

BEFORE THE
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE

SCIENTIFIC AND MEDICAL ACCOUNTABILITY
STANDARDS WORKING GROUP SEARCH SUBCOMMITTEE
OF THE INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE

REGULAR MEETING

DATE: TUESDAY, APRIL 26, 2005
10:00 A.M.

REPORTER: BETH C. DRAIN, CSR
CSR. NO. 7152

BRS FILE NO.: 72294

LOCATIONS: UNIVERSITY OF CALIFORNIA, SAN FRANCISCO
LAUREL HEIGHTS CAMPUS
3333 CALIFORNIA STREET
PRESIDENT'S CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA

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1 SAN FRANCISCO, CALIFORNIA; TUESDAY, APRIL 26, 2005

2 10:00 A.M.

3

4 CHAIRMAN KESSLER: THANK YOU ALL FOR BEING
5 HERE. IF I MAY CALL THIS TO ORDER, THIS MEETING OF
6 THE SCIENTIFIC AND MEDICAL STANDARDS ACCOUNTABILITY
7 WORKING GROUP SEARCH SUBCOMMITTEE. KATE, WOULD YOU BE
8 KIND ENOUGH TO HAVE A ROLL CALL.

9 MS. SHREVE: DAVID KESSLER.

10 CHAIRMAN KESSLER: PRESENT.

11 MS. SHREVE: JOAN SAMUELSON.

12 MS. SAMUELSON: PRESENT.

13 MS. SHREVE: DAVID SERRANO-SEWELL.

14 MR. SERRANO-SEWELL: PRESENT.

15 MS. SHREVE: JEFF SHEEHY.

16 MR. SHEEHY: PRESENT.

17 MS. SHREVE: JON SHESTACK. OS STEWARD.

18 DR. STEWARD: HERE.

19 CHAIRMAN KESSLER: IF YOU CAN -- ON THE PHONE
20 WE HAVE WHAT SITES ON THE PHONE?

21 MS. SHREVE: UCLA.

22 CHAIRMAN KESSLER: SO WHEN JON SHESTACK
23 ARRIVES, IF YOU JUST ANNOUNCE, THAT WOULD BE TERRIFIC,
24 UCLA. MEMBERS OF THE PUBLIC ARE, OF COURSE, INVITED TO
25 PROVIDE TESTIMONY BEFORE OR DURING CONSIDERATION OF

1 EACH AGENDA ITEM. SPEAKERS ARE ASKED TO LIMIT THEIR
2 TESTIMONY TO THREE MINUTES.

3 I'M PLEASSED TO ANNOUNCE -- I THINK I'M
4 PLEASSED TO ANNOUNCE ON THE EAST COAST TIME THAT THE
5 NATIONAL ACADEMIES OF SCIENCES BOARD ON LIFE SCIENCES
6 HAS RELEASED ITS GUIDELINES FOR HUMAN EMBRYONIC STEM
7 CELL RESEARCH. THE NEW NATIONAL ACADEMIES REPORT THIS
8 MORNING. THESE GUIDELINES WILL BE AN IMPORTANT
9 RESOURCE FOR THE STANDARDS WORKING GROUP FOR
10 DEVELOPMENT OF GUIDELINES FOR STEM CELL RESEARCH IN
11 CALIFORNIA.

12 BEFORE WE START THE FORMAL AGENDA, ARE THERE
13 ANY REQUESTS BY THE PUBLIC TO SPEAK TO THE
14 SUBCOMMITTEE? ANY COMMENT, ANYONE, IN L.A.? ANYONE
15 HERE IN SAN FRANCISCO? WOULD ANY OF MY COLLEAGUES ON
16 THIS SUBCOMMITTEE LIKE TO MAKE ANY COMMENTS BEFORE WE
17 BEGIN?

