

**Republican Study Committee of Colorado
Fetal Tissue Trafficking Hearing
Colorado State Capitol, Senate Committee Room 356
9:00 a.m., November 9, 2015**

Despite a lack of participation from Planned Parenthood and most state agencies, the hearing effectively highlighted several significant issues. With a standing-room-only crowd, several TV cameras and eleven legislators, the informational hearing dug deep into the concerns and particulars of fetal tissue trafficking.

On Monday, November 9, 2015, the Republican Study Committee of Colorado (RSCC) sponsored an informational hearing at the Colorado State Capitol on fetal tissue trafficking. Witnesses included attorneys Michael Norton, Natalie Decker and Barry Arrington from Alliance Defending Freedom, bioethicist David Prentice from Charlotte Lozier Institute, forensic investigator John Mencer, and pregnancy center administrators Rick Thielen, Marcy McGovern, and Larry Smith.

Planned Parenthood of the Rocky Mountains, the Colorado Department of Public Health and Environment, Colorado State University and the University of Colorado were all invited to testify but did not come. The Attorney General's office did appear before the committee (at the last minute). Because of those who declined to appear before the committee many questions remain unanswered, but several points were established.

For example, Planned Parenthood stated in the letter in which they declined to attend that they do "not participate in the collection or transfer of fetal tissue", yet the committee viewed a video of Planned Parenthood of the Rocky Mountain's medical director, Dr. Ginde negotiating the sale and transfer of fetal tissue.

Despite Planned Parenthood saying (as reported by the Grand Junction Sentinel) that the videos were "...sham videos that have been debunked repeatedly here and nationally," professional forensic expert John Mencer confirmed that the videos accurately record the conversations held with Planned Parenthood personnel.

The hearing was a success in opening the discussion concerning the use of fetal tissue in research in the state of Colorado. However with questions still left unanswered, and departments unwilling to fully investigate, the Legislature has more work to do.

Hearing agenda:

1. Introductions
2. Natalie L. Decker, Alliance Defending Freedom reviews federal laws regarding fetal tissue trafficking and efforts to defund Planned Parenthood
3. LSS report on Colorado law concerning fetal tissue trafficking and funding for abortion.
4. Dr. David Prentice, Adjunct Professor of Molecular Genetics at the John Paul II Institute.
5. Attorney Barry Arrington reports on McIntyre v. Colorado Christian University lawsuit.
6. Chair presents letters of invitation to Colorado State University and Colorado University and responses to invitations.
7. Michael J. Norton, Alliance Defending Freedom, to testify about various inquiries by elected officials, responses from state agencies and investigations into clinic activities.

Break for lunch

8. Chair presents letters of invitation to Rocky Mountain Planned Parenthood and responses Thereto.
9. Panel of caring pregnancy center personnel.
10. John Mencer, forensics expert of Coalfire Government Systems, presents summary regarding CMP videos.
11. Michael J. Norton, Alliance Defending Freedom, to present summary testimony on Planned Parenthood funding, violations of laws, and recommended course of legislative action.
12. Legislators present 2016 legislative proposals and wrap-up.

RSCC Hearing Notes

9 Nov. 2015

9:00 AM

These notes are not verbatim unless within quotation marks. The rest of the notes are meant to record the essence of the statements given at the hearing. This is not a complete record of everything that was stated. A video copy of the hearing is available as a complete record of the hearing.

09:00

The Chairman (Senator Lundberg) called the committee to order. He stated that this was an informational hearing by RSCC to look into the issue of fetal

tissue trafficking, and introduced members of the legislature who were present: Rep. Humphrey, Sen. Woods, Sen. Lambert, Sen Lundberg, Rep. Lundeen, Rep. Klingenschmitt (Reps Saine, Joshi, Windholz and Van Winkle and Sen. Holbert were present later).

The Chairman continued: The next few hours are to gather information and seek answers to questions lingering in the minds of many people in Colorado. Right before session, it is a proper time to have the hearing and find these answers

The first witness was Natalie Decker, of Alliance Defending Freedom (ADF). Testifying with her was Mike Norton, Also of ADF.

Decker: On behalf of ADF and citizens across Colorado.

We will find the facts for Planned Parenthood (PP) and trafficking.

- PP performs 1/3 abortions USA.
- An organization, Center for Medical Progress (CMP) Posed as a tissue procurement agency and caught PP on these videos.
- In the CMP videos, PP shows a willingness to violate laws and women's safety for profit.
- If we didn't have videos, there would be no proof and PP would deny allegations
- 11 videos, 2 feature Planned Parenthood of the Rocky Mountains (PPRM), one of the larger PP facilities.
- CMP visited PPRM in April 2015.
- ADF put together short summary video.

(Rep. Joshi Present)

Chair: He noted that the RSCC had invited PPRM, but they declined. He then read a letter from PPRM declining, in which the attorney for PPRM asserts that they do not participate in collection or distribution of tissue.

Rep. Klingenschmitt: He asked if raw videos were given to the CDPHE. (Colorado Department of Health and Environment).

Decker: The videos are accessible on web. And yes, they are available in their entirety. (This subject will be addressed later in the hearing).

Norton: (Addressing Rep. Klingenschmitt's question) The answer is yes, the unedited videos were made available to the Attorney General (AG) and the CDPHE and he had notified them where they could find them online and he provided a copy but never heard back from either.

09:11

A video was played. The video takes place in the PPRM abortion facility, and depicts negotiations for the sale of fetal tissue between Dr. Ginde of PPRM and individuals with CMP. It shows the PPRM and CMP representatives sorting through aborted babies.

There appears to be a willingness on the part of Dr. Ginde (against federal law) to adjust the baby's presentation before birth to get certain desired organs, eg., liver and thymus.

09:21

Decker Cont. ADF provided binders for the RSCC members with 32 tabs each.

- Tab 1. Contains copies of federal law concerning partial birth abortion and trafficking.
- Tab 5. Contains video transcripts and material from Congressional investigations and reports on PP care and lack thereof for those who are victims of abuse. PP performed an abortion on a 13 year-old minor who had been sexually abused by her step father (who brought her to the abortion facility). PP released her back to him post abortion, and she was subjected to his abuse again.

Chair: He referred to the letter of declination he received from PPRM which states that PP does "not participate in the collection or transfer of fetal tissue" He suggested that the video disproves PP's statement.

Decker: Yes, and she referred the committee to Tab 16 where there is a lawsuit to that effect.

