 20/20

RE: Formal Complaint

Dear Director Cusick,

We are respectfully filing a formal complaint regarding millions of National Institutes of Health (NIH) hepatitis C (HCV) research funds being redirected to HIV related projects.

As evidenced by the attached information compiled from the NIH's Research Online Reporting Tool (RePORT), the NIH has redirected millions of hepatitis C research dollars to projects that benefit solely HIV research, HIV/HCV co-infection research and substance abuse researchers to the detriment of hepatitis C patients who do not have HIV and hepatitis C researchers whose goal is to solve the molecular virology of hepatitis C that will lead to a cure.

Here are just a few examples of inappropriately redirected hepatitis C bio-medical research funds to HIV:

- Couples-Based HIV/STI Prevention for Injecting Drug Users in Kazakhstan,
- Neurobehavioral Effects of HIV & Host Genetics in China,
- Nutritional Status In HIV Hispanic Drug Abusers,
- Risk Factors for HIV-1 infection Among Young Thai Men,
- Drug Interactions in Substance Abusers with HIV Infection.

It is obvious that hepatitis C funds should not be allocated to specific HIV projects as listed above, but rather to hepatitis C research.

Any argument that any HIV/HCV co-infection study should be funded from the hepatitis C budget (\$93 million) instead of from the HIV budget (\$2.9 billion) is not valid. The HIV/HCV co-infection studies are necessitated due the presence of HIV, not hepatitis C. If the HIV was absent from the patient, the funds would be going to hepatitis C research projects.

Substance abuse research provides no benefit in solving the molecular virology of hepatitis C that might lead to a cure.

We are requesting that you initiate an immediate investigation into this misuse of millions of dollars of hepatitis C funds with a recommendation that the NIH restore the funds to hepatitis C molecular researchers.

Thank you for your consideration of our request and for your reply to us individually or to one of us with a Cc to the others.

Sincerely yours,

Richard Darling, DDS

Richard Darling, DDS: Past Nat. Public Citizen of the Year
President and CEO: The FAIR Foundation
Founder: The FAIR Liver Dis. & Transplant Support Group
Author: Coma Life, HCV induced three 3 liver transplants
78629 Bougainvillea Drive, Palm Desert, CA 92211

Waldo Concepcion, MD

Waldo Concepcion, MD, FACS,
Associate Professor of Surgery
Chief of Clinical Transplantation & Pediatric Kidney TX
Stanford University School of Medicine

John Fung, MD, PhD

John Fung, MD, Ph D, FACS
Chairman, Department of General Surgery
Director, Transplant Center, Cleveland Clinic Foundation

Robert G. Gish, MD

Robert G. Gish, MD
Medical Director of the Liver Disease Transplant Pgm.
California Pacific Medical Center, San Francisco

Lorenzo Rossaro, MD

Lorenzo Rossaro, MD, FACP
Professor and Chief, Division of Gastro. and Hepatology
Past-Director, Liver Transplant program,
University of California, Davis Medical Center
Sacramento, CA 95817

Ray Hill

Ray Hill, Patient Advocate: HIV/AIDS & HCV
ACLU Lifetime Achievement Award for advancing the
rights of gay, lesbian and transgender citizens
Voted "gay hero" 7 years in a row in Houston
c/o KPFT, 419 Lovett Blvd., Houston, TX 77006

William Remak

William M. Remak, B.Sc.MT, BA PHA
Chairman, California Hepatitis C Task Force
Founder, National Association of Hepatitis Task Forces
Petaluma, CA 94954