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July 16, 2012

Paul Swidersky
President
Quality Associates Inc.
8161 Maple Lawn Blvd., Second Floor
Fulton, MD 20759

Dear Mr. Swidersky:

Recently, my office was made aware of sensitive documents available online relating to an on-going investigation into potential whistleblower retaliation by the Food and Drug Administration (FDA). The documents in question were apparently available from a Quality Associates computer system and included confidential communications between whistleblowers, their attorneys, the Office of Special Counsel, and Congress. Federal documents often contain confidential, sensitive, or proprietary business information. It is my understanding that Quality Associates has a \$20 million contract with the FDA to archive and manage documents¹ and a \$30 million contract with the National Institutes of Health (NIH).²

After learning that the FDA information was available online, it became apparent that the same Quality Associates server also hosted folders that may have contained documents related to other agencies as well, including: the District of Columbia Bar Association, the Consumer Product Safety Commission, the Department of Homeland Security, the Environmental Protection Agency, the Internal Revenue Service, the NIH, and the Department of Agriculture Food Safety and Inspection Service. The FDA documents were apparently removed from your server late Friday afternoon after Quality Associates was contacted about them. It is unclear what other internal documents may have been publicly available from these other agencies prior to Quality Associates' receiving notice about the FDA documents.

However, as of Friday, July 13, 2012, thousands of pages of NIH grant information, including internal emails and documents were easily accessible online through Quality Associates' File Transfer Protocol site.

¹ October 30, 2007, Quality Associates press release, *available at*
http://www.qualityassociatesinc.com/documents/FDA_PressRelease103007_000.pdf

² USASpending, *available at*
http://usaspending.gov/explore?tab=By+Prime+Awardee&frompage=contracts&contractorid=024966595&contractorname=Quality+Associates++INC.&fiscal_year=all&mod_agency=7529&mod_agency_name=National+Institutes+of+Health

In light of this information, please answer the following questions by July 31, 2012:

- 1) With how many government agencies does Quality Associates have contracts?
Please provide the total dollar amount for each agency.
- 2) Which of these other agencies' internal information, if any, was accessible through the Internet prior to Friday afternoon?
- 3) Why were these internal documents publicly available and searchable on search engines, such as Google?
- 4) What services, specifically, do you provide for each of these agencies?
- 5) Has Quality Associates ever discovered a similar leak as the one identified in *The New York Times* article? If yes, please provide a detailed explanation of each instance.
- 6) How long were the FDA documents publicly available on Quality Associates Internet site?
- 7) What steps have you taken to ensure that such internal information is not inappropriately available online in the future?

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Brian Downey or Erika Smith of my staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Judiciary