

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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June 16, 2016

The Honorable Paul Ryan
Speaker of the House
H-232, United States Capitol
Washington, D.C. 20515

Dear Mr. Speaker:

One hundred and eighty one of your Democratic colleagues wrote you a letter on May 24, 2016 urging you to disband the Select Investigative Panel of the Energy and Commerce Committee (the Panel) and asked for a written response by June 6, 2016. When questioned by the press, your spokesperson said that “Speaker Ryan supports the Select Committee’s continued efforts to protect infant lives,”¹ but we have yet to hear from you.

We believe that a request coming from nearly all of the Democrats in the House warrants your respect and serious consideration and write now to ask that you meet with us before the House leaves in June for the July 4th district work period.

We have repeatedly raised our concerns about the partisan, dangerous nature of this Panel.² You also have been contacted directly by counsel for individuals and entities targeted in this investigation who have implored you to intervene and address Panel Republicans’ various abuses of congressional authority.³ These concerns and requests have been met with deafening silence.

This Panel poses a real and serious threat to life-saving research, women’s access to critical health care, and people’s lives. At the Panel’s first hearing, we learned that ongoing investigations have had a chilling effect on research, resulting in the loss of fetal tissue needed for promising work on multiple sclerosis (MS). Subsequent reporting confirmed that another research trial on late-stage MS patients planned for this year had to be pushed back to 2019

¹ Mike DeBonis, *181 Democrats join call to end House fetal-tissue probe*, WASH. POST (May 24, 2016).

² See, e.g., Letter from Select Panel Democrats to Hon. Paul Ryan, Speaker of the House (May 12, 2016).

³ Letter from Jessica Hertz and Mary Ellen Callahan, Jenner & Block, to Hon. Paul Ryan, Speaker of the House of Representatives (May 3, 2016).

because researchers lacked the fetal tissue that they need to proceed.⁴ Those researchers sought to capitalize on a breakthrough in regenerating myelin, the insulation around nerve fibers, in an effort to cure this debilitating condition. As a neurologist leading the research team explained: “This kind of delay . . . results in the additional deaths of people who could have been rescued.”⁵

The Panel also heard from preeminent researchers that fetal tissue is critical to promising research on diabetes and various neurological disorders, including Alzheimer’s, schizophrenia, and autism. These researchers informed us that fetal tissue is needed for the next phase in the treatment and cures of autoimmune diseases such as type 1 diabetes, and that they cannot unlock a cure without fetal tissue. They also reminded us that diabetes costs hundreds of billions of dollars each year and impacts millions of Americans, who face significant medical challenges and shortened life expectancies.

Following Indiana’s passage of an abortion law that would effectively shut down fetal tissue research in that state, Indiana University sued to challenge the law. As the University explained:

“[T]he university felt compelled to do this in an effort to protect its researchers from criminal prosecution, to protect the research enterprise as a whole, and to protect the research that has the potential to save thousands of lives, if not more.”⁶

Congress should support, not threaten, research that advances our understanding of fetal and human development and brings us closer to treating and curing diseases. This is particularly true as researchers are racing to understand and find possible means of addressing the Zika virus. The Panel Republicans’ anti-science agenda is putting life-saving research at risk. It is also putting people’s lives in danger.

Recently, we learned that information in possession of Panel Republicans was shared with anti-abortion extremists who regularly protest and harass the doctor that Chair Blackburn publicly identified by name in a press release as the latest target of the Panel’s investigation and whom Rep. Diane Black then publicly compared to a convicted murderer.⁷ This same provider has been the target of anti-abortion extremists for decades. The use of inflammatory rhetoric by Panel Republicans to condemn this doctor – while also publicly announcing the date, time, and location of his appearance before the Panel – endangered his safety and that of many others. It also makes a mockery of any claim that he, or any information that he might provide, will be treated fairly or appropriately by Panel Republicans.

Assurances that Panel Republicans take seriously individual privacy and security concerns are insufficient. They reneged on promises to protect the individual privacy and

⁴ Danielle Paquette, *‘We lose money doing this’: Tiny company caught in abortion debate takes on Congress*, WASH. POST (May 27, 2016).

⁵ Id.

⁶ Rick Seltzer, *Turning Research Into a Felony*, INSIDE HIGHER ED (May 26, 2016).

⁷ Dr. Susan Berry, *Rep. Diane Black: ‘Little that Separates Late-Term Abortionist [Dr.] from Kermit Gosnell’*, BREITBART (May 16, 2016).

security of a deposition witness.⁸ They leaked letters to FOX News and posted documents on their website that contained names, contact information, and other personally identifiable information of doctors and researchers.⁹ Given this, it is particularly troubling that the Panel is now in possession of information that Congress has no need or right to know, including the names of clinic personnel, records of victims of rape, and personal financial information.

When you became Speaker of the House, you indicated your commitment to an open and transparent approach to leadership. We had expected that would include a willingness to respond to these critical medical research, public health, and personal safety concerns raised by a significant number of the members of the House. We hope that you will act swiftly to schedule a meeting before we leave in June.

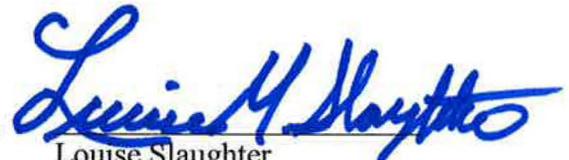
Sincerely,



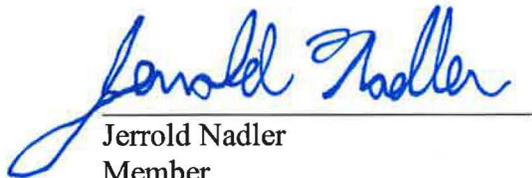
Jan Schakowsky
Ranking Member
Select Investigative Panel



Diana DeGette
Co-Chair
House Pro-Choice Caucus



Louise Slaughter
Co-Chair
House Pro-Choice Caucus



Jerrold Nadler
Member
Select Investigative Panel



Jackie Speier
Member
Select Investigative Panel



Suzan K. DelBene
Member
Select Investigative Panel



Bonnie Watson Coleman
Member
Select Investigative Panel

⁸ Letter from Select Panel Democrats to Hon. Marsha Blackburn, Chair, Select Investigative Panel (Apr. 25, 2016); Letter from Ranking Member Jan Schakowsky to Hon. Marsha Blackburn, Chair, Select Investigative Panel (Apr. 28, 2016).

⁹ Letter from Ranking Member Jan Schakowsky to Hon. Marsha Blackburn, Chair, Select Investigative Panel (June 3, 2016).