

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	Kate Britton to Bill (3 pages)	02/14/2000	P6/b(6)
001b. paper	re: Life Dynamics Incorporated (partial) (1 page)	n.d.	P6/b(6)
001c. form	re: Zeneca Pharmaceuticals (partial) (1 page)	n.d.	P6/b(6)
001d. form	re: IIAM Protocol (partial) (1 page)	03/1995	P6/b(6)
001e. form	re: IIAM Protocol (partial) (1 page)	n.d.	P6/b(6)
001f. form	re: IIAM Protocol (partial) (1 page)	02/27/1990	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Devorah Adler
OA/Box Number: 20464

FOLDER TITLE:

Fetal Tissue

2012-0463-S

rc752

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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LIFE DYNAMICS INCORPORATED

Post Office Box 2226 • Denton, Texas 76202
(940) 380-8800 • (940) 380-8700 fax

- Documentation Subject: Baby Parts Marketing
- Related to LifeTalk Editions: May, 1999 and August, 1999

(1) Wholesalers

Baby parts wholesalers are organizations which place employees in abortion clinics to harvest tissue, limbs, organs, etc. from aborted babies. This material is then shipped to researchers working for universities, pharmaceutical companies and government agencies.

Although it is against federal law to sell human tissue or body parts, these organizations have devised a system to circumvent this restriction.

Technically, the parts they harvest are "donated" to them by the clinics. However, they do pay a "site fee" to the clinics for the right to access the bodies.

These parts are then "donated" to the researchers who in turn pay the wholesalers for the cost of retrieval. Profit is realized by the wholesalers' ability to set their own retrieval fees.

Our research has identified two main players in the wholesaling of baby parts: the Anatomic Gift Foundation (AGF) and Opening Lines. (Addresses for both of these organizations are listed at the end of this section.)

AGF was founded in 1994 by Jim and Brenda Bardsley. Operating from a double-wide trailer house on the Satilla River outside rural White Oak, Georgia, the AGF facility is also a catfish farm.

Although the Bardsleys are still president and vice-president of the organization, and the White Oak address is still listed among AGF's several locations,

[601b] its headquarters have since been moved to Laurel, Maryland. Currently, Jim Bardsley's [P6/(b)(6)] is listed as executive director.

AGF also has offices in Arizona and Colorado. The Phoenix facility appears to only provide adult tissue and is not involved in the marketing of baby parts. On the other hand, in Aurora, Colorado, AGF actually has a facility located inside a free-standing abortion mill (Mayfair Women's Clinic). AGF's representative at this facility is a woman named [P6/(b)(6)]. AGF also claims to have operatives in abortion clinics on the east coast and in the midwest.

Opening Lines was founded in 1997 by pathologist Miles Jones, and is located in West Frankfort, Illinois. Its day-to-day operations are handled by Jones' partner, [P6/(b)(6)].

Opening Lines is currently securing baby parts only from abortion clinics in the United States, but admits to be actively pursuing sources in Canada and Mexico.

As for ties between these wholesalers and the abortion industry, in 1998 the National Abortion Federation listed the Anatomic Gift Foundation as a member, and in 1991 both Miles Jones and [P6/(b)(6)] were cited as donors in the National Abortion Federation's annual report.

(2) Orders

Included in this booklet are more than 50 orders for baby parts received by a Planned Parenthood abortion clinic. These orders cover a time frame beginning in

1988 and lasting until 1998. Also provided is a partial listing of material requested of this one abortion clinic by AGF for the week of November 17, 1997.

As you review these forms, there are certain things you should notice:

(a) When an order calls for parts to be retrieved within 10 minutes of the baby's death, this is one of those instances where a live birth is highly likely. It is also an indicator that the purchaser may be suggesting that the abortionist alter his procedure in order to meet the purchaser's specifications.

(b) When there is something like "no dig" written on the order, the purchaser is telling the abortionist that the baby can't be killed by injecting digoxin (or other fetical agents) into the body. Again, this is a clear indicator that the purchaser is trying to control what procedure the abortionist will use. This requirement also increases the chances of a live birth.

(c) Some orders have headings which read "IIAM." This stands for The International Institute for the Advancement of Medicine. This organization was at one time heavily involved in the baby parts business but has since withdrawn. IIAM was founded by Jim Bardsley who later left the organization to start the Anatomic Gift Foundation.

(d) When you see a form that stipulates something like "no anomalies" or "no congenital abnormalities," this is irrefutable proof that these late term abortions are being done on perfectly healthy babies.

(3) Prices

Also included here is a current price list for both AGF and Opening Lines. Note that AGF's "fees for service" are the same for all the material it supplies, while Opening Lines bases its charges on the specific part being purchased.

(4) Promotion

Our research indicates that, to date, the extent of AGF's marketing is to have promotional booths at conferences held by the National Abortion Federation. While Opening Lines has also promoted its services at

these same conferences, they take their marketing to the next level by publishing slick, full color, sales brochures.

We also found Opening Lines to be far more aggressive with their marketing when we were talking to them over the phone. They were quick to offer volume discounts and even free parts to capture new customers. The last few pages of this document are copies of Opening Lines sales literature.