Chair: They are required to report suspected abuse, right? In the Senate Health and Human Services Committee in the 2015 Legislative Session, PP attorney Kevin C. Paul said that they do report abuse and fire anyone who does not report.

Decker: She referred to Tabs 29-30 to read transcripts where PP employees have a "don't ask don't tell" policy. She said that it is tragic that they didn't report the abuse of the 13 year old girl.

Norton: He discussed the case brought by the mother of the 13 year-old girl who was molested and impregnated by her step father, brought to PPRM by him, had an abortion, all before the situation was brought to light. He is now incarcerated for what he did. Many court cases are public, but PP entered into a non-public settlement with the girl/mother. PP and abortionist's actions are outrageous. After the ruling, PP entered in to confidential settlement. Tab 9 from September 2015 depicts PP around the country neglecting the requirement to report such abuse. Tabs 29 & 31 contain the case where ADF with Colorado Family Action filed a formal complaint seeking investigation into aspects of the doctor and nurse in the case. (The names have been redacted.) Also Tab 29 concludes that regulatory agencies said that while they don't condone PP's action in the case of the 13 year-old girl, they could find no fault with the doctor.

Decker: Decker was a prosecutor, and explained that before she took action on a case, she looked at all information to see if there was enough evidence for action. She offered to share what she found in federal law.

Chair: He recognized Rep. Humphrey to share the memo from the nonpartisan Office of Legislative Legal Services (OLLS or LLS), which also declined to attend the hearing and

present a non-partisan explanation of the state and federal law.

Decker: She provided the members with all applicable laws. Fetal tissue procurement is illegal, especially if such transfer and procurement affects interstate commerce. She explained that the Commerce Clause has come to be interpreted very broadly.

Valuable compensation is illegal. PP is only allowed to charge for its costs accrued, e.g., payment of a Fed Ex bill for shipment. Any more, and that expense is considered profit, and therefore illegal.

She went on to explain the McIntyre case from CSU. It is evident that they were not only talking about cost in the video. Ginde liked the idea of a per item cost, to “see how much they can get” and working with attorneys to get around the law, she affirmed that PP’s legal department will work to make sure they don’t have trouble. These are not (Ginde and Nucatola) rank and file PP employees. They are high up in PP.

Decker described the video where a PP doctor asks for an offer, not wanting to low ball. In it, the doctor suggests that it would be good to get “a little extra” from the sale. At the very least there is evidence to warrant an investigation. Federal law allows sale of tissue under regulations including informed consent by the woman having the abortion. Ginde says they will need equipment and training to ensure there will be usable specimens and that they will use a “less crunchy technique” to get what they want.

Partial birth abortion (illegal at the federal level) is the issue here. Nucatola stated that the “federal ban is just a law” and if she says something, then it doesn’t matter what she really does.

Contained under Tab 5 are info sheets from CMP regarding partial birth abortion techniques including the use of certain drugs.

Chair: He explains that there will be no time for public testimony due to time constraints and notes that Rep. Van Winkle is present.

Rep. Joshi: Rep. Joshi, a retired physician, expressed that he is abhorred that someone who is supposed to provide care would do what was done in the videos. He asked about the provisions for abortion in the Colorado Constitution.

Norton: He said that the Colorado Constitution prohibits state funding for abortions, (added to the Colorado Constitution in 1984). There was an effort to repeal this provision but the effort was shot down by Governor Lamm. Lamm was asked how the proposed amendment (to repeal the provision) would affect the state, and he said without hesitation that it would not have any affect. Subsequently, Governors Lamm and Romer neglected the law and funded abortion. Under Governor Owens , under the direction of Mrs. Jane Norton, then director of CDPHE, contracted with an accounting firm to ascertain costs at the facility belonging to the abortion affiliate of PP in order to ascertain if their costs were being compensated by state funding. She instructed the

facility divest itself from PP or lose state funding. The facility failed to comply, so Mrs. Norton had them defunded. Mrs. Norton filed a suit that was dismissed and she appealed. The outcome is still pending to date.
Taxpayers not required to pay for abortions.

09:49

Rep. Humphrey: He noted that unfortunately, there was no staff from OLLS present, since they had declined. He read the memo that he had received from OLLS: Both federal and Colorado laws prohibit the sale of fetal tissue for profit (section 42 of the U.S. Code prohibits acquiring fetal tissue for profit). Colorado law bans abortion doctors from transferring tissue. The Colorado Constitution prohibits using taxpayer dollars for abortions. Humphrey said his questions would have been to ask about reporting requirements or tracking for payments received, and if public funds are indirectly used to fund PP.

Norton: Mr. Norton clarified that the statutes referenced by Ms. Decker are contained within Tabs 1-4 & 14. There has been no reporting in regards to the trafficking until after the videos disclosed the practice. No state Agency has said we need to look into the situation.

As a former prosecutor he knows what it takes to put together an argument and there is a basis that there needs to be an investigation into this issue of Planned Parenthood's fetal tissue trafficking and someone must head up the investigation.

One issue that arises is attorney client privilege. There are exceptions, such as the crime fraud exception which is when an attorney is participating with a client in the commission or perpetration of a crime, in which case, there is no attorney client shield. A client can also waive the attorney client privilege.

Decker: She said that the problem with PPRM is that it is not accountable to anyone, and no one is giving oversight. But there are people who are supposed to be looking into this. She thanked the RSCC for holding the hearing. She expressed disappointment to see the lack of action from state agencies. PPRM is not subject to CORA (Colorado Open Records Act).

Rep. Humphrey: He thanked ADF for coming and presenting to the committee, as well as thanking everyone in the audience for coming to the hearing. He made it clear that this is not a witch hunt, and that the RSCC wouldn't even have called for a hearing if the state agencies concerned were willing to answer questions.

Chair: We may end up with more questions than answers as a result of Planned Parenthood's refusal to show up, and he mentioned once more that PP was invited to share their side of the issue. He introduced Dr. David Prentice of the Charlotte Lozier Institute.

Prentice: He thanked the RSCC for holding the hearing, and gave a brief background of himself. He is the Vice President of research at the Charlotte Lozier Institute. He gave copies of his testimony to the members of the committee, and promised to go into the

science of the use of fetal tissue in research.

He spent 10 years working with life scientists in Indiana and Texas medical schools, and was testifying as a biologist.

He said using fetal tissue in research raises problems, and that there are ethical alternatives.

His organization does not oppose transplants, vaccines, and bio research. Their concerns are the unethical uses of fetal tissue.