18 MR. SHEEHY: I WOULD.

19 MR. SERRANO-SEWELL: I WOULD AS WELL.

20 CHAIRMAN KESSLER: WHOEVER WOULD LIKE.

21 MR. SERRANO-SEWELL: BEFORE WE STARTED,
22 DAVID, I KNOW WE HAVE A LOT TO ACCOMPLISH, BUT I WANTED
23 TO THANK KATE AND DINA FOR DOING A GREAT JOB. I KNOW
24 THAT THERE WAS A LOT OF DEMANDS FROM COMMITTEE MEMBERS
25 FOR RESUMES AND INTERVIEWS, ALL OF THOSE THINGS THAT

1 HAPPENED WITH THE PROFESSIONALISM I THAT REALLY DO
2 APPRECIATE. YOU'VE BEEN A GOOD CHAIR.

3 CHAIRMAN KESSLER: AT LEAST ON THE FIRST
4 POINT. ON BEHALF OF STAFF I THANK YOU.

5 MR. SHEEHY: I TOO WOULD LIKE TO THANK STAFF.
6 THEY DID A PHENOMENAL JOB SETTING UP WHAT I THOUGHT WAS
7 A ROBUST PROCESS, SETTING UP INTERVIEWS FOR JOAN AND I.
8 WE WERE NOT ONLY ABLE TO DO OUR DUE DILIGENCE IN AN
9 APPROPRIATE MANNER BY ACTUALLY TALKING AND INTERVIEWING
10 PEOPLE AND FINDING OUT THEIR INTEREST IN PARTICIPATING
11 ON THIS COMMITTEE, BUT WE LEARNED A LOT. AND IT
12 EXPANDED OUR RANGE OF KNOWLEDGE AS WELL. AND SO THAT
13 COULD NOT HAVE HAPPENED WITH STAFF. I HAVE TO COMMEND
14 THEM AND THE CHAIR FOR THE PROCESS.

15 THE SECOND THING, WHILE WE'RE WAITING FOR
16 JONATHAN SHESTACK TO SHOW UP IN L.A., I DO WANT TO
17 OBJECT TO THE FACT THAT WE'VE SET BOTH OF THESE
18 MEETINGS ON TODAY. JONATHAN AND I BOTH ARE -- HAVE HAD
19 THE ONEROUS DUTY OF PREPARING FOR BOTH GRANTS AND
20 STANDARDS SEARCH SUBCOMMITTEE MEETINGS TODAY. I JUST
21 FIND IT ODD THAT THE REPRESENTATIVE OF THE LEGISLATURE
22 AND THE REPRESENTATIVE OF THE SENATE HAVE BOTH BEEN
23 UNDULY -- I HOPE IT WASN'T INTENTIONAL GIVEN THAT
24 THERE'S MEASURES PENDING IN THE LEGISLATURE AFFECTING
25 PROP 71, THAT THESE TWO PARTICULAR MEMBERS HAVE BEEN

1 PUT IN THIS RATHER DIFFICULT POSITION OF HAVING TO
2 CHOOSE WHICH ONE TO PHYSICALLY ATTEND AND HAVING THE
3 DUTY OF TRYING TO PREPARE FOR BOTH MEETINGS IN THE SAME
4 DAY.

5 CHAIRMAN KESSLER: WE CERTAINLY REGRET ANY --
6 WE REGRET THE DEMANDS AND CERTAINLY WILL WORK BETTER IN
7 THE FUTURE. I THINK THE POINT YOU MAKE IS WELL NOTED,
8 JEFF.

9 MS. SAMUELSON: MAYBE I WONDER IF IT'S
10 APPROPRIATE IN THIS SUBCOMMITTEE TO PROPOSE A
11 RESOLUTION OF SORTS, I GUESS, THAT TWO SUCH IMPORTANT
12 MEETINGS SIMPLY WOULDN'T BE SCHEDULED ON THE SAME DAY.
13 SO WE JUST DON'T LEAVE IT TO CHANCE IN THE FUTURE. IS
14 THAT PROCEDURALLY APPROPRIATE?

15 CHAIRMAN KESSLER: I THINK I HAVE TO STAY
16 WITH THE AGENDA AS FAR AS RESOLUTIONS. I THINK WHEN
17 TWO MEMBERS, AND AS I HEAR IT, JON IS NOT HERE, THREE
18 MEMBERS NOW, I ASSUME YOU'RE SPEAKING ALSO FOR JON,
19 THAT THREE MEMBERS OF THE ICOC HAVE EXPRESSED THEIR
20 STRONG CONCERN ABOUT THIS ISSUE. I WILL MAKE SURE THAT
21 THAT GETS BACK TO THE CHAIR.

