



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 28, 2005

The Honorable Jo Ann Davis  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congresswoman Davis:

This responds to your letter dated November 29, 2004, to former Attorney General Ashcroft regarding your concerns related to potential conflicts of interest and other problems within the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP).

We appreciate and share your concern that the people who are served by FEMA and the NFIP receive effective service, free of any fraud or conflicts of interest. Because of legal and ethical considerations, we can neither confirm nor deny the existence of particular matters or investigations, nor can we discuss the status of any matter that may be pending in a United States Attorney's Office, other than facts on the public record. As a matter of public record, we can tell you that several United States Attorneys' Offices have recently prosecuted cases involving fraud or bribery by FEMA employees or contract employees, including cases in Texas and Virginia.

As you may be aware, United States Attorneys' Offices generally do not investigate allegations of crimes, but rather prosecute cases developed by investigative agencies. If any person believes he or she has credible evidence of violations of federal law, they should contact the local branch office of the FBI for information or assistance. Please be assured that the United States Attorneys' Offices take all allegations of criminal conduct very seriously and they carefully review any investigative evidence presented to support such allegations in light of the *Principles of Federal Prosecution*.

We are sorry that we cannot be of further assistance in responding to your concerns. Please do not hesitate to contact the Department of Justice if we can be of assistance in other matters.

Sincerely,

William E. Moschella  
Assistant Attorney General