(5) Identification

Anatomic Gift Foundation
96 Satilla Drive
White Oak, GA 31568
(912) 576-5889
(912) 576-3727 fax

Anatomic Gift Foundation
13948 Baltimore Ave.
Laurel, MD 20707
(301) 953-2702
(301) 953-2701 fax
1-800-300-5433
web: anatomicgift.com

Anatomic Gift Foundation of Arizona
1313 N. 2nd Street, Suite 2
Phoenix, AZ 85004
(602) 528-3715
(602) 528-3717 fax

Anatomic Gift Foundation
(Mayfair Women's Clinic)
14446 E. Evans Ave.
Aurora, CO 80014
(303) 696-9761 (Mayfair)
(303) 755-8601 AGF voice and fax

Opening Lines / Professional Arts Lab - A Division of
Consultative and Diagnostic Pathology, Inc.
Post Office Box 508
502 W. St. Louis St.
West Frankfort, IL 62896
(618) 937-2439
(618) 937-1525 fax
1-800-490-9980

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001c. form	re: Zeneca Pharmaceuticals (partial) (1 page)	n.d.	P6/b(6)

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Devorah Adler
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rc752

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DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: BUL DATE: 07/23/12
2012-0463-5

Confidential Protocol

P6/(b)(6)

[601c]

Zeneca Pharmaceuticals

Tissue Type: Liver, Thymus & Long bones (U.&L.)

Normal donor,
No antineoplastic or corticosteroids within one month prior to
donation

Gestation: 18-24+

Preservation: Fresh, DMEM w/standard supplements

Shipment: Wet Ice, Fed Ex OUR Acct #

Ship to:

P6/(b)(6)

Mail: Same

Phone:

P6/(b)(6)

Additional Contacts:

P6/(b)(6)

P6/(b)(6)

Use of Tissue: The goals of the project are to investigate hemopoietic regulatory mechanisms that underlie chronic inflammatory diseases of the lung and respiratory airways and to determine the mechanisms of active interaction with hemopoietic cells of selected candidate therapeutic compounds.

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HIV
11/92

IIAM PROTOCOL

PRENATAL CARTILAGE OF LEG AND HIP

P6/(b)(6)

[001d]

Tissue Use: The study of Biochemical Characterization of human type X Collagen.

Mailing Address:

P6/(b)(6)

Shipping Address:
same

Phone: Day

P6/(b)(6)

Constraints: Whole intact Leg, include ENTIRE HIP JOINT, 22-24(-) weeks gest. Sterile (clean acceptable). Age of fetus must be determined and noted.***indicate foot pad measurement. 4-6 specimens per shipment. Call with # of specimens before shipment.

Prep.: SPECIAL MEDIA PROVIDED. Wet Ice.

PROCEDURE: Dissect by cutting through symphysis pubis and include **WHOLE Ilium**. To be removed from fetal cadaver within 10 minutes. WIT. Place each specimen in separate sterile specimen cup. **COMPLETELY COVER WITH MEDIA.**

Shipping: Ship on wet ice. Next day. ~~FED EX our account.~~

P6/(b)(6)

No Abnormalities 3/95

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IIAM PROTOCOL

FETAL KIDNEYS

P6/(b)(6)

(0012)

Tissue Use: Molecular regulation of cellular differentiation in renal development.

Mailing Address:

Shipping Address:

P6/(b)(6)

P6/(b)(6)

P6/(b)(6)

Constraints: prenatal 14-22 weeks. Remove and prepare for shipping within 24 hours after preparation under STERILE conditions. No contagious disease screen required. Please do not provide any identification information.

Prep.: Collins solution.

Quantity: 6/month starting 7/23/90.

Shipping: Ship fresh on wet ice. Next day within 24hrs.

FX Acct.

P6/(b)(6)

P6/(b)(6)

P6/(b)(6)

Kidney 17wks 5/94
Fresh-Super

brain in LG 2/94
lung " 4/94
thigh muscle " }

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FEB 27 '90 16:58 IIAM MASTER

Office, file, lab, JM,BMB,BB,JP,906,512,588

IIAM PROTOCOL

Whole Eyes or post. poles

20-24wks

P6/(b)(6)

(6018)

Tissue Use: Connective tissue changes in the optic nerve in Glaucoma.

Mailing:

Shipping: (same)

Fixative changes:

9/90 - 4% para X 2 hours / ship in 1M Cara

Phone Day:

Contact:

Donor Criteria: Prenatal(20-24wk), Brain-dead, Non-Cadaver, and Post 4-6 hours normal donor, any age with no HLU, AEB, CML, contagious or systemic disease.

Will accept Diabetes or Glaucoma patients if called ahead of time.

Procedure: 1) Whole Eyes or posterior poles.

2) Fresh, remove eye with as much optic nerve intact as possible and within 2 hours if possible.

