

Excerpts from Delmonico's 2016 Congressional testimony during the Q&A period.

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Dr. DELMONICO. I am not an apologist. I am not here to tell you not to worry. I am not here to verify. That is not my job.

My job is to say to you that the international community is trying to make change within China and work with those professionals that want to develop a system that conforms with the guiding principles of the World Health Organization and the Declaration of Istanbul.

That is my job. So let me say to you candidly I respect you great-ly, Congressman Smith. I know of all the things that you recited for us this afternoon in your efforts. I have been in the midst of those for the last decade hearing the same things that you have heard.

The people of China said the very same things—we are not using the organs from the executed. They denied it. However, in this past decade, what has happened?

The state council no longer officially sanctions that practice. Whether it is going on or not, I can say to you that is a change. I have met with the Minister of Health and said to her that if she wants China to ascend in the leadership of organ donation and transplantation in this world, they must stop the use of organs from the executed because there will be no presentations of such an experience in international fora or in the medical literature such as the New England Journal of Medicine or the transplantation literature. It won't happen, Madam Minister. It is not going to happen.

So I have been just as candid in my relationship with the Chinese as you have been, sir, and I am not here to verify or make credible.

I am here to say to you that there is a move within the country to change and the transplantation community recognizes what has been an abhorrent practice and was told that it wasn't happening.

Did not believe it and continued to work with the Chinese to make something different. In that regard, Jiefu Huang has indeed most recently been courageous, been at peril and the fight is going on even on this day as to who is going to succeed, whether the old system and the old guard will return to power or not.

Mr. SMITH. Could I ask you, are there zero cases of—

Dr. DELMONICO. I don't know that. Well, let me say this to you.

I know about a month ago—and I get all of these anecdotes through the Declaration of Istanbul—a woman from Vancouver, Canada went to Tianjin and got herself a transplant.

So we do know that it is occurring still within China. But it is not my—it is not my job to say to you that it is eradicated or completely stopped.

Mr. SMITH. Could I ask you—and this is strongly for the record to know this—are there any—I wrote a letter to Dr.—

Dr. DELMONICO. You wrote a letter to Philip O'Connell. We responded to you. I responded to you.

Mr. SMITH. Did we get a response?

Dr. DELMONICO. Yes, you did. No, there is a letter there.

Mr. SMITH. This is 10 questions.

Dr. DELMONICO. Mr. Smith, there is a letter from the Transplantation Society and I wrote to you as well personally, which we got no response—which we got no response.

Mr. SMITH. Well, we will respond to you.

Dr. DELMONICO. Thank you.

Mr. SMITH. Before we move on to the second round, with regard

to the military hospitals—People’s Liberation Army Hospital—do you have any access to that, those hospitals?

Dr. DELMONICO. No. I don’t have access.

Mr. SMITH. So we have no idea. I mean, that is where many of these—I mean—

Dr. DELMONICO. Sure, it could be going on there.

Mr. SMITH. Okay.

Dr. DELMONICO. I cannot assure you of that. What I can assure is that the young people that are going to be the future transplant people of the country they are not in tune with that practice any longer. I have met them. I have been with them.

Now, I recognize Mr. Gutmann is going to say this is anecdotal and et cetera.

Mr. GUTMANN. I love anecdotes.

Dr. DELMONICO. No, no. But I can only present to you—Mr. Smith, I can only present to you my experience, right, and say to you that we are trying to change it.

Mr. SMITH. I don’t question your motives. In fact, you want to change it and you’re part of the agent of reform. The concern is no one does duplicity better than the Chinese Communist Party and I gave you just a few examples and, again, when I had my hearing 20 years ago it was the military that was part of this process and security guards and we vetted the guard that came and gave this testimony, we protected his identity big time. He ended up getting asylum here, and Harry Wu helped to facilitate all of that, the great human rights leader.

But, frankly, when I read the documentation it was overwhelming and the military was up to its gills in making money through this.

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Mr. SMITH. Now, do you work with others too and could you name any of those individuals, any other docs?

Dr. DELMONICO. Oh, yes.

Mr. SMITH. Who you would believe can tell us, for example, what is going on in the military hospitals?

Dr. DELMONICO. I can’t tell you about the military hospitals.

Mr. SMITH. Okay. But that is a big point that needs to be emphasized here because that is where we believe a lot of this is happening.

Dr. DELMONICO. Let us emphasize it together. I can’t tell you about the military hospitals. That is fine.

