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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

July 16, 2015

VIA ELECTRONIC TRANSMISSION

Ms. Cate Dyer
Founder and CEO
Stem Express
778 Pacific Street
Placerville, CA 95667

Dear Ms. Dyer:

As you are likely aware, a video has recently surfaced in the media in which Planned Parenthood's Senior Director for Medical Services, Deborah Nucatola, discusses at length Planned Parenthood's role in the harvesting of fetal tissue. In the video, she describes, among other things, the fetal organs available for harvesting, the cost per "specimen," and the coordination with abortion providers to modify their procedures in particular cases to preserve selected organs in order to fill particular orders. Additionally, Nucatola allegedly stated that she encourages local affiliates to determine which fetal organs are most in-demand and described how abortion providers allegedly alter the method of abortion to keep the desired organs intact.

The video also includes an edited-in shot of Stem Express's online order form for fetal tissue. Nucatola further specifically mentions that Stem Express had approached the Planned Parenthood Federation of America in an effort to get PPFSA to develop a more centrally-coordinated process for facilitating Stem Express's acquisition of fetal tissue from Planned Parenthood's individual affiliates.

As you know, various federal regulations and statutes govern the use of human tissue and organs. For example, it is unlawful under 42 U.S.C. § 274e for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce. 42 U.S.C. § 289g-1 further prohibits the use of fetal human tissue for research without the informed consent of the woman having the abortion and prohibits the alteration of abortion methods and procedures solely in order to obtain fetal tissue. Additionally, under 42 U.S.C. § 289g-2, it is unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce, and 18 U.S.C. § 1531 prohibits partial-birth abortions. Accordingly, the Senate Judiciary Committee is initiating an inquiry into the procurement of fetal tissue and related activities described in the video.

Please provide the Committee with the following by July 30, 2015:

1. All records relating to Stem Express's communications with Deborah Nucatola.
2. All records relating to Stem Express's communications with Planned Parenthood regarding the centralization or coordination of Stem Express's acquisition of fetal tissue from Planned Parenthood's individual affiliates, including for example, communications referenced in the video released by the Center for Medical Progress at 07:00-07:49: <https://youtu.be/jjxwVuozMnU?t=7m>.

If you have any questions about this request, please contact Jason Foster of my Committee staff at (202) 224-5225. Thank you for your attention to this important matter.

Sincerely,



Charles E. Grassley
Chairman
Senate Committee on the Judiciary

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KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

July 29, 2015

VIA ELECTRONIC TRANSMISSION

Ms. Linda Tracy
President
Advanced Bioscience Resources, Inc.
1516 Oak St. #303
Alameda, CA, 94501

Dear Ms. Tracy:

As you are likely aware, a series of videos has recently surfaced in the media involving the acquisition of fetal tissue and Planned Parenthood. In the first video, the Senior Director for Medical Services for the Planned Parenthood Federation of America (PPFA), Deborah Nucatola, discusses at length Planned Parenthood's role in the harvesting and distribution of fetal tissue. In the video, she appears to describe, among other things, the fetal organs available for harvesting, the cost per "specimen," and the coordination with abortion providers to modify their procedures in particular cases to preserve selected organs in order to fill particular orders. Nucatola also explains that the transfer of fetal tissue is largely handled at Planned Parenthood's affiliate level, with the national organization providing some level of coordination. In the second video, the President of PPFA Medical Directors' Council, Mary Gatter, appears to haggle over the price of fetal tissue and to discuss modifying abortion procedures to harvest such fetal tissue.

Advanced Bioscience Resources (ABR) is mentioned in both of those videos. Further, in the third video, Katharine Sheehan, the Medical Director of Planned Parenthood Pacific Southwest, states that her affiliate has had a fetal tissue procurement relationship with ABR for over ten years and had, at the time of the video, just renegotiated the contracts.

Various federal regulations and statutes govern the use of human tissue and organs. For example, it is unlawful under 42 U.S.C. § 274e for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce. 42 U.S.C. § 289g-1 further prohibits the use of fetal human tissue for research without the informed consent of the woman having the abortion and prohibits the alteration of abortion methods and procedures solely in order to obtain fetal tissue. Additionally, under 42 U.S.C. § 289g-2, it is unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce, and 18

U.S.C. § 1531 prohibits partial-birth abortions. Accordingly, the Senate Judiciary Committee has initiated an inquiry into the procurement of fetal tissue and related activities described in the videos.

