



Congress of the United States
House of Representatives
Washington, DC 20515

October 29, 2021

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

The Honorable Francis Collins, M.D., Ph.D.
Director
National Institutes of Health
Building One, Room 244,
One Center Drive
Bethesda, MD 20892

Dear Secretary Becerra and Director Collins,

We write to you today to express our deep concern about recent allegations that the University of Pittsburgh Medical Center used taxpayer money funneled through the National Institutes of Health (NIH) to promote illegal abortions.

Documents obtained from Freedom of Information Act (FOIA) requests by the Center for Medical Progress and published by Judicial Watch reveal evidence that the University of Pittsburgh Medical Center may have violated federal law by seeking to alter abortion procedures for the purpose of obtaining fetal tissue.¹ If true, these allegations potentially represent a significant violation of federal law.

The NIH Revitalization Act of 1993 prohibits the “alteration of the timing, method, or procedures used to terminate the pregnancy . . . solely for the purposes of obtaining the tissue,” and requires abortion providers to perform the abortions in accordance with “applicable State law.” Additionally, the Act provides that “[i]t 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.”

These revelations come after the Department of Health and Human Services (HHS) announced an April 16, 2021 policy change² reversing its 2019 decision that all extramural research applications for NIH grants and contracts proposing the use of human fetal tissue from elective abortions will be reviewed by an Ethics Advisory Board (EAB).

¹ <https://www.judicialwatch.org/documents/hhs-cmp-responsive-records-july-2021-pg-168/>

² https://grants.nih.gov/grants/guide/notice-files/NOT-OD-21-111.html?utm_source=dlvr.it&utm_medium=twitter

As you know, it is the long-standing intent of Congress that taxpayer funding shall not be used to fund abortion procedures.

The NIH provides vital federal support for research initiatives across the country. Many lifesaving medical breakthroughs have occurred because of NIH-backed research, and Congress has consistently provided increased annual appropriations to NIH for this purpose. We are deeply troubled, however, by the NIH's record of using taxpayer money to support fetal tissue research and lack of transparent ethical review.

As such, we request the following data by Friday, December 3, 2021:

1. A detailed, written, description of NIH's current ethical vetting and review procedures for any funding request for an institution or project known or suspected by the NIH to use fetal tissue from induced abortion for any purpose.
2. Complete, unredacted, copies of all NIH documents related to the "University of Pittsburgh as the GUDMAP Tissue Hub and Collection Site" program (Federal Award Identification Number U24DK110791) for the entire 5-year project period (09/15/2016 - 05/31/2021).
3. A complete list of all higher education institutions, academic research institutions, medical research institutions, and healthcare facilities known or suspected by the NIH to use fetal tissue from induced abortion for any purpose.
4. For each of the institutions identified in response to question 3, a complete list of NIH funding provided to that institution for any purpose, broken down by grant, project, or other appropriate subdivision. Specifically note which of those grants or projects are known or suspected by the NIH to use fetal tissue from induced abortion for any purpose.
5. A list of recipients of NIH funding, not otherwise covered above, which are known or suspected by the NIH to use fetal tissue from induced abortion for any purpose.

We know you are both committed to transparency and accountability for HHS and NIH. We look forward to your prompt response.

Sincerely,



Mike Kelly
Member of Congress



H. Morgan Griffith
Member of Congress



Darin LaHood
Member of Congress



Lloyd Smucker
Member of Congress



Tom Rice
Member of Congress



Kevin Brady
Member of Congress



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Buddy Carter
Member of Congress



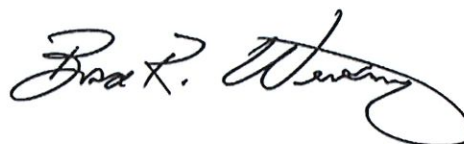
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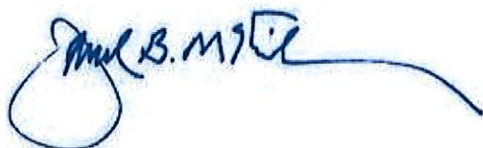
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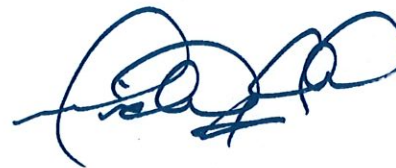
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