

RESOLUTION NO. 2010-01

**A RESOLUTION OF THE GOVERNING BOARD
OF THE CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE
TO SUPPORT HR 4808 (DEGETTE) AND S 3766 (SPECTER) AND
TO SUPPORT HUMAN EMBRYONIC STEM CELL RESEARCH**

WHEREAS, President Bush, consistent with the Dickey-Wicker Amendment, issued an executive order on August 11, 2001 to permit the National Institutes of Health (NIH) to sponsor research utilizing human embryonic stem cell (hESC) lines created before the date of the executive order while prohibiting the derivation of hESC lines;

WHEREAS, President Obama, consistent with President Bush's interpretation of the Dicky-Wicker Amendment, issued an executive order on March 9, 2009 to expand the number of hESC lines available to NIH-sponsored researchers while prohibiting the derivation of hESC lines;

WHEREAS, on August 23, 2010, the District Court for the District of Columbia granted a preliminary injunction to prevent the NIH from sponsoring hESC research on the grounds that such research is barred by the Dickey-Wicker Amendment;

WHEREAS, the U.S. Court of Appeals for the District of Columbia stayed the injunction while it considers the appeal filed by the Department of Health and Human Services;

WHEREAS, the District Court's decision has created uncertainty regarding the scope of the Dickey-Wicker Amendment and the future of NIH-sponsored hESC research;

WHEREAS, Congresswoman Diana DeGette and Senator Arlen Specter have introduced legislation that would clarify the scope of the Dicky-Wicker Amendment and federal law with respect to the conduct of hESC research;

WHEREAS, HR 4808 (DeGette) and S 3766 (Specter) would amend the Public Health Service Act to (1) require the Secretary of Health and Human Services to conduct and support research that utilizes human stem cells, including hESC, provided that such research meets the following ethical requirements: (a) the stem cells were derived from human embryos donated from in vitro fertilization clinics for the purpose of fertility treatment and were in excess of the needs of the individuals seeking such treatment; (b) the embryos would never be implanted in a woman and would otherwise be discarded; and (c) the individuals seeking reproductive treatment donated the embryos with written informed consent and without receiving any financial or other inducements; and (2) prohibit funding for human reproductive cloning. In addition, S 3766 would expressly amend the Dickey-Wicker Amendment to clarify that such research is consistent with the Dickey-Wicker Amendment;

WHEREAS, HR 4808 (DeGette) and S 3766 (Specter) represent a bipartisan effort to advance stem cell research in an ethical and responsible manner;

WHEREAS, HR 4808 (DeGette) and S 3766 (Specter) would complement the critical work sponsored by the California Institute for Regenerative Medicine;

WHEREAS, CIRM is committed to working with the United States Congress and the Obama Administration to support and advance stem cell research consistent with the highest medical and ethical standards;

WHEREAS, CIRM supports all facets of stem cell research. Embryonic stem cells have the natural ability to develop into any kind of cell in the body. Tissue-specific adult stem cells, present in everyone, can be used to create some types of cells that may be useful for tissue repair, such as bone stem marrow cells for blood diseases and cancers and mesenchymal stem cells for bone and cartilage repair. Continued progress depends on research into *all* types of stem cells, without barriers caused by political or legal interference;

WHEREAS, hESC research has improved our understanding of disease and is critically important to the millions of Americans who suffer from chronic, debilitating diseases;

WHEREAS, hESC research provides a valuable choice for individuals seeking respectful closure to family planning. Contributing to life-saving research may be the best choice for many families;

WHEREAS, CIRM has adopted strict ethical guidelines and regulations to ensure that the research it funds is conducted consistent with the highest ethical and medical standards;

WHEREAS, CIRM-funded research has not only brought hope to Californians suffering from chronic disease and injury, but has also helped create thousands of new jobs in California. Through its investment in stem cell research, stem cell research facilities, and job training programs like the Bridges to Stem Cell Research initiative, CIRM has provided new opportunities for thousands of Californians during a severe economic downturn; and

WHEREAS, CIRM recognizes that in order to achieve its mission of finding therapies and cures for chronic disease and injury, collaboration with the federal government, other states, and other countries is essential.

BE IT RESOLVED, that the Governing Board of the California Institute for Regenerative Medicine, consistent with its support of President Obama's Executive Order 13505 and the National Institutes of Health July 7, 2009 guidelines on hESC research, supports HR 4808 (DeGette) and S 3766 (Specter) or any successor legislation

that embodies the policies advanced in President Obama's Executive Order 13505 and the National Institutes of Health July 7, 2009 guidelines on hESC research.

BE IT RESOLVED, that the Governing Board of the California Institute for Regenerative Medicine strongly encourages federal policy that supports all forms of stem cell research for the millions of Americans who suffer from disease and injury and strongly supports criminalizing human reproductive cloning.

This resolution shall take effect immediately upon its approval.

Date Approved: _____

Signed: _____

Chairman, Governing Board
California Institute for Regenerative Medicine