22 CHAIRMAN KESSLER: THANK YOU.

23 MS. SAMUELSON: THANK YOU. APPRECIATE THAT.

24 CHAIRMAN KESSLER: THE NEXT ITEM ON THE
25 AGENDA IS NO. 3, CONSIDERATION OF DISEASE ADVOCATE

1 MEMBERS OF THE SCIENTIFIC AND MEDICAL ACCOUNTABILITY
2 STANDARDS WORKING GROUP. AT THE MEETING ON MARCH 29TH,
3 YOU WILL REMEMBER THAT WE VOTED TO RECOMMEND THE
4 APPOINTMENT OF FIVE OF OUR COLLEAGUES: PHYLLIS
5 PRECIADO, FRANCISCO PRIETO, JOAN SAMUELSON, JEFF
6 SHEEHY, JONATHAN SHESTACK, TO THE STANDARDS WORKING
7 GROUP.

8 COLLEAGUE SAMUELSON HAS SINCE REQUESTED THAT
9 HER NAME BE REMOVED FOR CONSIDERATION. SHERRY LANSING
10 HAS VOLUNTEERED TO BE CONSIDERED FOR MEMBERSHIP ON THE
11 STANDARDS WORKING GROUP. ARE THERE COMMENTS FROM THE
12 COMMITTEE MEMBERS ABOUT THE RECOMMENDATION OF SHERRY
13 LANSING TO SERVE ON THE STANDARDS WORKING GROUP?

14 HEARING NONE, ARE THERE COMMENTS FROM THE
15 PUBLIC ABOUT THE RECOMMENDATION OF SHERRY LANSING TO
16 SERVE ON THE STANDARDS WORKING GROUP?

17 ANY COMMENTS IN L.A.? ANY IN SAN FRANCISCO?

18 IS THERE A MOTION TO ACCEPT SHERRY LANSING TO
19 BE RECOMMENDED TO THE ICOC FOR APPOINTMENT AS A MEMBER
20 OF THE SCIENTIFIC AND MEDICAL ACCOUNTABILITY STANDARDS
21 WORKING GROUP?

22 MR. SHEEHY: SO MOVED.

23 CHAIRMAN KESSLER: DO I HAVE A SECOND?

24 MR. SERRANO-SEWELL: SECOND.

25 CHAIRMAN KESSLER: MAY I CALL FOR A VOTE ON

1 THE MOTION?

2 MS. SAMUELSON: JUST ONE POINT OF DISCUSSION.
3 I'D LIKE TO JUST CONFIRM WITH JON. I GUESS HE'S NOT ON
4 THE CALL YET; IS THAT RIGHT? WE WERE ATTEMPTING TO
5 PROVIDE THE APPROPRIATE COVERAGE BECAUSE OF THE
6 REQUIREMENT THAT MOST OF THE SEATS ON THE GRANTS
7 COMMITTEE, WHICH I WILL BE SERVING ON, MUST BE TIED TO
8 A SEAT ON FACILITIES. SO TO SIT ON STANDARDS AS WELL
9 JUST WAS FAR TOO ONEROUS. THAT'S THE REASON FOR THIS
10 CHANGE WAS TO ACCOMMODATE JON'S SCHEDULING AS WELL. I
11 WANTED TO JUST CONFIRM THAT'S STILL THE CASE.

12 CHAIRMAN KESSLER: WHY DON'T WE GO AHEAD AND
13 VOTE ON THIS WITH THE RECOGNITION THAT IF THE
14 INFORMATION THAT WE BASED THIS ON IS INCORRECT, WE'D BE
15 HAPPY TO RECONSIDER IT. WE CAN PROBABLY RECONSIDER IT
16 DURING THIS MEETING PROCEDURALLY IF WE MADE AN ERROR.

