

# UNIVERSITY OF MINNESOTA

---

*Office of the President*

*202 Morrill Hall  
100 Church Street S.E.  
Minneapolis, MN 55455-0110*

October 22, 2015

Dean E. Johnson, Chair  
David J. McMillan, Vice Chair  
Board of Regents  
600 McNamara Alumni Center  
200 Oak Street SE  
University of Minnesota  
Minneapolis MN 55455

Dear Regents Johnson and McMillan:

You asked in your letter of October 20, 2015, for additional information on the “exact sources of tissue” provided to the University by Advanced Biosciences Resources (ABR). In particular, you asked whether ABR (or any other fetal tissue supplier the University might use) procures tissue from elective abortions.

The University does not know all of the various sources of fetal tissue procured by ABR. However, ABR has informed the University that it procures tissue from induced abortions at clinics throughout the country, including up until July 2015, clinics in Minnesota. It does not procure tissue from spontaneous abortions (miscarriages) because such tissue rarely, if ever, can be used for research purposes. The same is true of the fetal tissue supplied by Stem Express and any other organization that might procure fetal tissue.

Your letter mentions a potential policy change to prohibit the acquisition of fetal tissue from suppliers who procure tissue from induced abortions. Any such policy change would be tantamount to prohibiting all fetal tissue research at the University. Research with fetal tissue from induced abortions is legal under federal and state law and is eligible for federal funding. Research using fetal tissue has been used to develop polio and other vaccines and holds promise today for treating or preventing many diseases, including cancer, diabetes, human development disorders such as Down syndrome, and infectious diseases. I believe the University of Minnesota should stand with its peers, other major research universities and academic medical centers throughout the country, who have recently endorsed a statement issued by the American Association of Medical Colleges, endorsing the continued legal and responsible use of fetal tissue in medical research (attached).

*Regents Johnson and McMillan*

*October 22, 2015*

*Page 2*

Thank you for your interest in understanding this complex issues. Please do not hesitate to contact me or Vice President Herman if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Kaler", with a long horizontal flourish extending to the right.

Eric W. Kaler  
President

EWK:ap

Attachment

- c: Members of the Board of Regents
  - Brian Steeves, executive director, Board of Regents
  - Brian Herman, vice president, Research
  - Brooks Jackson, dean and vice president, Medical School and Academic Health Sciences
  - William Donohue, General Counsel

October 20, 2015

As leading academic medical centers and scientific societies whose medical scientists conduct life-saving research, we have grave concerns about legislative proposals to restrict the use of fetal tissue for research.

From therapies for end-stage breast cancer, diabetes, and Parkinson's disease to a promising vaccine for Ebola, vital medical research depends on continued use of fetal tissue under current laws and regulations. Fetal tissue continues to be an important resource for biomedical research. Fetal tissue is used when scientists need a cellular system that is less differentiated than adult cells. According to the U.S. Department of Health and Human Services, "fetal tissue continues to be a critical resource for important efforts such as research on degenerative eye disease, human development disorders such as Down syndrome, and infectious diseases, among a host of other diseases." Since the 1930's, fetal tissue has been used in a broad range of research that has led to lifesaving discoveries. In the past, human fetal tissue research has been critical in establishing permanent cell lines for use in vaccine research for diseases such as polio, hepatitis A, measles, mumps, rubella, chickenpox, and rabies. These established cell lines are currently being used to develop an Ebola vaccine.

Legislative proposals that halt research from cells already developed from fetal tissue and/or restrict scientists' access to new tissue or cell lines would have serious downstream consequences:

- They would limit new research on vaccines not yet developed, for treatments not yet discovered, for causes of diseases not yet understood.
- Some research questions cannot be answered using previous cell lines that have been immortalized; such proposals would prevent research that requires tissue that has been obtained more recently.
- Such proposals would restrict research only to organs or tissues for which cell lines currently exist, preventing new avenues of research exploring differences between tissue types.
- Such proposals would restrict access to new tissue necessary for the development and validation of novel research tools and technologies – essential to cutting-edge research.
- Organs and tissues are not just composed of a single type of cell, but rather an environment of multiple cell types; proposed restrictions would prevent scientists from studying the behavior of cells as they exist in our bodies.

As a prominent bioethicist has observed, the legal and ethical rules enforced for fetal tissue donation are similar in many respects to the ethics of organ donation. The ability to donate fetal tissue for medical research is not linked to an increase in the number of abortions practiced. Nor can we reasonably expect a limitation on fetal tissue donation or research to reduce the number of abortions. Rather, it will prevent the use of tissue that would otherwise be destroyed, hindering efforts to better understand, diagnose, and treat diseases.

We understand and share some of the concerns that have been raised in response to recent headlines, and our institutions endorse strong ethical practices that will address these concerns without shutting down vital research. We oppose any efforts to profit from the sale or distribution of human fetal tissue. Additionally, we embrace the best ethical practices that separate the decision to have an abortion from the decision to donate tissue for research.

As physicians and scientists, we work every day to save and improve lives. We urge lawmakers to support our ability to continue this important work by rejecting any proposals that restrict access to fetal tissue for research that has the potential to save countless lives.

American Society for Reproductive Medicine  
Association of Anatomy Cell Biology and Neurobiology Chairs  
Association of Medical School Microbiology and Immunology Chairs  
Association of University Radiologists  
Beth Israel Deaconess Medical Center  
Boston Children's Hospital  
Boston University School of Medicine  
California Northstate University College of Medicine  
Cedars-Sinai Medical Center  
Children's Hospital Los Angeles  
Columbia University Medical Center  
Duke University School of Medicine  
Feinberg School of Medicine, Northwestern University  
Florida Atlantic University  
Harvard University  
Jacobs School of Medicine and Biomedical Sciences at the University at Buffalo  
Johns Hopkins University  
Loma Linda University School of Medicine  
Marshall University Joan C. Edwards School of Medicine  
Medical College of Wisconsin  
Michigan State University College of Human Medicine  
Mount Sinai Health System  
NYU Langone Medical Center  
The Perelman School of Medicine at the University of Pennsylvania  
Research!America  
Roy J. and Lucille A. Carver College of Medicine at the University of Iowa  
Rutgers Robert Wood Johnson Medical School  
Stanford University School of Medicine  
Stony Brook Medicine  
SUNY Upstate Medical University College of Medicine  
Temple University School of Medicine  
Tufts University School of Medicine  
Tulane University School of Medicine  
Universidad Central del Caribe  
University of Alabama School of Medicine  
University of Chicago  
University of Colorado School of Medicine

University of Illinois Hospital & Health Sciences System  
University of Maryland, Baltimore  
University of Massachusetts Medical School  
University of Michigan Medical School  
University of Nevada School of Medicine  
University of New Mexico Health Science Center  
University of Pittsburgh School of Medicine  
University of Puerto Rico School of Medicine  
University of Rochester Medical Center  
University of Washington  
University of Wisconsin-Madison  
Virginia Commonwealth University School of Medicine  
Washington University in St. Louis  
Weill Cornell Medical College  
Wright State University  
Yale School of Medicine