



## DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Public Health Service

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February 13, 2006

Mauricio Fabretti  
Deputy Attorney of Brazil  
Ministerio Publico Federal  
Procuradoria da Republica No Estado de Roraima  
Rua General Penha Brasil, # 1255  
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Sao Francisco, Brazil

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Dear Mr. Fabretti:

On July 13, 2005 you wrote to Dr. Andrew C. von Eschenbach, Director, National Cancer Institute (NCI), to inquire about blood samples collected from the Yanomami Indians by Dr. James Neel, University of Michigan. On September 30, 2005, Dr. von Eschenbach replied that, to the best of his knowledge, there were no Yanomami specimens at NCI. This exchange recently came to my attention and I am writing to inform you that NCI does have samples that may be of interest to you. In the early 1990s, an investigator in the Division of Cancer Epidemiology and Genetics, Dr. Robert Biggar, was given a specimen collection from Dr. James Neel of the University of Michigan that included blood samples from Yanomami Indians in Venezuela and Brazil. Since our particular unit was not contacted last summer about your request, we did not have the opportunity to inform the NCI Director or you about the specimens.

The blood specimens were collected in the late 1960s/early 1970s by Dr. Neel and later given to Dr. Biggar because of his interest in viruses. The samples have been stored under careful control in freezers in our biorepository. Dr. Biggar was not involved in the field work led by Dr. Neel. However, Dr. Biggar used the samples for a paper entitled, "Endemic human T cell lymphotropic virus type II infection among isolated Brazilian Amerindians." *Journal of Infectious Diseases* 1992;166:100-7. No genetic studies have been done and DNA has not been amplified. The NCI research was restricted to viral antibody testing.

Dr. Biggar provided some of the Yanomami blood samples to Dr. Eugene O. Major, an investigator at the National Institute of Neurological Disorders and Stroke, NIH, and Dr. Neel,

Mr. Mauricio Fabretti  
 Deputy Attorney of Brazil  
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who published a paper together entitled, "The JC and BK human polyoma viruses appear to be recent introductions to some South American Indian tribes: There is no serological evidence of cross-reactivity with the simian polyoma virus SV40," Proceedings of the National Academy of Sciences 1998: 95:15525-15530. There have been no other distributions of the Yanomami specimens.

⇒ [ We are willing to return the specimens to Yanomami representatives from Brazil and Venezuela. We are happy to work with you and Yanomami representatives from each country to arrange a safe and successful transfer. We apologize for the incorrect information sent to you in September, and look forward to working with you to preserve these valuable specimens from the Yanomami people. ] ⇐⇒

Sincerely,

Joseph F. Fraumeni, Jr., M.D.  
 Director  
 Division of Cancer Epidemiology  
 and Genetics



Rodney A. Erickson  
Executive Vice President  
and Provost of the University

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February 27, 2006

Dr. Rob Borofsky  
Center for a Public Anthropology  
814 Kaipii Street  
Kailua, HI 96734

Dear Dr. Borofsky:

Thank you for your letter of February 17, 2006, concerning the matter of blood samples from Yanomami tribesmen that are stored here at Penn State University. I have looked into the situation in recent days, and can now respond to your inquiry.

Penn State researchers are not involved in any research utilizing these blood samples, nor is any such future research contemplated. The issue therefore revolves solely around the return of these blood samples to Yanomami tribal representatives. Based on your letter, you are aware that Dean Susan Welch has recently written to Señor Mauricio Fabretti, Deputy Attorney of Brazil, to indicate that we at Penn State stand ready to transfer these blood samples to the proper authorities who will ensure that they are returned to the appropriate tribal organization(s). Similar to your understanding of the position of Dr. Joseph Fraumeni of the National Cancer Institute (NCI), we, too, are most willing to transfer the samples of Yanomami blood to appropriate representatives from Brazil and Venezuela and will work with Señor Fabretti and/or the Yanomami in each country to provide for a safe and successful transfer of these samples. The transfers of these samples from Penn State and NCI could ideally take place at the same time and under the same circumstances.

We are awaiting Señor Fabretti's response, and I have copied him on this correspondence. I am hopeful that the transfer of these blood samples can be accomplished in a timely manner.

Sincerely,

Rodney A. Erickson

cc: M. Fabretti  
J. F. Fraumeni, Jr.  
E. J. Pell  
G. B. Spanier  
K. Weiss  
S. Welch