Please provide the Committee with the following by August 12, 2015:

1. All records relating to communications with clinics and other organizations, including ones associated with Planned Parenthood, from which ABR has acquired, currently acquires, or has sought to acquire fetal tissue, relating to such fetal tissue acquisition efforts and activities.
2. All records relating to communications with the Planned Parenthood Federation of America concerning the coordination or facilitation of fetal tissue acquisition from Planned Parenthood affiliates.
3. All contracts that ABR has had since 2005 with any clinic, entity, or individual relating to the procurement, preparation, and transportation of fetal tissue.
4. A detailed accounting of the costs incurred by ABR in procuring, collecting, preparing, storing, and transporting fetal tissue from ABR's suppliers.
5. All contracts that ABR has had since 2005 with its customers relating to ABR's sales of fetal tissue and products derived or developed therefrom.
6. The total amount of revenue generated by ABR from its sales of fetal tissue or products derived or developed therefrom.
7. A detailed accounting of the costs incurred by ABR in preparing, storing, and transporting fetal tissue to ABR's customers.

If you have any questions about this request, please contact Jason Foster of my Committee staff at (202) 224-5225. Thank you for your attention to this important matter.

Sincerely,



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Senate Committee on the Judiciary

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KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

July 30, 2015

VIA ELECTRONIC TRANSMISSION

Ben Van Handel, M.D.
Executive Director
Novogenix Laboratories LLC
1425 San Pablo St., BCC 205
Los Angeles, CA 90066

Dear Dr. Van Handel:

As you are likely aware, a series of videos has recently surfaced in the media involving the acquisition of fetal tissue and Planned Parenthood. In the first video, the Senior Director for Medical Services for the Planned Parenthood Federation of America (PPFA), Deborah Nucatola, discusses at length Planned Parenthood's role in the harvesting and distribution of fetal tissue. In the video, she appears to describe, among other things, the fetal organs available for harvesting, the cost per "specimen," and the coordination with abortion providers to modify their procedures in particular cases to preserve selected organs in order to fill particular orders. Nucatola also explains that the transfer of fetal tissue is largely handled at Planned Parenthood's affiliate level, with the national organization providing some level of coordination. In the second video, the President of PPFA Medical Directors' Council, Mary Gatter, appears to haggle over the price of fetal tissue and to discuss modifying abortion procedures to harvest such fetal tissue. Gatter also states that Novogenix Laboratories (Novogenix) was partnered with Planned Parenthood of Los Angeles (PPLA) for purposes of fetal tissue acquisition, and she describes how Novogenix's staff interacted with the PPLA's staff in these efforts.

Various federal regulations and statutes govern the use of human tissue and organs. For example, it is unlawful under 42 U.S.C. § 274e for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce. 42 U.S.C. § 289g-1 further prohibits the use of fetal human tissue for research without the informed consent of the woman having the abortion and prohibits the alteration of abortion methods and procedures solely in order to obtain fetal tissue. Additionally, under 42 U.S.C. § 289g-2, it is unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce, and 18 U.S.C. § 1531 prohibits partial-birth abortions. Accordingly, the Senate Judiciary Committee has initiated an inquiry into the procurement of fetal tissue and related activities described in the videos.

Please provide the Committee with the following by August 13, 2015:

1. All records relating to communications with clinics and other organizations, including ones associated with Planned Parenthood, from which Novogenix has acquired, currently acquires, or has sought to acquire fetal tissue, relating to such fetal tissue acquisition efforts and activities.
2. All records relating to communications with the Planned Parenthood Federation of America concerning the coordination or facilitation of fetal tissue acquisition from Planned Parenthood affiliates.
3. Copies of all types of consent forms used in relation to Novogenix's acquisition of fetal tissue, as well as all records relating to the creation and use of those consent forms.
4. All documents relating to instructions, standard operating procedures, and guidelines given to Novogenix staff relating to their fetal tissue acquisition efforts.
5. All records relating to communications between Novogenix personnel or contractors and Deborah Gatter.
6. All contracts that Novogenix has had since 2005 with any clinic, entity, or individual relating to the procurement, preparation, and transportation of fetal tissue.
7. A detailed accounting of the costs incurred by Novogenix in procuring, collecting, preparing, storing, and transporting fetal tissue from Novogenix's suppliers.
8. All contracts that Novogenix has had since 2005 with its customers relating to Novogenix's sales of fetal tissue and products derived or developed therefrom.
9. The total amount of revenue generated by Novogenix from its sales of fetal tissue and products derived or developed therefrom.
10. A detailed accounting of the costs incurred by Novogenix in preparing, storing, and transporting fetal tissue and products derived or developed therefrom to Novogenix's customers.

If you have any questions about this request, please contact Jason Foster of my Committee staff at (202) 224-5225. Thank you for your attention to this important matter.

Sincerely,



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