In 1939 the first fetal tissue transplant was conducted, but it didn't work. Despite years of efforts, using fetal tissue to treat diabetes has also failed to work. One diabetic treatment uses pancreatic tissue from 24 fetuses per patient. Many efforts have been made and results are "dismal" for the number of organs. Using adult stem cells have proven to be much more effective. Often problems occur from using fetal tissue. In 2001 there was an effort to treat a patient with Parkinson's Disease and the doctor said the result in the patient was "catastrophic."

In contrast, adult cells have worked with good results.

Fetal tissue injections into patients' brains didn't work and in many instances patients had unusual non-brain tissue growth in their brain.

Much of the raw tissue is collected from fetuses in developmental stages at which corrective surgery can be performed on fetuses in the womb.

Science shows fetuses can feel pain.

Dr. Prentice stated that there are successes: around 1 million patients have been treated with adult cells resulting in success.

- "StemCellResearchFacts .org" contains peer review testimony from those who have had adult stem cell transplants.
- Two studies show diabetic patients were able to stop using insulin after adult stem cell treatment, which also works for MS, Parkinson's Disease and ALS, and sickle cell disease, and is shown to stop the progression of the disease with treatment from adult cells.
- Vaccine development does not work in fetal tissue. In 2009 scientists tried to grow the Polio Virus in human fetal cells but the vaccine is usually grown in monkey cells and the current vaccine does not use fetal tissue. Adult, duck and insect cells can be used as well.
- There is little need for fetal tissue use and studies show that there is no need for new fetal tissue use.

Dr. Prentice explained that in successful field trials they use "Vero" cells from monkeys. Research that required fetal tissue is antiquated. A Nobel prize was given for making cells from any patient or cell line that can be used to grow viruses. A study recently released supports the notion that these cells are better.

Umbilical cord cells work as well as mice with reconstituted cells. These reconstituted

cells come from umbilical cells, not fetal cells. They can make facsimile organs to use as laboratory models. Use of fresh fetal tissue is a dying practice in scientific research. The statutes speak about informed consent and not altering the presentation of the fetus.

The statement that fetal tissue has been used to treat cancer, AIDS and other diseases is inaccurate because the patients have not been cured.

There is a lack of transparency where procurement is concerned. There is a need to have transparency.

Chair: He asked for clarification: where is there a lack of transparency, in clinics, abortion facilities or Stem Express?

Prentice: A lack of transparency exists in actual sites where fetal tissue is harvested. There is not transparency for Stem Express either. We don't even know how many of these procurement facilities are in operation. In the Stem Express catalogue the company is selling a vial of fetal tissue for several thousand dollars, so there is great profit.

There are other ways to conduct research besides using fetal tissue.

Rep. Joshi: He pointed out that we have been growing skin for burn patients from the burn patients' own skin that is ready for doctors to use within weeks. They are even working on growing kidneys from patients' own tissue. He thanked Prentice for providing testimony.

Prentice: Such research continues to advance. There is also a "skin gun" that puts a sterile sealant onto damaged skin until it grows back. They have developed technology that grows nephros, though, not whole kidneys,

Sen. Woods: What do we know about projects that use fetal tissue?

Prentice: CU has one project and CSU has two projects using "humanized mice" from fetal tissue, but adult stem cells or umbilical cord cells work just as well in "humanizing mice."

Rep. Klingenschmitt: PP executives brag about selling fetal tissue. He cited Dr. Deb Nucatola who stated in the midst of a negotiation that she "wants to buy a Lamborghini." Aborted children add up to millions of dollars and he asked if Dr. Prentice was saying that this sale of fetal tissue for research has no beneficial outcome and that adult stem cells are better? Is there any reason other than money for these sales?

Prentice: He can't come up with another reason for wanting to make sales. Over a million patients have been treated, but fetal tissue is an antiquated science.

10:25:

Chair: He thanked Dr. Prentice and proceeded to former Colorado State Representative

Barry Arrington.

Arrington: He has been working on this issue for a long time. He referenced Tab 16. He has filed suit against CSU, arguing that there is a prohibition in the State Constitution against using public funds for abortion. Gov. Lamm was asked why his administration neglected to obey this provision and those asking were basically told to “shut up,” It was proven that state funds were used on abortion, and Mrs. Norton cut it off. PP supporters said that women, especially poor women, would not have health care. After PP was defunded it was refunded again, and this was when Arrington filed the law suit. He was told that he had no standing because they were using federal funds. The case is still pending in the Court of Appeals.

Mr. Arrington went on to explain that when the CMP released the videos and Congressman Lamborn started his investigation, they CORA'd the universities. CU claims that it doesn't spend public funds on fetal tissue. The National Institute of Health said CU Denver does use public funds on fetal tissue, though the university denied it.

CORA requests to CSU asked for invoices showing purchases of fetal tissue. They provided a document of a contract with Stem Express. One invoice shows CSU giving a grant to PP--just giving State funds to PP to do whatever they want with them. If this doesn't support PP in its actions, then what does?

Mr. Arrington said that PP will claim that they don't do abortions.

After further research, we should not have taken PP at their word. He referenced Tab 13, a disturbing case, where PPRM is the PP facility that claimed it does not perform abortions and other organizations that are “hermetically sealed” from PPRM are the ones who do abortions.

He cites that case of the 13 year-old girl where the stepfather brought her in to an abortion clinic, where no one asked questions about how a minor became pregnant. After the abortion she was given back to him. Statutes require that if there is any suspicion of abuse, it must be reported. The report of pleadings in her case is very revealing—the prosecutor filed complaints and the allegations were addressed one by one. The administrator said the girl (initials RZ) was taken to another room at the clinic, and the clinic officials said that she did indeed receive an abortion even though for 15 years they stated that they don't do abortions. RZ was then released, but no adult was there with her. PPRM seems to be hiding in order to obtain more money. They use the profits they make to subsidize abortions.

(Rep. Saine Present)

Arrington continued: Hundreds of checks, about one hundred thousand dollars of public funds used for abortions.

- He filed suit with Larimer County (Tab 16) as CSU is in Larimer County.
- PP itself does provide abortions and when CSU gives them a grant, that is

- subsidizing PP.
- The money comes from an account from CSU as a result of acquiring fetal tissue.
- This is a violation of the Colorado Constitution, and PP, Advance Bioscience Resources (ABR, a middle-man that sells fetal tissue) and CSU conspired to violate the Constitution.
- He is asking the Court to enjoin CSU for doing this.