3) ~~Place in DME media and container with IIAM donor label.~~
~~Place on wet ice.~~

USE THERE FIXATIVE - 3 containers for each set of eyes -

Shipping:

~~Same day delivery by Sterling Courier unless otherwise specified.~~

FEDERAL EXPRESS
OUR ACCOUNT!

bigger falcon tubes
4% para - one eye in each
1M Cara
Give me 2000000

OPENING LINES

A DIVISION OF CONSULTATIVE & DIAGNOSTIC PATHOLOGY, INC.

P. O. Box 508

West Frankfort, IL 62896

Phone: 800-490-9980

Fax: 618-937-1525

Fee for Services Schedule

Unprocessed Specimen(> 8 weeks)		\$70
Unprocessed Specimen(≤ 8 weeks)		\$50
Livers(≤ 8 weeks)	30% discount if significantly fragmented	\$150
Livers(> 8 weeks)	30% discount if significantly fragmented	\$125
Spleens(≤ 8 weeks)		\$75
Spleens(> 8 weeks)		\$50
Pancreas(≤ 8 weeks)		\$100
Pancreas(> 8 weeks)		\$75
Thymus(≤ 8 weeks)		\$100
Thymus(> 8 weeks)		\$75
Intestins & Mesentary		\$50
Mesentary(≤ 8 weeks)		\$125
Mesentary(> 8 weeks)		\$100
Kidney-with/without adrenal(≤ 8 weeks)		\$125
Kidney-with/without adrenal(> 8 weeks)		\$100
Limbs(at least 2)		\$150
Brain(≤ 8 weeks)	30% discount if significantly fragmented	\$999
Brain(> 8 weeks)	30% discount if significantly fragmented	\$150
Pituitary Gland(> 8 weeks)		\$300
Bone Marrow(≤ 8 weeks)		\$350
Bone Marrow(> 8 weeks)		\$250
Ears(≤ 8 weeks)		\$75
Ears(> 8 weeks)		\$50
Eyes(≤ 8 weeks)	40% discount for single eye	\$75
Eyes(> 8 weeks)	40% discount for single eye	\$50
Skin(> 12 weeks)		\$100
Lungs & Heart Block		\$150
Intact Embryonic Cadaver(≤ 8 weeks)		\$400
Intact Embryonic Cadaver(> 8 weeks)		\$600
Intact Calvarium		\$125
Intact Trunk(with/without limbs)		\$500
Gonads		\$550
Cord Blood(Snap Frozen LN ₂)		\$125
Spinal Column		\$150
Spinal Cord		\$325

Prices in effect through December 31 1999

**OUR SERVICE IS CONVENIENT
AND EASY TO USE!**

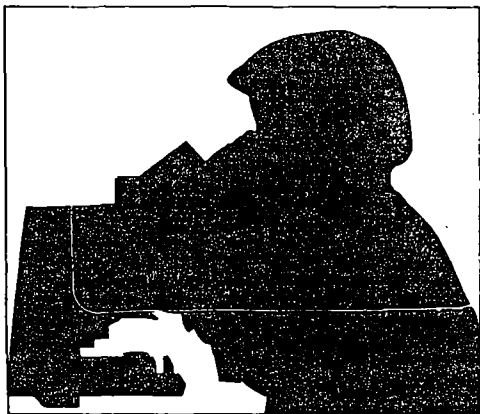
OPENING LINES is a division of Consultative and Diagnostic Pathology, Inc. (CADP) which was formed in 1989 by Dr. Miles Jones. Opening Lines was established in order to provide a convenient and efficient way for researchers to receive fetal tissue without a lot of bureaucracy.

Order forms are available which identify tissue types, amounts, preparation, and where and when you require the specimen(s) to be delivered.

All that is needed to initiate service is a purchase order number, payment type and your billing address.

You may phone, fax or email orders to us anytime.

Phone orders - 800-490-9980
Fax orders - 877-665-2555 (toll free)
Email orders - orders@openinglines.net

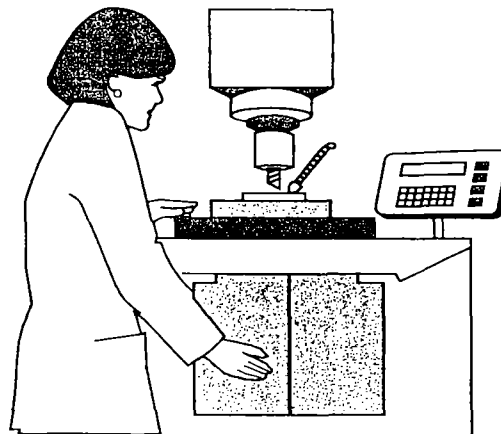


Our fee for service is very attractive and lower than the industry average.

Our specimens vary widely in range including but not limited to those listed below.

Liver, spleen, pancreas, intestines, kidney, brain, lungs and heart block, spinal column and many more with appropriate discounts that apply if specimen is significantly fragmented.

Ask for our complete service schedule.



OPENING LINES
A DIVISION OF CONSULTATIVE AND DIAGNOSTIC PATHOLOGY, INC.