Mr. SMITH. Okay. And maybe our other witnesses would want to elaborate on that.

You know, Xi Jinping, you know, this group that is supporting him and the foundation you mentioned has a draft NGO law that severs ties with—

Dr. DELMONICO. This is a foundation in organ donation and transplantation. It—

Mr. SMITH. But you are outside the country, right?

Dr. DELMONICO. No, no. It was a benefactor hotel magnate who supported this foundation.

Mr. SMITH. Is it a Chinese foundation or—

Dr. DELMONICO. It is a Chinese foundation, yes.

Mr. SMITH. Oh, it is in-country.

Dr. DELMONICO. It exists in Beijing but it is not a matter of the government and now Jiefu Huang is the head of that foundation and that is what supporting the infrastructure of developing organ procurement organizations similar to what we have in the United States.

I can’t, again, guarantee this is going to happen. We have to try, however. We have to try.

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Mr. SMITH. Let me ask you if I could, Dr. Delmonico, then Mr. Gutmann, if you wanted to comment as well.

You were chairman of the TTS, what, between 2012 to 2014?

Dr. DELMONICO. To the present.

Mr. SMITH. To the present? Okay. Has TTS ever requested evidence that sourcing organs for transplant from prisoners came from military hospitals and whether or not it has ceased?

Has that inquiry been made? Was it made under your watch? Has it been made since?

Dr. DELMONICO. I have gone to China and asked for a transparency of practice that is consistent with the World Health Organization principles.

That means that every transplant, every donor should be re-corded. That's what our—that is what our policy is. So I have looked at the Minister of Health—

Mr. SMITH. I know, but did you ask the military—

Dr. DELMONICO. I have looked at the Minister of Health just like we are looking at each other right now, sir, and I have said to the Minister, we must have a transparency of practice that says recording of every single transplant with every donor to know—

Mr. SMITH. Did you get it?

Dr. DELMONICO. What we got was—what we got was in response that was unacceptable and upon that unacceptability of knowing that the practice was still continuing I wrote an open letter with Jeremy Chapman and other members of the international community, which I can submit to you, and it has been, it should be before you—an open letter to President Xi Jinping to stop the corrupt practice because just as you we were not at all satisfied with the response that we got and we said in that letter that until there was some move of transparency which now is under the COTR system—there is a China Organ Transplant Registry system that is now in place—there will be no presentation of papers or in the medical literature of the China experience, and that was our position statement.

Mr. SMITH. But there was no delineation or anything by way of response that was going on in the military. Here's another reason why I am stressing the military.

Xi Jinping and his crackdown on religion and this crackdown on NGOs—on religion NGOs now have to report to public security and not to what was a Communist Party apparatchik group before that.

So he has militarized it even further, and since that is an area where we have an absolute dearth of information—you don't know it, I don't know it, we don't know what's going on there—I think— does he even suggest that there might be zero or—

Dr. DELMONICO. That doesn't mean that I condone it.

Mr. SMITH. I know, but I think we have to insist on getting that and wonder why we are not getting the data. What are they hiding in the military hospitals?

Dr. DELMONICO. Agreed.

Mr. SMITH. Okay. Let me ask one final question, if I could, and this is, again, to just make sure this is absolutely on the record, are there any financial incentives or business dealings between individuals in the TTS leadership and mainland China's medical companies or any other mainland entities that could possibly create the appearance of a conflict of interest?

Dr. DELMONICO. I can only answer—my travel to China was supported—my travel to support—to go to China was paid for by the China Foundation.

Mr. SMITH. Is that a government foundation or not?

Dr. DELMONICO. It comes from—I am telling you that the foundation paid for my travel. That's who paid for the travel.

Mr. SMITH. But is that an entity of the Chinese Government?

Dr. DELMONICO. I am not aware that that is an entity of the Chinese Government. As I told you earlier, Mr. Smith, my understanding is that this foundation has been established by a bene-

factor who is a hotel magnate and that is how the foundation has been established.

And the objective is to develop infrastructure for organ procurement organizations within the country that would comply with WHO principles. That's what we are up to and that is the truth of it.

Mr. SMITH. Would anybody else like to go? And thank you, Dr. Delmonico.

Mr. MATAS. Well, I don't want to comment on his—he is answering for himself. But I want to comment on the fact that he is only answering for himself because—

Dr. DELMONICO. Well, it is not for me to answer for everybody else.