Rep. Joshi: He has a friend who has a granddaughter who is just learning to walk. She fell as a result of her toddling steps and got a bruise. The family took her to the ER and Social Services was called. Yet Social Services was not called for PP. Something that bothers him is that there is funding for PP but only \$0.18 to the dollar to doctors treating patients with Medicaid.

Arrington: He represents schools and tells them to have a hair trigger when it comes to calling for an investigation. If there is any suspicion of wrong-doing, it is better to have false alarm than to neglect the problem.

Rep. Humphrey: He asked about the letter from PPRM's attorney. Based on experience, what is the credibility of the attorney's letter?

Arrington: What he knows now, but didn't know in 2008, is that PP has been lying when they said they didn't use state funds. What happened was pretty clear, the 13 year-old girl case is very disturbing especially that no questions were asked.

Sen. Lambert: He asked about allegations. Paragraph Four states that CSU has a commercial bank account. Is this ledger the same account?

Arrington. He received a bank statement for CSU where he was able to trace the expenses to the account.

(Sen. Holbert Present.)

Chairman: One researcher doing research on thymus tissue spent \$100,000 in fetal tissue procurement? Are all these charges from this one researcher?

Arrington: There are 250 different transactions. The names are redacted, so he cannot tell who all is involved. \$96,945 was spent by CSU to ABR.

Chair: CSU was invited to attend but they declined. It is unfortunate they are not here to answer these questions, but be assured that the RSCC will pass on these questions to the committees of reference.

Sen. Lambert: Does the interstate commerce clause remove this from being a violation of federal code?

Arrington: No, the commerce clause is very broad, and does pertain to this issue. He noted that in *Wickard vs. Filburn*, Mr. Filburn was accused of unlawfully selling his wheat under the Agriculture Adjustment Act of 1938. Mr. Filburn insisted that he didn't sell the wheat, but rather used it for his own livestock. Still, they convicted him because the wheat had some effect on interstate commerce. The commerce clause can mean anything.

Sen. Lambert: He asked a question to clarify: CSU's purchase of fetal tissue violates federal law?

Arrington: Mr. Arrington answered that this is a state constitutional issue, but the commerce clause has been violated.

Rep. Van Winkle: We know that tuition is rising out of control, and that these large sums of money raise more questions than he anticipated. He asked about the grant: when was it given, what was it for?

Arrington: It was a small grant. See Exhibit One, the invoice was for \$96,945 for instruments and other equipment, but it was very vague.

Sen. Holbert: He points to Exhibit Four in Tab 16. It seems that the mode is often \$285. Why is that one frequent and there are others ranging up to \$700? Is there any reason for this except for a negotiated price?

Arrington: He has the invoices. These are the costs for standard procurement. Most others are multiples of \$285.

Chair: Sen. Lundberg pointed out that \$285 seems to be the base price.

Arrington: \$285 was the cost in 2010. Now the cost is \$460.

Norton: In reply to the question asking if these allegations are violations of state or federal law. It is quite possible. Arrington is not responsible, city DAs are responsible for investigation and enforcement of statutes.

Arrington: The allegations, if true, would be violation of statutes. Enumeration should only cover costs. Any more, and it becomes a violation of law.

Chair: He asked a follow-up question: What is remedy/penalty to an agency for violating the prohibition (to using public funds for abortion) in the statutes and Constitution?

Arrington: Any action that violates the law is void from the beginning and money must go back to where it came from. Judicial injunction is necessary to prevent this in the future.

Chair: So the \$97,000 to ABR must be returned to the state of Colorado?

Arrington: If the State grants our remedy that's what it would do.

Norton: Planned Parenthood as well as the state agencies knew engaging in such conduct was not right. The idea behind the law suit is to force them to take responsibility.

Chair: Should there be more in statute to prevent this?

Arrington: Executive agencies say that the statute is unclear. If the Legislature is serious about enforcing the statute, there should be a provision to give it teeth e.g., making fetal tissue trafficking a crime, subpoena and investigational powers, and requiring a certificate where the organization affirms that it understands the laws. After Governor Owens, agencies say they don't care/won't enforce the law. The current administration took an oath. To know what is happening and to do nothing is a violation.

Chair: He noted that CSU was invited to share their policies and procedures at the hearing, but declined. The same offer was extended to CU and they said they do not buy tissue from ABR or Stem Express. Both declined the invitation and it is troubling that so many legislators make a request and state agencies decline, as did CDPHE which said they have no reason to address anything here. The AG's office made no response at all until 45 min. ago. The chairman was made aware that David Blake, from the Ag's office is available to take questions at this time.

Sen. Holbert: "He's standing in the doorway."

Chair: Requested that Mr. Blake take a seat before the committee.

Blake: He stated that he does not have much to add beyond what was in the letter from the AG's office to Mr. Norton, but he can answer questions.

Chair: The chairman comments that it is refreshing to actually have a response from the AG's office. A letter from the AG states that authority to investigate PP falls to CDPHE. Is this correct?

Blake: Yes.

Chair: This pertains to statutes, but Art. V. sec 50 of the Colorado Constitution establishes investigation as the domain of the AG.

Blake: Where there is a common law that survives from the Constitution, it is the Legislature's purview to modify it. As far as Article V, there is no clear articulation on who has the ability to enforce the law. It is up to the courts. He did not want to speak to whose responsibility it was at the time.

Sen. Lambert: He has had discussions with the AG's office on whose responsibility it is

to enforce. Everyone is aware of lack of training in the Legislature as to who can enforce especially in criminal cases. Sometimes it has to exclusively go through the AG's office. As a legislative body we need to look closely at whose jurisdiction it is and find out what is the jurisdiction of state and federal agencies. He and others are looking into a new set of training materials for new legislators. Many feel that where there is a violation of a law, it is all up to the AG.

Sen. Woods: The AG's office said they would investigate Medicaid fraud as PP gets some funding from Medicaid.

Blake: State funds are matched by federal funds. Specific authority plus facts must be in existence for an investigation to occur. If the AG's office were currently involved in an investigation they would not comment on the issue. The Ag's office does have a Medicaid unit. The nexus between Medicaid and the PP allegation has not yet been put forward.

Chair: We've seen enough of PP's shell game. There should be enough evidence to call for an investigation.

Joshi: Colorado Family Action (CFA) sent a letter to DORA (Department of Regulatory Affairs) and DORA said there is not enough evidence to take action. Was this DORA's position only, or is it the AG's too, since they have oversight?