P. O Box 508
West Frankfort, IL 62896
800-490-9980
Fax 877-665-2555 toll free

Miles Jones running org

FRESH FETAL TISSUE

harvested

and

shipped

to your

specifications..

where and

when you need it!

The medical and social history form supplied within the brochure will need to be filled out. This form is simple and only takes a few minutes to complete.

Your patient will need to supply information that will be held in the strictest of confidence regarding any diseases or disorders encountered presently or in the past. Any questions with positive answers will require written explanations.

Please call us regarding any questions you may have. At your request, we will send you patient brochures with all the necessary information.

Just remember that your patient has already made the decision to have an abortion.

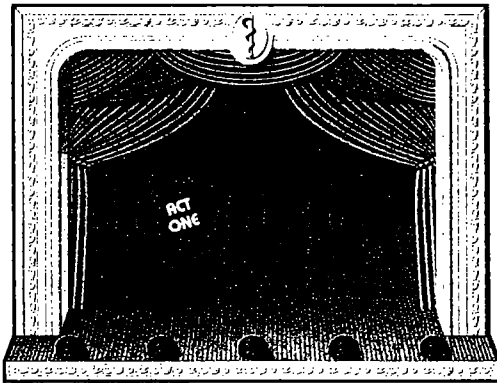
You are simply asking her to help by donating a gift that has the possibility of helping thousands of people with diseases and disorders that otherwise might not be cured without research.

Please ask your patient to sign the donor consent form when your staff presents it to her.



Thank You

for proposing to your patient
the gift that
will enable people
around the world
to have a
better quality of life.



OPENING LINES
A DIVISION OF CONSULTATIVE AND DIAGNOSTIC PATHOLOGY, INC.

In The Beginning...

P. O Box 508
West Frankfort, IL 62896
800-490-9980
Fax 877-665-2555 toll free

**FIND OUT HOW
YOU CAN TURN
YOUR PATIENT'S
DECISION INTO
SOMETHING
WONDERFUL**

We know your patient's decision to have an abortion was carefully considered and we also know it was a very difficult one to make.

Now that the choice has been made, we ask that you propose to your patient a simple program that could help thousands of people.

Your patient has the ability to give permission to donate fetal tissue for research. That consent may result in the saving of lives of possibly thousands of people with diseases and disorders that might not otherwise be cured without this research.

Much has been discovered from scientists' work with the tissue removed during the abortion procedure.

Great strides are being made with respect to treating and curing many disorders such as **Cancer, AIDS, Alzheimers, Liver Disease, Eye Disorders and Blindness, Diabetes, Spinal Cord Injuries, Kidney Disease** and countless other diseases.

Scientific studies from tissue derived from medical procedures are very important to the understanding, treatment and prevention of many diseases, as well as for the development of commercially available therapies.

When patients think about all the good that could come from this research, the decision becomes quite easy.

Consultative and Diagnostic Pathology, Inc. will be asking to obtain tissue specimens derived from your patient's medical procedure and following any necessary diagnostic exam, to distribute the material to scientists or institutions, for purposes of biomedical research.

This is the opportunity to make a difference...and it can be beneficial to your clinic.

On January 22, 1993, President Clinton lifted the moratorium on Federal funding of research involving transplantation of fetal tissue from induced abortions. This action created a great demand for fetal tissue and has made possible the development of treatments for individuals afflicted with serious diseases and disorders.

OUR PROGRAM IS SIMPLE.

1. Consultative and Diagnostic Pathology will lease space from your facility to perform the harvesting and distribution of tissue. The revenue generated from the lease can be used to offset your clinic's overhead.
2. Consultative and Diagnostic Pathology can train your staff to harvest and process fetal tissue. Based on your volume we will reimburse part or all of your employee's salary, thereby reducing your overhead.
3. When the Consultative and Diagnostic Pathology staff performs the harvesting, they will assist your staff whenever and wherever possible, making working conditions better for everyone.
4. We have very cost-effective pricing for pathology and cytology services. Our prices are almost always lower than your current provider and our service is usually much quicker.

A sample of your patient's blood will accompany the tissue obtained during her procedure so the researcher can test it for a variety of transmitted diseases. If anything is found that makes the tissue unusable, all of the sample will be destroyed.

If by chance a major discovery in research is made using the tissue donated, you will not be eligible to share in the potential monetary gains that the researcher may receive for his or her discovery.

The identity of your patient will be kept strictly confidential, and her name will not be sent to **ANYONE**. The tissue will be identified only by a number.

Special brochures and consent forms will be supplied to your facility in order to make the decision to grant consent easy and convenient.

Your patient will need to read and understand this brochure and will be given the opportunity to ask questions.

Your patient will have the choice of refusing to participate.

The brochure will explain that she will receive no compensation for consenting to this study and that her identity will be confidential.

Your patient will be asked to sign and a separate consent form for permission to Consultative and Diagnostic Pathology, Inc. and each of its authorized agents and representatives to disseminate and dispense tissue derived from medical procedure.

How the system works

Baby Parts Marketing

ORDERS:

A. BUYER supplies WHOLESALER with list of baby parts wanted. Baby parts may include limbs, organs, blood, tissue, or intact cadavers.