17 MS. SAMUELSON: SOUNDS GREAT.

18 CHAIRMAN KESSLER: IS THAT OKAY?

19 MAY I ASK FOR A VOTE ON THE MOTION? CAN WE
20 HAVE A ROLL CALL VOTE.

21 MS. SHREVE: DAVID KESSLER.

22 CHAIRMAN KESSLER: YES.

23 MS. SHREVE: JOAN SAMUELSON.

24 MS. SAMUELSON: YES.

25 MS. SHREVE: DAVID SERRANO-SEWELL.

1 MR. SERRANO-SEWELL: YES.

2 MS. SHREVE: JEFF SHEEHY.

3 MR. SHEEHY: YES.

4 MS. SHREVE: JON SHESTACK. OS STEWARD.

5 DR. STEWARD: YES.

6 CHAIRMAN KESSLER: AND THE VOTE IS?

7 MS. SHREVE: A MAJORITY VOTE. THE MOTION

8 PASSES.

9 CHAIRMAN KESSLER: THANK YOU VERY MUCH. THE
10 NEXT ITEM ON THE AGENDA IS NO. 4, CONSIDERATION OF THE
11 ETHICIST MEMBERS OF THE SCIENTIFIC AND MEDICAL
12 ACCOUNTABILITY STANDARDS WORKING GROUP. AT OUR MEETING
13 ON MARCH 29TH, WE HAD WHAT I THINK WAS A VERY
14 THOUGHTFUL DISCUSSION OF THE POTENTIAL CANDIDATES TO BE
15 NOMINATED FOR APPOINTMENT TO SERVE AS THE MEDICAL
16 ETHICISTS ON THE STANDARDS WORKING GROUP.

17 THE RESULT OF THAT DISCUSSION WAS UNANIMOUS
18 APPROVAL FOR NOMINATION FOR TWO MEMBERS, FOR HARRIET
19 RABB AND BERNARD LO. IN ADDITION, WE AGREED TO
20 CONTINUE DISCUSSION OF THE FOLLOWING FIVE CANDIDATES:
21 PAUL BILLINGS, ALTA CHARO, PATRICIA KING, TED PETERS,
22 AND LAURIE ZOLOTH.

23 WOULD MEMBERS OF THE BOARD LIKE TO MAKE
24 COMMENTS ABOUT THE CANDIDATES UNDER DISCUSSION?
25 DISCUSSION. I'M OPENING UP THE FLOOR FOR DISCUSSION OF

1 THE FIVE CANDIDATES FOR THE MEDICAL ETHICIST POSITION.

2 MR. SHEEHY: I THINK I MAY BE THE ONLY ONE
3 WHO'S INTERVIEWED. I THINK I TALKED TO ALL FIVE OF
4 THEM. SO MAYBE I COULD GIVE A LITTLE RUNDOWN.

5 WHILE PAUL BILLINGS' EXPERIENCE WAS
6 INTRIGUING AND INTERESTING, HE WAS NOT REALLY A
7 PROFESSIONALLY TRAINED ETHICIST IN THE SAME MANNER THAT
8 THE OTHERS WERE. AND WHILE I THINK HIS EXPERIENCE
9 WOULD BE INVALUABLE FOR THIS COMMITTEE, HE DESCRIBED
10 HIMSELF AS SOMEONE WHO HAS WRITTEN ABOUT ETHICAL
11 ISSUES, BUT I THINK WE REALLY NEED TO BRING A LITTLE
12 BIT MORE RIGOR TO THAT POSITION PER PROP 71.

13 ALTA CHARO IS AN ENCYCLOPEDIA. IT'S HARD TO
14 IMAGINE ANYONE KNOWING MORE ABOUT PROP 71, ABOUT STEM
15 CELL RESEARCH, ABOUT THE ISSUES INVOLVED THAN
16 MS. CHARO.

17 PATRICIA KING BRINGS REALLY EXTENSIVE
18 EXPERIENCE IN MORE OR LESS THE PRECURSORS TO STEM CELL
19 RESEARCH, FETAL TISSUE, OTHER ISSUES THAT HAVE RAISED
20 ETHICAL CONCERNS AND HAVE BEEN RESOLVED IN THE PAST,
21 AND IS VERY THOUGHTFUL. AND I WOULD HAVE -- VERY
22 HIGHLY RATED CANDIDATE WITH UNBELIEVABLE EXPERIENCE.

23 TO BE HONEST, IT'S GOING TO BE HARD TO CHOOSE
24 TODAY. TED PETERS COMES FROM -- BOTH TED PETERS AND
25 LAURIE ZOLOTH COME FROM A THEOLOGICAL BACKGROUND AND

1 BOTH HAVE A COMPLETELY DIFFERENT LENS, SO TO SPEAK, FOR
2 LOOKING AT THE ISSUES THAT WE FACE. AND I THINK BOTH
3 OF THEM ARE EXTRAORDINARILY WELL QUALIFIED, AND I
4 ENJOYED MY CONVERSATIONS WITH BOTH.