Blake: Mr. Blake said he cannot really reply to that question. The AG represents the entire State Government. They advise any and all agencies of the state, and have separate authority. When acting as council to an agency, there is attorney client privilege.

Rep. Joshi: The AG's office does advise DORA, is that true?

Blake: Yes

Rep. Saine: What would be sufficient evidence to call for allegations of fetal tissue trafficking?

Blake: The party that would have a basis for referral would be a person with first hand knowledge of the charges. The Fraud Unit would be in charge.

11:25

With no further questions, the Chairman thanked Blake, and recalled Norton

Norton: Mr. Blake's testimony related to a letter that was sent to Norton from the AG, (see Tab 23) which starts out saying that the AG's office monitors this controversy but lacks the authority to prosecute. When the Legislature assigned authority of oversight it went to the CDPHE, thus removing the responsibility from AG. The authority of the AG to prosecute crimes has also been limited by the Legislature and he suggested the

Legislature alter the Statutes to change the agency responsible for oversight.

Mr. Norton explained his opinion on the amount of evidence:

- Investigation: There is sufficient evidence
- Prosecution: There may or may not be enough evidence

Under Tab 18 there is another letter from the AG to Congressman Lamborn, who was the original sponsor of C.R.S. 25-2-1115 and was outraged at the videos released by CMP. Everyone should also be greatly affected by the callous discussion the harvesting and trafficking of the eyes, hearts, lungs, etc. of fetuses. This has been disturbing to anyone with sensitivity. In a civilized society it is inappropriate to be haggling over prices for fetal tissue.

In the rest of Tab 17 there is a letter to Dr. Frank of CSU and Tab 18 is the response. The letter was also cc'd to the AG. In her reply, the AG reiterates her view that this falls to CDPHE in the enclosed letter to Dr. Wolk.

Tab 19 contains CSU's response to requests from Sen. Lambert and Sen. Lundberg. It appears that only one researcher is using fetal tissue. The letter also contains a request to suspend fetal tissue procurement. CDPHE is opening a complaint because of Congressman Lamborn's letter. Tab 21 contains Dr. Frank's response to Lamborn—just a justification of what CSU is doing.

- Tab 22 is from CSU's general council.
- Per request of members of the Legislature, Norton sent a letter to the CDPHE.
- Tab 23 contains Rep. Nordberg's letter of request to Larry Wolk of CDPHE.
- In Tab 24 is CDPHE's reply which says there is not enough evidence to investigate.
- Norton followed up with them. Has a letter pursuant to CORA.
- Tab 27 is the reply.

Chair: He commented on the bioethics report to Dr. Frank. When he read it carefully, he found they were saying let's just back off unless they need fetal tissue for research. Basically it was saying: "We will continue down the road on which we've started" and it also said that they have been doing research for 15 years and the money was described as a very limited use of liver and thymus tissue. It's not just a little thing. There appears to be a pattern of "don't ask don't tell."

Sen. Holbert: He was troubled by the situation and signed on to the Nordberg letter to Dr. Wolk of the CDPHE.

References were made to Planned Parenthood calling the videos "edited" and requesting the raw footage. Is there any evidence of editing on videos? Do you feel that the requirements of the CDPHE have been met?

Norton: The response of Planned Parenthood that videos are edited is misleading. The committee will hear from a Coalfire forensic expert who will address this. His report shows that the videos are unedited. In addition, as a federal prosecutor, when

cooperating with professionals who are working undercover, undercover work is common and the audio and video would be preserved and a copy would be provided to people involved with the case. The same thing occurred here with the CMP videos. The published videos and transcripts have all been offered to the AG's office. Norton has all this on a thumb drive, and has offered it to anyone who wants it, and no one has replied. Maybe it's just because it is all accessible online.

Decker: If Planned Parenthood feels that the videos have been edited, they could be here. They are just hiding.

Rep. Klingenschmitt: Not a question, he expressed that he was disappointed by Mr. Blake's testimony. The Governor was elected by the Democrat Party, but Attorney General Coffman is a Republican. The allegation is that she is protecting the Governor, but many in this room elected her to be our representative to fight for our beliefs. There is a phone number on her letter head--720-508-6000—(he repeated twice) and emphasized that he will be calling that number to express his disappointment.

Rep. Joshi: On October 15 in the letter, on the second page, the AG states (and as Chief Law enforcement officer is required to uphold the law) that she cannot take action. Is it true that she cannot take action?

Norton: It appears that yes, she is saying that without a request from the Governor, she cannot take action.

Rep. Joshi: Former Attorney General Suthers filed a case, independent from the Governor, and Coffman also filed the EPA suit. She said one thing on one hand and another at another time.

Norton: These would be questions for the Legislature to address.

Sen. Lambert: He referenced Tab 27, containing a letter from the AG. In the second paragraph it states that the "Attorney General's authority and been limited by the General Assembly" but then fails to explain how her authority was limited. What action did the Legislature take that limited the AG's authority?

Norton & Decker: Had no answer at the time.

Decker: Added that in state court, it is up to the local DA to pursue crimes but there are exceptions. If there is a crime then there is someone responsible for addressing it.

Chair: AG is supposed to investigate unless the statutes prohibit that action, which does allow department to pursue fetal tissue trafficking.

Sen. Holbert: If authority on this topic falls to CDPHE, does not the AG have the ability to prosecute an individual?

Norton: The CDPHE does not have independent authority to prosecute, though they should cooperate with the AG who does have the authority. Federal agencies have authority in federal crimes, e.g. drug crimes, where both the state and federal governments have a responsibility.

Rep. Saine: Could any DA open an investigation?

Norton: The CDPHE can investigate, and so could a prosecutor, such as a DA and CDPHE could subpoena PPRM to find probable cause to prosecute.

Decker: CRS 25-2-111.5 does not make this a crime, it's just illegal, but at the federal level, it is criminal.

11:59 Break for lunch hour

13:01 Resume Hearing

Chair: The Chairman introduced a panel of representatives from caring pregnancy centers (Larry Smith of Catholic Charities, Marcy McGovern of Alternatives Pregnancy Center, and Rick Thielen of Life Choices) and noted that Representative Windholz had joined the committee.

Smith: Right across the street from a Planned Parenthood is Lighthouse Pregnancy Center, which received a favorable write-up by the Catholic News Agency, which stated that their connection with other organizations gives them the ability to do more in the community. They are growing and moving toward being able to offer more services. They do things in order to offer care from birth to natural death.