B. WHOLESALER faxes order to SOURCE.

ACQUISITION:

C. SOURCE harvests parts from aborted babies. Harvesting is generally done by a "tech." This person is either an employee of the WHOLESALER who works inside the abortion clinic, or an employee of the clinic who was trained by the WHOLESALER.

FULFILLMENT:

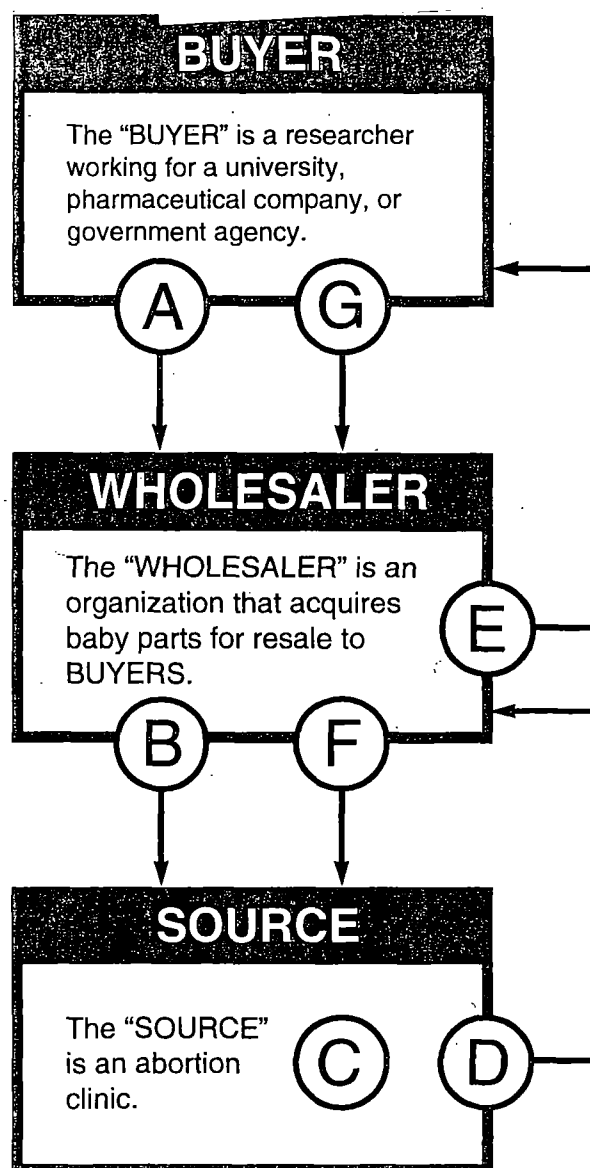
D. SOURCE "donates" baby parts to WHOLESALER and ships them via FedEx, Airborne, UPS, Stirling, or similar carrier.

E. WHOLESALER then "donates" these parts to BUYER. Before shipping, WHOLESALER will often repackage the parts, removing any markings which identify the SOURCE. (In some cases, material is shipped directly from SOURCE to BUYER.)

THE PAPER TRAIL:

F: WHOLESALER pays SOURCE for access to the baby parts. In the trade, this payment is called a "site fee."

G: BUYER "reimburses" WHOLESALER for cost of retrieving the baby parts.



For additional information on the marketing of aborted baby parts, see the May 1999 and August 1999 issues of LifeTalk. To order, call:

1-800-401-6494



Life Dynamics Incorporated

PO Box 2226 • Denton, TX 76202
(940) 380-8800 • (940) 380-8700 fax
ldi1@airmail.net • www.ldi.org

allegations began last fall
during partial birth
abortion issue

House passed Res 450 Congress
oversight hearings to determine

flat \$100 fee per order
criminal statute

Dof investigating how?
No: current investigations
open

Debbie Ho

funding
150

20-20 3/3

House hearing 3/9

202514 4365

PUBLIC LAW 103-43; JUNE 10, 1993

**NATIONAL INSTITUTES OF HEALTH REVITALIZATION
ACT OF 1993****TITLE I - GENERAL PROVISIONS
REGARDING TITLE IV
of PUBLIC HEALTH SERVICE ACT****Subtitle A - Research Freedom****PART II - RESEARCH ON TRANSPLANTATION OF FETAL TISSUE****SEC. 111. ESTABLISHMENT OF AUTHORITIES.**

*Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.)
is amended by inserting after section 498 the following section:*

‘RESEARCH ON TRANSPLANTATION OF FETAL TISSUE ‘SEC. 498A.**‘(a) ESTABLISHMENT OF PROGRAM-**

‘(1) IN GENERAL - The Secretary may conduct or support research on the transplantation of human fetal tissue for therapeutic purposes.

‘(2) SOURCE OF TISSUE - Human fetal tissue may be used in research carried out under paragraph (1) regardless of whether the tissue is obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth.

