



**U.S. OFFICE OF SPECIAL COUNSEL**

1730 M Street, N.W., Suite 300  
Washington, D.C. 20036-4505

November 29, 2005

The Special Counsel

The President

The White House

Washington, D.C. 20500

Re: OSC File No. DI-05-0430

Dear Mr. President:

I received disclosures from Dr. Ted Martonen, a whistleblower at the Environmental Protection Agency (EPA), National Health and Environmental Effects Research Laboratory (NHEERL), alleging that officials violated regulations governing the protection of human subjects in experimental research. Dr. Martonen alleged that human test subjects were exposed to potentially hazardous substances in amounts greater than that to which they consented, and that agency officials mishandled the incident.

I required the Administrator, EPA, to conduct an investigation into these disclosures pursuant to 5 U.S.C. § 1213(c) and (d). The Administrator tasked the EPA, Office of Inspector General, with conducting the investigation and writing the report.

As discussed in the attached Analysis of Disclosures, the agency investigation substantiated Dr. Martonen's allegations that human test subjects were over-exposed, but not his allegations that the over-exposure posed a substantial and specific danger to public health, or that agency officials attempted to cover-up the over-exposure. Dr. Martonen did not provide comments on the report. As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting the report to you.

I have reviewed the original disclosures and the EPA report. Based on that review, I have determined that the agency's report contains all of the information required by statute and that its findings appear to be reasonable.

As required by law, 5 U.S.C. § 1213(e)(3), I have sent a copy of the report to the Chairman of the Senate Committee on Environment and Public Works, and to the Chairman of the House Committee on Energy and Commerce. I have also filed a copy of the agency report in our public file and closed the matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott J. Bloch".

Scott J. Bloch

Enclosures