McGovern: Her organization also offers an alternative to abortion, and brings attention to abortion and the women it is hurting, because abortion hurts women. They want to provide the ability for men and women to make informed decisions and they don't make a profit off of their services. She shared that women in an unplanned pregnancy feel like an animal caught in a trap that chokes to chew its own leg off. She shared a client story (with permission). The woman was in an unplanned pregnancy. She was pressured by the father of her baby to get an abortion, even though she wanted to carry the child. She went with him to Planned Parenthood and was isolated and pressured by a doctor to take a pill to begin a chemical abortion. She was able to have it reversed and now has a healthy baby.

Thielen: There are thoughts that if we eliminate Planned Parenthood, then women will not have care. This is not true. There are so many caring centers in the state! Life Choices has five locations plus a mobile unit and they provide care free of charge. They do surveys of clients when they come in and often the feed-back is extremely positive. Their operation contains no manipulation. Life Choices advocates for life.

There are 3 choices for a couple, or woman facing an unplanned pregnancy: becoming

a parent, adoption, and abortion. Life Choices doesn't judge--if a woman had an abortion before, they still gladly help her. Their goal is to "work themselves out of a job" through education.

They teach abstinence, and about STDs and STIs in schools. One student thanked them, because no one had ever told them about these diseases. Many have not been told.

They offer post abortion care also. One out of three women have had an abortion by the age of 45. Life Choices offers support for both men and women, because abortion affects them both. One woman came to their Bible study. She had been forced by her father to have an abortion at 16 and was so affected that her niece thought she didn't like her.

Saine: Did you say there are more caring pregnancy centers than Planned Parenthoods in the Front Range?

Thielen: Yes, there are more pregnancy centers.

Winholz: Can you address your post-abortion programs?

McGovern: There is often PTSD as a result of abortion.

Smith: His organization provides support to women and couples as well. There *is* a war on women, but it's not the noise of the media.

Rep. Joshi: He noted how this has affected even China where abortion is becoming an issue. In India they have banned ultrasounds because of the proliferation of sex selection abortions. The abortion rate has gone down because they don't know the gender of the baby. Now the Indian Government has enacted a policy to give a Sandalwood sapling to some families who keep their baby girls alive. It takes about the same length of time for the Sandalwood tree to grow up as a child. By the time the tree if grown, it can be worth up to two million dollars.

Smith: Pointed out that the opposite was true in the United States and that ultrasounds help end abortions here because quite often, when a mother sees her unborn child, she won't go through with the abortion.

Thielen: Told of an experience he witnessed: two high school girls saw a picture of an ultrasound baby at 10 weeks. They asked the age of the child and were told 10 weeks gestation. The girls couldn't believe it, and said their science teacher had lied to them, saying a fetus was not a baby till 5 months.

Saine: In the [Stem Express] catalogue, does it list "human" fetal tissue for sale? Wouldn't that discount what was said by the science teacher?

Thielen: It is speaking with forked tongue. We have the admission that they know it's human tissue.

Saine: Does the catalogue say “Human Specimens?”

Thielen: He printed out the catalogue offering human body parts for sale. (He offered the copy to the RSCC)

Holbert: Have there been studies of men who have been left out of the [abortion] decision and had psychological ramifications?

McGovern: They have seen psychological issues in men as well as women.

Woods: We’ve heard the truth about the incompatibility of fetal tissue used in adults. We’ve heard that if we get rid of Planned Parenthood women won’t have the care they need. Thank you for being here.

Panel: Stated that there are 60 caring pregnancy centers in the state.

Chair: How many people have been served in these 60 facilities? And how much government funding do you receive?

Thielen: His organization gets zero government funding. They have served thousands of women. Last year alone, a thousand. He added that there was a recent study, where they found a high suicide rate in women who have had an abortion.

McGovern: Her organization as well receives no public funding, yet 7,900 women have received care.

Smith: Also no Government funding. They serve hundreds of women per center, and by helping these women, they are helping families to be strong, which will help solve other cultural issues as well. They have five times the women coming in to a new shelter they have opened. Homelessness is a result of the degradation of the family.

Chair: It sounds like tens of thousands of people are helped through caring pregnancy centers.

Saine: Are gendercide and ethnicity a factor in trafficking or abortion? And in the catalogue, which she was looking at, Stem Express has the specimens listed as human fetal tissue.

Lambert: The proliferation of abortion could prove a problem to Social Security—there are not enough younger people coming up to fund Social Security for the aging population. It behooves [the government] to back off abortion. Many times people’s choice is taken away by abortion clinics. Is this really informed consent? Can we document it, such as with a form women have to sign before they receive an abortion? What about duress, especially abuse of a partner?

McGovern: The term “choice” has been misconstrued. At Alternatives they educate and share the options. They don’t always know if there is abuse. Often the woman feels pressure and describes it as a “force.” They do report if they know of abuse or coercion.

Smith: There are many exposés of the tactics by Planned Parenthood. Their tactics are very aggressive to keep women from changing their minds. Abortions, STDs and STIs are on the rise because Planned Parenthood is a money oriented organization. Cecil Richards has even admitted that PP doesn’t have a single mammogram machine in the country.

Thielen: Life Choices has seen a coercion case this year. Planned Parenthood did an ultrasound for a woman. They told her that her baby was dead. She was distraught, and went to Life Choices and had an ultrasound done there. It turned out that she was carrying healthy twins. Another couple had been told their baby was dead also. They went on vacation with that on their minds, and when they came back, they went to Life Choices. The baby was fine.

Rep. Klingenschmitt: If a woman goes to Planned Parenthood for an abortion, what is the charge?

How much cost is reduced from the government funds?

How much do caring pregnancy centers charge?

Thielen: For an abortion in the first trimester, the charge is several hundred dollars, and it goes up from there.

Life Choices doesn’t charge for care. When they do ultrasounds, they even offer a bigger screen so family members can see the ultrasound image.

Lambert: He asked about the democratization of medicine. He asked who owns the image of an X-ray, mammogram, MRI, etc. Who owns the image? Often a doctor won’t release the picture so s/he doesn’t get sued. Now, there is a push toward patients having a right to see them.

Chair: With no further questions, the chair moved to the next part of the hearing, noting that PP had been invited to the hearing, then by reading from a Grand Junction Herald article, where a Planned Parenthood spokesperson refers to the CMP releases as “sham videos.” With that question, he introduced John Mencer of Coalfire Government Solutions (CGS), a forensics unit.