‘(b) INFORMED CONSENT OF DONOR-

‘(1) IN GENERAL - In research carried out under subsection (a), human fetal tissue may be used only if the woman providing the tissue makes a statement, made in writing and signed by the woman, declaring that--

‘(A) the woman donates the fetal tissue for use in research described in subsection (a);

‘(B) the donation is made without any restriction regarding the identity of individuals who may be the recipients of transplantations of the tissue; and

‘(C) the woman has not been informed of the identity of any such individuals.

‘(2) ADDITIONAL STATEMENT - In research carried out under subsection (a), human fetal tissue may be used only if the attending physician with respect to obtaining the tissue from the woman involved makes a statement, made in writing and signed by the physician, declaring that--

‘(A) in the case of tissue obtained pursuant to an induced abortion--

`(i) the consent of the woman for the abortion was obtained prior to requesting or obtaining consent for a donation of the tissue for use in such research;

`(ii) no alteration of the timing, method, or procedures used to terminate the pregnancy was made solely for the purposes of obtaining the tissue; and

`(iii) the abortion was performed in accordance with applicable State law;

`(B) the tissue has been donated by the woman in accordance with paragraph (1); and

`(C) full disclosure has been provided to the woman with regard to--

`(i) such physician's interest, if any, in the research to be conducted with the tissue; and

`(ii) any known medical risks to the woman or risks to her privacy that might be associated with the donation of the tissue and that are in addition to risks of such type that are associated with the woman's medical care.

`(c) INFORMED CONSENT OF RESEARCHER AND DONEE - In research carried out under subsection (a), human fetal tissue may be used only if the individual with the principal responsibility for conducting the research involved makes a statement, made in writing and signed by the individual, declaring that the individual--

`(1) is aware that

`(A) the tissue is human fetal tissue;

`(B) the tissue may have been obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth; and

`(C) the tissue was donated for research purposes;

`(2) has provided such information to other individuals with responsibilities regarding the research;

`(3) will require, prior to obtaining the consent of an individual to be a recipient of a transplantation of the tissue, written acknowledgment of receipt of such information by such recipient; and

`(4) has had no part in any decisions as to the timing, method, or procedures used to terminate the pregnancy made solely for the purposes of the research.

`(d) AVAILABILITY OF STATEMENTS FOR AUDIT-

`(1) **IN GENERAL** - In research carried out under subsection (a), human fetal tissue may be used only if the head of the agency or other entity conducting the research involved certifies to the Secretary that the statements required under subsections (b)(2) and (c) will be available for audit by the Secretary.

`(2) **CONFIDENTIALITY OF AUDIT** - Any audit conducted by the Secretary pursuant

to paragraph (1) shall be conducted in a confidential manner to protect the privacy rights of the individuals and entities involved in such research, including such individuals and entities involved in the donation, transfer, receipt, or transplantation of human fetal tissue. With respect to any material or information obtained pursuant to such audit, the Secretary shall--

`(A) use such material or information only for the purposes of verifying compliance with the requirements of this section;

`(B) not disclose or publish such material or information, except where required by Federal law, in which case such material or information shall be coded in a manner such that the identities of such individuals and entities are protected; and

`(C) not maintain such material or information after completion of such audit, except where necessary for the purposes of such audit.

`(e) APPLICABILITY OF STATE AND LOCAL LAW-

`(1) RESEARCH CONDUCTED BY RECIPIENTS OF ASSISTANCE - The Secretary may not provide support for research under subsection (a) unless the applicant for the financial assistance involved agrees to conduct the research in accordance with applicable State law.

`(2) RESEARCH CONDUCTED BY SECRETARY - The Secretary may conduct research under subsection (a) only in accordance with applicable State and local law.

`(f) REPORT- The Secretary shall annually submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this section during the preceding fiscal year, including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.

`(g) DEFINITION- For purposes of this section, the term 'human fetal tissue' means tissue or cells obtained from a dead human embryo or fetus after a spontaneous or induced abortion, or after a stillbirth.'

SEC. 112. PURCHASE OF HUMAN FETAL TISSUE; SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION.

Part G of title IV of the Public Health Service Act, as amended by section 111 of this Act, is amended by inserting after section 498A the following section:

`PROHIBITIONS REGARDING HUMAN FETAL TISSUE `SEC. 498B.

`(a) PURCHASE OF TISSUE- It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce.

`(b) SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION - It shall be unlawful for any person to solicit or knowingly acquire,

receive, or accept a donation of human fetal tissue for the purpose of transplantation of such tissue into another person if the donation affects interstate commerce, the tissue will be or is obtained pursuant to an induced abortion, and--

`(1) the donation will be or is made pursuant to a promise to the donating individual that the donated tissue will be transplanted into a recipient specified by such individual;

`(2) the donated tissue will be transplanted into a relative of the donating individual; or

`(3) the person who solicits or knowingly acquires, receives, or accepts the donation has provided valuable consideration for the costs associated with such abortion.

`(c) CRIMINAL PENALTIES FOR VIOLATIONS-

`(1) **IN GENERAL** - Any person who violates subsection (a) or (b) shall be fined in accordance with title 18, United States Code, subject to paragraph (2), or imprisoned for not more than 10 years, or both.