5 AS I MENTIONED EARLIER, IN EVERY SINGLE
6 CONVERSATION, I LEARNED SOMETHING NEW. AND NOT TO
7 IMPOSE AN INTELLECTUAL FRAMEWORK ON THIS, BUT I
8 ACTUALLY FELT LIKE THAT THERE WERE TWO PERSPECTIVES
9 REPRESENTED BY THOSE FOUR PERSONS. AND I FEEL THAT WE
10 PROBABLY NEED TO GET ONE FROM EACH PERSPECTIVE TO
11 REALLY BALANCE OUT OUR COMMITTEE AND MAKE IT EFFECTIVE.

12 CHAIRMAN KESSLER: FOUR PEOPLE, THERE ARE
13 ACTUALLY FIVE ON THE LIST. YOU SAID FOUR, JUST
14 CLARIFY.

15 MR. SHEEHY: WELL, I'M DISQUALIFYING FOR -- I
16 PUT A DISQUALIFIER FOR MR. BILLINGS AT THE BEGINNING
17 BECAUSE I DID FEEL LIKE HE HAD --

18 CHAIRMAN KESSLER: THAT'S FINE. I JUST
19 WANTED TO CLARIFY.

20 MR. SHEEHY: I THOUGHT I MADE THAT CLEAR AT
21 THE BEGINNING.

22 SO THAT'S KIND OF AN OVERVIEW. I CAN TAKE
23 ANYBODY'S QUESTIONS. JOAN SPOKE, I THINK, TO EVERYBODY
24 BUT PAUL. NO. I TALKED TO LAURIE. WE TALKED TO THE
25 THREE IN THE MIDDLE.

1 MS. SAMUELSON: RIGHT.

2 MR. SHEEHY: THERE ARE FOUR CANDIDATES. IT'S
3 ALMOST IMPOSSIBLE TO CHOOSE. I DON'T ENVY US TODAY.

4 CHAIRMAN KESSLER: JUST SUMMARIZE.

5 MR. SHEEHY: WHAT I WOULD LIKE TO SUMMARIZE
6 IS WE PROBABLY NEED TWO LAWYERS AND TWO PEOPLE FROM THE
7 THEOLOGICAL BACKGROUND. I THINK WE PROBABLY NEED ONE
8 FROM EACH OF THOSE CATEGORIES IS MY OVERALL BROAD VIEW
9 ON THAT.

10 CHAIRMAN KESSLER: OTHER MEMBERS OF THE
11 SUBCOMMITTEE, COMMENTS, PLEASE.

12 MS. SAMUELSON: I PARTICIPATED IN THOSE PHONE
13 INTERVIEWS WITH JEFF OF ALTA CHARO, PATRICIA KING, AND
14 TED PETERS. AND I WATCHED LAURIE ZOLOTH IN ACTION AT
15 THE WILLIE BROWN INSTITUTE. AND I'M BLANKING ON
16 WHETHER I HAD A CONVERSATION WITH MR. BILLINGS OR NOT.
17 I THOUGHT I DID. BUT I CAME OUT -- I CERTAINLY STUDIED
18 HIS RESUME AND HIS MATERIALS CAREFULLY. AND I'VE COME
19 TO THE SIMILAR CONCLUSIONS TO JEFF'S.

20 I THINK IT'S A SHAME THAT WE CAN'T HAVE FIVE
21 RATHER THAN FOUR ON THE WORKING GROUP BECAUSE THEY
22 BRING SUCH A DEPTH OF EXPERIENCE. AND JUST BY
23 CONDUCTING THOSE INTERVIEWS, I COULD SEE HOW THIS
24 COMMITTEE COULD BE VISIONARY AND EXTREMELY THOUGHTFUL
25 AND BRING A DEPTH OF EXPERIENCE AND TALENT THAT WOULD

1 ADDRESS THE WIDE RANGE OF ISSUES THAT WE'RE CONFRONTED
2 WITH EXTREMELY WELL. SO IF --

3 CHAIRMAN KESSLER: LET ME INTERRUPT YOU FOR A
4 SECOND. I'LL CONTINUE. AS YOU SAID THAT, LET ME ASK
5 COUNSEL TO LOOK AT THE STATUTE AND SEE WHETHER IT GIVES
6 US ANY DISCRETION TO ADD BEYOND THE FOUR. YOU DON'T
7 HAVE TO COMMENT NOW, BUT LET'S GET A READ ON THAT.