Mencer: “I’m here to debunk the debunkers,” he said. He shared his background including a stint with the Colorado Emergency Preparedness Partnership and the FBI. He has been at Coalfire for 10 yrs. At one time, they were affiliated with Coalfire Systems, but now they are just Coalfire.

The forensics expert team that investigated the CMP videos has minimum 30 years’

worth of experience in forensic exams. Many have testified at the federal level and he could go on...It was these individuals whom Planned Parenthood attacked in the article read by Senator Lundberg. The team has investigated PCI (Payment Card Industries) cellular, mobile, etc.

Lambert: Other than that, why should we trust you?

Mencer: He could provide further credentials. Coalfire has condensed, but still partners with Coalfire Systems.

CGS was contracted by ADF for two purposes:

- 1) to forensically investigate the raw footage for the purpose of determining if it had or had not been edited, as Planned Parenthood suggested.
- 2) to compare the videos to certain files on Youtube.

CGS did not:

- Validate the individuals who participated in making the videos, or their motives
- They only looked at what was provided to CGS by ADF.

They created chain of custody. On September 17, 2015 CGS received a flash drive containing the video footage, and put it through their equipment.

CGS Analysis:

- The recordings were authentic. The uniformity of the tapes supports their authenticity.
- Any edits that did exist were commuting time, restroom breaks, meal breaks, etc. but none effected the integrity of the recordings.

These recordings are accompanied by the raw audio recordings and support the videos. He would put his analysis up to the analysis of any other company.

Holbert: Was there any evidence that the videos were changed for effect?

Mencer: No evidence of any thing being changed. The videos were sequential. The only things removed are non-essential. In FBI investigations where agents recorded certain things, there were requirements to turn off the recording device during non-essential moments.

Holbert: Was there any emphasis on “gotcha” moments in the released videos?

Mencer: Yes. They may have cherry picked, but the videos themselves flow from one to the other un-manipulated.

Woods: Is there any way to change timestamping on videos? Since time stamping is done by the camera?

Mencer: They might be able to change numbers but that would affect the video.

Chair: As someone who has experience in videography, there are ways to adjust the numbers. But the issue here is not the timestamps, but rather who is in the video. And Planned Parenthood has never said that the videos are false, or denied the identity of the people who are in them.

Sen. Lambert: He asked if a report had been delivered to CDPHE?

Mencer: After a hard copy report was released Mr. Mencer found a portion where the time/date stamping was cut off in printing. He reissued the reports and emailed a copy to the Chairman.

Chair: Moving on with the hearing, he requested Dr. David Prentice to once again come forward.

Prentice: Struck again with the lack of transparency within Planned Parenthood, and middle-men, and even the consumer. We need transparency so people can actually know what is going on. Most states flunked a study intended to find facts on abortions. Sex selection abortion is happening, but one must dig pretty deep to find it. The US is one of only 7 countries that allow late term abortions. Most countries including those in the former USSR have a cut off at 12 weeks. Some of the countries that allow late term abortions are: China, North Korea, Vietnam, Canada, and Singapore, and perhaps Belgium.

Lambert: Are there consent forms for abortions only? Are they notarized?

Prentice: The forms cover fetal tissue and abortions. Sometimes the signing of the forms are witnessed, but not notarized. They might be required by the state to keep the form on record for a time.

CSU maintains that there is only one fetal tissue researcher at CSU, but Dr. Prentice reported finding two.

Chair: Please provide this evidence, as it is contrary to what CSU has said.

Prentice: He said he will provide the proof. He is looking at the total number of abortions. If Planned Parenthood was a country, it would be near the top for abortions performed. PP performs about 300,000 abortions per year.

Pregnancy care centers far out member Planned Parenthoods. Most are not even looking at them. There are enough (13,000) comprehensive health centers that do provide mammograms and all manner of care.

In terms of money, based on an economic study, if two women a week went to one of these centers, there would no longer be a need for Planned Parenthood.

When the first video hit, he looked into Stem Express.

Chair: Presents the Stem Express flyer from the member packets where it advertised the sale of fetal tissue as “financially profitable.”

Prentice: It is clear that money is a motive in this. Stem Express clearly says “human fetal tissue,” and included a whole chapter of livers. Why liver? At 8-24 weeks gestation there is no bone marrow, so the baby’s liver holds stem cells until bones develop and the cells migrate. There is a huge economic benefit to them for selling liver.

Rep. Joshi: Tab 13 shows that patients could be easily absorbed into other centers. The “essential care” should already be provided by doctors. We are already subsidizing low income people through ACA, so why are we subsidizing twice?

Prentice: Planned Parenthood only serves a few million people. Community health centers, not including pregnancy centers, serve 21-23 million.

Chair: Recalls Decker and Norton.

Decker: As follow up to Sen. Lambert’s question on informed consent forms, Tab 16 addresses the issue with the McIntyre file. The PPRM consent form declares that there will be no money going to the woman for her “donation,” but does not indicate that Planned Parenthood will make money either.

Joshi: If the patient is underage, who signs form?

Decker: Good question, but she didn’t know the answer. In Colorado, parental consent is not required for an underage girl to get an abortion, but parental consent is required for a minor to be given an aspirin in school. This form purports to be consent for a fetal tissue donation but not an abortion.

Sen. Lambert: He asked if we have a copy of the form?

Decker: She didn’t have it.

Norton: Planned Parenthood has never denied the truth of the videos. Cecil Richards has apologized for the “tone” of Dr. Nucatola in the first video and said that they will no longer charge for fetal tissue for research. It sounds like an admission of guilt. Planned Parenthood is a multi-million dollar operation and appears to not care about women. Most of the “services” they provide are abortion related. \$500 million are from federal funds. 94% of their funding pertains to abortions that is not the abortion itself. (Abortions equal 3% they say, but that is not fully accurate as they separate the cost of the actual abortion from everything else. This is called “unbundling.”) ADF has several law suits in progress across the nation and one pertains to unbundling. In Planned Parenthoods across America there is much fraud especially financial. In a report, over \$100 million worth of fraud was found.

Saine: She asked what is the percentage of unbundling?

Norton: Unbundling is a health fraud term, meaning not federally reimbursable. They unbundle when they perform abortions, which are not federally fundable, and charge the

patient around \$600 each. Services connected with abortions are not eligible for Medicaid, so they separate bills and charges and unbundled services they charge to Medicaid.

Decker: Richards, in her Congressional testimony stated that 60% of Planned Parenthood income is from abortions. There is no profile spin, this is public in their reports. In the videos, Dr. Ginde states that PPRM does 18-25 abortions a day just in their facility.