`(2) **PENALTIES APPLICABLE TO PERSONS RECEIVING CONSIDERATION** - With respect to the imposition of a fine under paragraph (1), if the person involved violates subsection (a) or (b)(3), a fine shall be imposed in an amount not less than twice the amount of the valuable consideration received.

`(d) DEFINITIONS - For purposes of this section:

`(1) The term 'human fetal tissue' has the meaning given such term in section 498A(f).

`(2) The term 'interstate commerce' has the meaning given such term in section 201(b) of the Federal Food, Drug, and Cosmetic Act.

`(3) The term 'valuable consideration' does not include reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue.'

SEC. 113. NULLIFICATION OF MORATORIUM.

(a) IN GENERAL - Except as provided in subsection (c), no official of the executive branch may impose a policy that the Department of Health and Human Services is prohibited from conducting or supporting any research on the transplantation of human fetal tissue for therapeutic purposes. Such research shall be carried out in accordance with section 498A of the Public Health Service Act (as added by section 111 of this Act), without regard to any such policy that may have been in effect prior to the date of the enactment of this Act.

(b) Prohibition Against Withholding of Funds in Cases of Technical and Scientific Merit -

(1) IN GENERAL - Subject to subsection (b)(2) of section 492A of the Public Health Service Act (as added by section 101 of this Act), in the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may not withhold funds for the research if--

(A) the research has been approved for purposes of subsection (a) of such section 492A;

(B) the research will be carried out in accordance with section 498A of such Act (as added by section 111 of this Act); and

(C) there are reasonable assurances that the research will not utilize any human fetal tissue that has been obtained in violation of section 498B(a) of such Act (as added by section 112 of this Act).

(2) STANDING APPROVAL REGARDING ETHICAL STATUS- In the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the issuance in December 1988 of the Report of the Human Fetal Tissue Transplantation Research Panel shall be deemed to be a report-- (A) issued by an ethics advisory board pursuant to section 492A(b)(5)(B)(ii) of the Public Health Service Act (as added by section 101 of this Act); and (B) finding, on a basis that is neither arbitrary nor capricious, that the nature of the research is such that it is not unethical to conduct or support the research.

(c) AUTHORITY FOR WITHHOLDING FUNDS FROM RESEARCH- In the case of any research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may withhold funds for the research if any of the conditions specified in any of subparagraphs (A) through (C) of subsection (b)(1) are not met with respect to the research.

(d) DEFINITION- For purposes of this section, the term 'human fetal tissue' has the meaning given such term in section 498A(f) of the Public Health Service Act (as added by section 111 of this Act).

Please e-mail questions and comments to OPRR:

 [Return to OER Home Page](#) 

web posting: 97/06/26
Webmaster



DATE: 3/10

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
200 INDEPENDENCE AVE., SW
WASHINGTON, D.C. 20201

PHONE: (202) 690-7627

FAX: (202) 690-7380

OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION
ROOM 416-G HUMPHREY BUILDING

TO : Chris T.

FROM:

OFFICE : _____

☒ RICHARD J. TARPLIN

PHONE NO : _____

☐ KEVIN BURKE

FAX NO : 456-5557

☐ AQUILA POWELL

TOTAL PAGES
(INCLUDING COVER) : 3

☐ ROSE CLEMENT LUSI

☐ ALICE ARTIS

☐ FRANKIE MELTON

REMARKS:

Per our conversation. The
hearing was a fiasco for the Rs.
Rich



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health
Bethesda, Maryland 20892

March 9, 2000

The Honorable Tom Bliley
Chairman
Committee on Commerce
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In light of the Committee's review of the manner in which human fetal tissue is obtained and used, I wanted you to be aware of the National Institutes of Health (NIH) requirements regarding the responsibilities of researchers and institutions who receive its funds and who conduct fetal tissue research. All researchers supported by NIH must comply with all applicable federal, state and local laws governing the conduct of medical research.

This includes conformance with the Public Health Service Act. The Public Health Service Act prohibits knowingly trafficking in human fetal tissue for valuable consideration and mandates the safety and ethical requirements that researchers who do fetal tissue transplantation must follow. In addition, human subject protection regulations enforced by the U.S. Office for Protection from Research Risks specifically require that human fetal tissue research be conducted in compliance with state and local laws.

On March 6, 2000, we posted a notice on the NIH web site reminding federally-funded researchers of these requirements. The notice reads as follows:

Scientific and ethical challenges associated with research utilizing human fetal tissues make it imperative that researchers and their institutions be clearly aware of the 1993 statute concerning such research as published in <http://grants.nih.gov/grants/guide/notice-files/not93-235.html>. This statute, Section 498B of the Public Health Service Act, 42 U.S.C. 289g-2 prohibits the knowing acquisition, receipt or transfer of any human fetal tissue for "valuable consideration" (e.g. profit). Violation of this statute carries criminal penalties.

Further, NIH has contacted all current grantee institutions conducting human fetal tissue research to alert them to the publication of the reminder notice. NIH has asked these institutions to review their current research portfolios so as to ensure that their researchers are in compliance with our requirements. We have also asked all principal investigators to review their sources of human fetal tissue.