8 MR. HARRISON: ACTUALLY I'VE CONSIDERED THAT
9 ISSUE BEFORE AND I'VE LOOKED AT IT. UNFORTUNATELY THE
10 STATUTE IS WRITTEN IN SUCH A WAY THAT YOU DON'T HAVE
11 AUTHORITY TO EXPAND THE NUMBER OF MEDICAL ETHICISTS WHO
12 ARE PRIMARY MEMBERS OF THE STANDARDS WORKING GROUP.

13 HAVING SAID THAT, YOU COULD CONSIDER, FOR
14 EXAMPLE, APPOINTING ONE MEDICAL ETHICIST TO SERVE AS AN
15 ALTERNATE.

16 CHAIRMAN KESSLER: SO THERE IS A MAXIMUM
17 NUMBER OF PEOPLE THAT CAN BE ON THAT COMMITTEE?

18 MR. HARRISON: CORRECT. THE STATUTE
19 PROSCRIBES BOTH THE SIZE OF THE COMMITTEE AND THE
20 MEMBERSHIP.

21 MS. SAMUELSON: AND IT OCCURRED TO JEFF AND
22 ME WHEN WE WERE TALKING, WHEN WE WERE TRYING TO FIGURE
23 OUT HOW TO SOLVE IT, THAT ALTA CHARO MOST CERTAINLY IS
24 A SOCIAL SCIENTIST, AND SHE MEETS THE WIDER DESCRIPTION
25 IN, I THINK, THE CHAIR'S MATERIALS COMPLETELY WITH THE

1 DEPTH OF HER UNDERSTANDING OF THE INTERSECTION BETWEEN
2 SCIENCE AND ETHICS IN THE ISSUES THAT WE'RE CONFRONTED
3 WITH. AND IF WE COULD USE HER IN ONE OF THE SCIENTIST
4 POSITIONS, THAT WOULD SOLVE THE PROBLEM, I THINK.

5 CHAIRMAN KESSLER: HER FORMAL TRAINING IS --
6 HER PROFESSIONAL DEGREE IS JURISPRUDENCE, RIGHT?

7 MS. SAMUELSON: I THINK THAT'S RIGHT.

8 CHAIRMAN KESSLER: THERE'S NO OTHER
9 PROFESSIONAL TRAINING ON HER CV. IS THERE ANY OTHER
10 DEGREE BESIDES HER LAW DEGREE?

11 MS. SAMUELSON: NOT IN TERMS OF FORMAL
12 EDUCATION.

13 CHAIRMAN KESSLER: I WOULD BE -- CERTAINLY IF
14 SHE WERE A PSYCHOLOGIST, SOCIOLOGIST, A NUMBER OF
15 SOCIAL SCIENTISTS, OF COURSE, I THINK WOULD QUALIFY AS
16 A SCIENTIST. I THINK I'M -- MY OWN PERSONAL OPINION
17 IS -- I THINK I CAN SAY THIS BEING A MEMBER OF THE
18 TRIBE. I DON'T THINK A J.D. QUALIFIES YOU AS A
19 SCIENTIST. I'M NOT -- WE CAN HAVE THAT DISCUSSION IF
20 YOU WOULD LIKE, BUT I DON'T THINK THE J.D. -- I WOULD
21 HAVE A HARD TIME ARGUING THAT QUALIFIES HER AS A
22 SCIENTIST.

23 MS. SAMUELSON: WE DON'T WANT TO OFFEND
24 ANYONE'S SENSE OF LOGIC, IF THAT'S WHAT IT WOULD DO.
25 SO THAT MAY BE WHAT WE HAVE TO DO. BUT IN TRYING TO

1 FULLY STAFF PURSUANT TO THE WIDE MANDATE OF THE
2 INITIATIVE AND THE NARROW SPECIFICS IN SOME CASES, I
3 THINK THIS WOULD CERTAINLY MEET THE INTENT, BUT I
4 UNDERSTAND WHAT YOU'RE SAYING.

5 SHE'S A MEMBER OF THE NATIONAL ACADEMY OF
6 SCIENCES' BOARD ON LIFE SCIENCES. SHE HAS A BACHELOR'S
7 IN BIOLOGY. I'M NOT ATTEMPTING TO FRAME AN ARGUMENT.
8 I'M JUST REPORTING ON WHAT I'M READING HERE.