Chair: One hundred million dollars is attributed to Planned Parenthood. Is there a Colorado breakout?

Norton: He does not know of any audits.

Chair: He asked about page 63 of Tab 10. (A list of Federal Audits of State Family Planning Programs and Other Organizations: Audited Years and Averages)

Norton: ADF will get back to the RSCC regarding this is new info.

Lambert: Does Planned Parenthood send bills through the US mail?

Norton: Most bills are electronic

Lambert: Could PP be engaging in mail fraud [by falsely charging for fetal tissue beyond the cost to themselves]? Maybe these actions fall under federal racketeering charges?

Norton: The applicable federal statute is called the Federal False Claims act, and Colorado has a Medicaid related false claims act. The Federal False Claims Act is derived from the "Whistle blower Statutes" enacted during Lincoln's presidency, and have been amended several times, most notably in 1986 and 2010. This statute allows a citizen to file suit against a government contractor on behalf of the government, if the citizen feels that contractor is in the wrong. Usually the Federal Government doesn't intervene especially in abortion cases. If there is proof of health care fraud, then the entity will be charged three times the damages plus a mandatory \$10,000 fine plus costs and attorney fees. It would be very expensive for the wrong doer.

The Chairman: Thanks testifiers and opens the floor to RSCC members to share ideas for legislation.

Chair: He added that Senator Hill could not be in attendance that day, but requested that he mention that he has pulled a bill designed to defund Planned Parenthood.

Sen. Lambert: Commented that Representative Langraf said she was thinking of running something similar.

Woods: Expressed that she feels that the Legislature been somewhat hamstrung by not having the ability to force agencies to show up.

Chair: It is voluntary on their part, but when the committee of reference calls an agency it is much more serious. We will prepare a report, and turn it over to the committees of reference for them to deal with. A committee can ask questions even before a bill has been introduced and there are more provisions in the House and Senate.

Holbert: He has had constituents asking why no one has done anything to stop Planned Parenthood. The Legislature can subpoena, though it has never happened. We are in session for 120 days, because that is the time mandated by the State Constitution. There will be public testimony before regular committees, and anyone can come and testify.

Subpoena power is necessary in Congress, but it is different in Colorado because of the provision for public testimony.

When folks ask why Legislators are “doing nothing,” it is because they cannot until January 13, 2016, unless the Governor or 2/3 of both the House and Senate call a special session.

Chair: Many ask: “What can the citizen do?” This hearing is not intended to be an advocacy session. Citizens do need to be involved and it starts here, but if you heard something you feel needs to be brought to the attention of an elected official, tell them! Resolution to the issue of fetal tissue trafficking is not only up to us but it’s up to ALL of us.

Woods: Can we move authority to investigate fetal tissue trafficking from the CDPHE to the Attorney General with a legislative change? Also adding teeth to the law is a good idea.

Rep. Klingenschmitt: He said the AG has cried for help saying that she was powerless to enforce the fetal tissue laws we have. At the hearing we have we seen enough evidence to find criminal acts and take that to AG so she *can* do something.

Sen. Lambert: His understanding is that the AG does not have jurisdiction in criminal cases unless the case brought by a District Attorney. Do DAs have the knowledge of what is happening?

Holbert: He addressed Planned Parenthood’s allegations that this hearing is a “gross waste of taxpayers’ money.” He is not claiming per diem for attending the hearing. He mentioned that attendees are welcome to ask legislators if they are claiming per diem. (Other legislators shook their heads.) The only use of taxpayer money is the lights being on. The public owns the building!

Saine: We should ask Planned Parenthood to unbundle the “gross waste of taxpayer’s money” and see how much it really is. She remembers that we looked at whose power it is to investigate. It looks like there is a need from the Legislature to clarify.

Humphrey: It would be good for members to meet with the AG to discuss this issue.

Lambert: It's important that we have started the discussion. This matter will go beyond CDPHE, DORA and the AG. This hearing is not about abortion—it's about fetal tissue trafficking--and one may be pro-life or pro-choice and agree on this issue. We need to look at it at greater length.

The Chairman: Had recently spoken with a man from Northern India who couldn't believe what he told him about fetal tissue trafficking.

"This is not a just discussion on what is legal. This is a discussion on what is right. I trust we will roll up our sleeves and do what needs to be done to ensure that that which is right will be legal and not that which is wrong. So thank you all for coming and we will adjourn for now, but I trust we will continue to seek justice and do that which is right."

15:00 Adjourn

Fetal tissue trafficking is a practice which far too many public officials try to ignore. Many questions still remain, including:

1. When will the Colorado Department of Public Health and Environment (CDPHE) formulate rules for fetal tissue trafficking, as they are authorized to do in C.R.S. 25-2-111.5 (4)?
2. On October 29, 2015, Planned Parenthood's law firm stated: "Planned Parenthood of the Rocky Mountains does not participate in the collection or transfer of fetal tissue..." However in light of the fact that Stem Express has advertised Planned Parenthood as a primary source of their fetal tissue, has Planned Parenthood of the Rocky Mountains ever provided fetal tissue to any organization like Advanced Bioscience Resources, Inc. (ABR) or Stem Express? Will Planned Parenthood of the Rocky Mountains commit to never participate in the collection or transfer of fetal tissue?
3. How much money does Planned Parenthood of the Rocky Mountains collect from the state government treasury?
4. What prevents the public funds appropriated to Planned Parenthood from being used indirectly for abortions, which is a clear violation of Article V, Section 50 of the Colorado Constitution? What safeguards, if any, are in place to prevent any state government funds which do go to Planned Parenthood from being used directly or indirectly for abortions?
5. The University of Colorado confirmed that they do have a research project using Human Fetal Astrocytes (a type of brain cell). From 2010 to 2015 Advanced Bioscience Resources has received \$96,945 from CSU. (note: In February of

2016 CU admitted they had another research project using fetal tissue which was purchased from ABR).

1. Were the payments from CSU for fetal tissue?
2. According to the CSU Bio-ethics Advisory Committee report, CSU has adopted a policy of using fetal tissue when necessary. Does CU have any such policy?
3. Have the governing boards for either institution considered establishing policies concerning the use of fetal tissue?
6. Has CSU or CU ever asked the core question: is it ethical to conduct any research experiments with any parts of babies who have been aborted through elective abortion procedures?
7. What statutory authority does the Attorney General need to have the authority to investigate fetal tissue trafficking?