

Congress of the United States

Washington, DC 20515

December 12, 2001

The Honorable Tommy Thompson
U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Ave., SW
Washington, DC 20201

Dear Mr. Secretary:

We are writing to express our concern that in September 2001, Advanced Cell Technology (ACT) received a 2-year grant of \$267,000 for "Enhanced Gene Targeting in Mammals" (Grant #1R21GM06594-01) and a 5-year grant of \$1,878,160 for "Defining Critical Parameters of Mouse" (Grant #1R01HD042320-01). As you know, on November 26, Advanced Cell Technology announced that it had succeeded in creating a cloned human embryo. We are concerned that ACT received a federal grant even though it is involved in scientific pursuits that the House has voted to ban and the President calls "morally wrong."

First, ACT has made it clear that its ultimate objective is to continue to perfect its human cloning technology. All other activities in which it engaged are done in service to that larger goal. Thus, any federal funding for ACT is in essence a statement of support for its organization as a whole, and could be construed as at least preliminary support for its efforts in the area of human cloning. Second, as most funds are fungible, giving ACT federal funding for research -- even if the grant does not explicitly fund human cloning research -- allows ACT to make more funds available for its research with human cloning. The Federal Government should not be in business with those who are cloning human beings.

As Members of the House of Representatives, we respectfully request that you provide documentation regarding ACT's receipt of the NIH grants, including an explanation regarding the legality of ACT's receipt of federal grant money. We would also like to know whether there was a "maintenance of effort requirement" when NIH issued the grant to ACT, or if ACT is now permitted to supplant what would have been its own funds with this new federal grant money, freeing up money for ACT's human cloning experimentation.

Finally, we request that the Office of the Inspector General conduct an audit of these two NIH grants to ACT. The U.S. Department of Commerce, which has also awarded a grant to Advanced Cell Technology, has frozen the grant until the completion of an investigation by the Inspector General. We hope that you will urge similar action to be taken by the U.S. Department of Health and Human Services.

We look forward to your response to our concerns.

Sincerely,

Joe M. Hs

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