

September 11, 2018

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health & Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Azar,

We were shocked and dismayed at the news report that the Food and Drug Administration (FDA) has signed a contract to purchase “fresh” aborted fetal organs from Advanced Bioscience Resources, for the purpose of creating humanized mice with human immune systems. We expect far better of our federal agencies – especially under the leadership of a courageous pro-life president – entrusted with the health of American citizens. It is completely unacceptable to discover that the FDA is using federal tax dollars and fomenting demand for human body parts taken from babies who are aborted.

The FDA’s statement to the news reporter who uncovered this government-sponsored trafficking in baby body parts said that the FDA is “committed to ensuring that its research is conducted responsibly, conforms with all legal requirements, and meets the highest ethical standards.” These experiments using aborted fetal organs are neither responsible nor do they meet even modest ethical standards, and there are serious questions about the legality of methods used to procure the aborted baby organs and tissue.

In 2015, disturbing undercover videos obtained by the Center for Medical Progress showed abortion industry staff discussing the sale of fetal brains, hearts, livers and other organs obtained from elective abortions. Subsequent investigations by the House Select Panel on Infant Lives and the Senate Judiciary Committee found evidence of violations of federal laws regarding the buying and selling of fetal organs. Advanced Bioscience Resources, the company with which the FDA has its contract for procurement of aborted fetal organs, is among the entities referred for criminal investigation by both houses of Congress for potential collusion with abortion facilities as well as possibly profiting from the sale of fetal organs from aborted babies.

The details regarding this FDA contract are still unknown, and full transparency is needed, so that an ethical path forward can be found. For example, how many organs have been ordered, what types, and how many of each? How many aborted babies are required for each shipment to FDA, and what gestational ages are ordered for procurement? Since this is a year-long contract to procure aborted baby organs, how many shipments are requested? It’s likely that there must be some coordination in timing to obtain “fresh” aborted organs for the experiments, so is there a schedule for shipment and delivery of the aborted organs? Or is this custom order of baby organs on-demand, as needed by FDA? Because there is a requirement for “fresh” tissue, what does this mean in terms of hours elapsed since the harvest of aborted fetal organs for delivery to FDA?

There is a larger question of openness and transparency at HHS regarding this issue. Not only is this shocking FDA contract of concern, but the National Institutes of Health (NIH) continues to fund fetal tissue experimentation. NIH's own data indicate that during FY 2017 the NIH spent \$98 million for fetal tissue research and expects to spend \$103 million in FY 2018. The data for FY 2017 also indicate that while the bulk of this spending comprises grants to university researchers, a number of projects (approx. \$21 million) involved experiments with fetal tissue on the NIH campus. We would ask the same questions as above, for the taxpayer dollars spent for aborted fetal organs for NIH experiments.

Besides FDA and NIH, are there other federal agencies, such as CDC, doing experiments with aborted fetal organs? We would appreciate a full accounting, and full transparency, for any federal agency participating in this type of research.

Fetal organ procurement is highly unethical and potentially illegal. The undercover investigation by the Center for Medical Progress found that many women solicited to donate aborted baby organs were given misleading consent forms to sign with statements that aborted tissue "has been used to treat and find a cure for such diseases as diabetes, Parkinson's disease, Alzheimer's disease, cancer and AIDS." These blatantly false statements violate ethical standards by grossly misleading the patient.

Moreover, this research is irresponsible. Contrary to claims, there is no scientific requirement of aborted fetal tissue to construct humanized mice. Historically, humanized mice were constructed using aborted fetal organs such as fetal liver, fetal bone marrow, and fetal thymus, on the theory that young fetal tissue would be more robust in growth. But good scientific alternatives exist to this grisly sourcing, including use of human umbilical cord blood stem cells and adult peripheral blood stem cells. There are abundant modern scientific alternatives, making aborted fetal tissue unnecessary.

What steps, if any, did the FDA take to identify ethical alternatives prior to contracting with ABR for organs and tissue from unborn children? Going forward, what agency-wide steps will the Department of Health and Human Services take to identify and pursue ethical alternatives with the full engagement of its leadership role in scientific inquiry and enforcement of current law?

The federal government must find ethical alternatives as soon as possible, and should end all association with those who participate in any trafficking or procurement of aborted baby organs. No taxpayer dollars should continue to go to this gruesome practice. It is our hope that these reforms would start with you and HHS – and start today.

Sincerely,

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