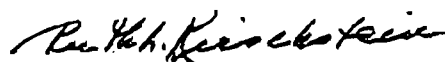
Page 2 - The Honorable Tom Bliley

Human Fetal tissue research has the promise of leading to treatments for, among other diseases, Parkinson's Disease, spinal cord injuries and other neurological ailments, AIDS, cancer, and developmental abnormalities. We believe that this field of medical research must continue because it will result in major public health advances. However, I wish to reiterate that such human fetal tissue research must be conducted responsibly, safely and ethically.

As you know, Public law 103-43 includes criminal penalties for those who knowingly traffic in fetal tissue for valuable consideration. While the Department of Health and Human Services has no direct enforcement authority with respect to this statute, any statutory violations involving NIH-supported research would immediately be referred to the relevant law enforcement authorities.

Please let me know if I can be of assistance as your review of this matter moves forward.

Sincerely,



Ruth L. Kirschstein, M.D.
Acting Director

THE PRESIDENT HAS SEEN
3-8-00

Jennings
we need to get
either -

Boz

copied
Jennings
Padesta

Advise broader policy call
on how to deal w/ 1115
waiver in CHIP - issue
of being able to access
for different purposes,
inc. parents, etc.
process underway

Coron Cancer

Ritalin

Eugenie Bisulco

03/08/2000 04:11:58 PM

Record Type: Record

To: Nancy V. Herrnreich/WHO/EOP@EOP

cc:
Subject:

Kate Britton wanted the President to know that on 20/20 tonight at 10 there's a segment on the issue she's been writing him about. [abortion, etc.]

find testimony on this —
private, not us, reaffirmed.
that were not doing it —
staying on top of this —
egregious case represents
outlier. Proactive
you asked about 2/0
Egregious case HHS on top of.
Coordinated by doing X, Y, Z.
following issue closely,
HHS testimony recanted 1/2
on to make sure.

Kate Britton

March 6, 2000

ABC NEWS "20/20" INVESTIGATION INTO ALLEGED TRAFFICKING IN FETAL TISSUE FINDS COMPANIES THAT APPEAR TO BE PROFITING FROM SELLING HUMAN TISSUE FOR MEDICAL RESEARCH

tonight

Horrifying Conditions Inside Mexican Institutions for
Mentally Ill; Cynthia McFadden Reports From Mexico

A three-month "20/20" hidden-camera investigation has uncovered an industry in which tissue and organs from aborted fetuses, donated to help medical research, are being marketed for hundreds, sometimes thousands, of dollars. "20/20" has investigated one businessman whose company issued a price list charging what many call exorbitant prices for fetal tissue. In addition, ABC News "20/20" chief correspondent Chris Wallace has an exclusive interview with a whistle-blower who says two tissue retrieval companies he worked for went so far as to, on some occasions, encourage him to take fetal tissue obtained from women who had not consented to donate their fetuses to medical research. The report will air on "20/20 Wednesday," MARCH 8 (10:00-11:00 p.m., ET), on the ABC Television Network.

Many say that fetal tissue is vital in scientific research that may provide dramatic medical breakthroughs, and federal law permits the donation of tissue from aborted fetuses for that purpose. But the law says companies that transport fetal tissue to medical research labs may only charge a reasonable fee to recover costs of collecting and shipping human tissue. "20/20's" investigation found some companies are charging high fees - fees that critics say are not based on recovering costs; for example, the price list for one company, Opening Lines, includes listings of \$325 for a spinal cord, \$550 for a reproductive organ, \$999 for a brain.

How are these prices determined? One "20/20" producer went undercover as a potential investor to meet Dr. Miles Jones, a Missouri pathologist whose company, Opening Lines, obtains fetal tissue from clinics and ships it to research labs. "It's market force," Dr. Jones told the producer about how he sets his prices. "It's what you can sell it for." He says he hopes to run his own abortion clinic in Mexico where he says he could get a greater supply of fetal tissue by offering cheaper abortions: "If you control the flow - it's probably the equivalent of the invention of the assembly line."

"That's trading in body parts. There's no doubt about it," said Arthur Caplan, director of the University of Pennsylvania's Center for Bioethics.

Representative Thomas Bliley (R-VA), who chairs the United States House Commerce Committee, says his committee is now investigating four companies after finding evidence they may be selling tissue for a profit. He says the committee is interested in ensuring that people transporting fetal tissue only recover their legitimate costs. "It appears that it's more than that. That it comes down to trafficking in tissue parts," he tells Mr. Wallace. Rep. Bliley's committee expects to hold hearings on this issue later this week.

→ The issue has outraged both pro-life and pro-choice advocates. "Where there is wrongdoing, it should be prosecuted and the people who are doing that kind of thing should be brought to justice," said Gloria Feldt, president of Planned Parenthood.

ABC News Media Relations
Jenny Parker 212-456-1624

Andie

226

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30

~~All Oh~~

Low Income Build
was broke X, 1000 made clear Ohio ^{Senior}

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