9 CHAIRMAN KESSLER: IF YOU'D LIKE TO PURSUE
10 IT, WE CAN PURSUE IT. AGAIN, I THINK THERE IS THE
11 ISSUE OF PUBLIC CREDIBILITY WITH SOMEBODY WHO IS
12 TRAINED AS A LAWYER AS THEIR PRIMARY FIELD CALLING THAT
13 PERSON A SCIENTIST. I'M CERTAINLY VERY RESPECTFUL OF
14 THE BROAD BACKGROUND THAT MS. CHARO HAS. AND BELIEVE
15 ME, IT'S NOTHING AGAINST LAWYERS, HAVING TRAINED AS
16 ONE, BUT I JUST THINK THERE IS AN ISSUE OF CREDIBILITY
17 THERE.

18 MS. SAMUELSON: UNDERSTOOD. UNDERSTOOD. I
19 HEAR YOU. SHE'S ON THE MED SCHOOL'S DEPARTMENT OF
20 MEDICAL HISTORY AND BIOETHICS. SHE OFFERS COURSES ON
21 BIOETHICS, BIOTECHNOLOGY, FOOD AND DRUG LAW, MEDICAL
22 ETHICS. SO THE COURSES SHE OFFERS IN THE MEDICAL
23 SCHOOL ARE ALL FOR THE LEGAL -- IN A LEGAL FRAMEWORK.

24 WHAT MY CONCERN IS IF I HAVE TO CHOOSE, I
25 WOULD CHOOSE MS. CHARO, BUT I WOULD REGRET HAVING TO

1 GIVE UP MS. KING.

2 MR. SERRANO-SEWELL: I FEEL THE SAME WAY,
3 DAVID. YOU'VE OPINED ON WHERE MS. CHARO FITS, AND I
4 THINK IT'S SAFE TO SAY IT'S IN THE ETHICIST COLUMN, NOT
5 THE SCIENTIST COLUMN. I AGREE A HUNDRED PERCENT.

6 CHAIRMAN KESSLER: I DON'T WANT TO BE RIGID
7 HERE AT ALL.

8 MR. SERRANO-SEWELL: I DON'T THINK YOU ARE.

9 MS. SAMUELSON: NO. I JUST THINK WE'RE
10 TRYING TO SOLVE THE PROBLEM.

11 MR. SERRANO-SEWELL: THESE NAMES PRESENT A
12 REALLY GREAT CHALLENGE FOR US. AND I WOULD SAY FOR
13 MYSELF IT WOULD BE CHARO FIRST PICK AND THEN PATRICIA
14 AND TED PETERS WITH SOME DISCUSSION.

15 CHAIRMAN KESSLER: AND I ASK STAFF THIS. I
16 DON'T KNOW IF ZACH OR BOB IS ON THE LINE -- ARE ON THE
17 LINE. IS THERE A ROLE -- WE CAN'T EXPAND MEMBERS OF
18 THE WORKING GROUP, BUT COULD WE SUGGEST TO THE
19 PRESIDENT THAT ONE OF THESE PEOPLE HAVE A SPECIAL
20 POSITION CREATED SO THEY WON'T BE ON THE WORKING GROUP,
21 BUT THEY WOULD BE ADVISOR TO THE WORKING GROUP OR A
22 SPECIAL ADVISOR TO THE WORKING GROUP AND RECOGNIZED FOR
23 THEIR EXPERTISE. AND THEN THEY CAN ALSO NOT ONLY BE A
24 SPECIAL ADVISOR, THEY CAN BE AN ALTERNATE. IS THAT A
25 POSSIBILITY?

1 MS. SAMUELSON: I THINK SO. I THINK WE HAVE
2 THE AUTHORITY, DON'T WE, TO APPOINT AD HOC?

3 MR. HARRISON: YOU CAN CERTAINLY RECOMMEND TO
4 THE ICOC THAT THEY CONSIDER APPOINTING ALTERNATES OR AD
5 HOC MEMBERS, OR THAT THEY CONSIDER, AS DAVID HAS
6 SUGGESTED, THE POSSIBILITY THAT ONE OF THESE
7 INDIVIDUALS BE RETAINED AS AN ADVISOR OR CONSULTANT TO
8 THE WORKING GROUP DUE TO HIS OR HER EXPERTISE.

9 MS. SHREVE: I'M GOING TO TRY TO REACH ZACH
10 BECAUSE HE HAS HAD SOME SUBSEQUENT CONVERSATIONS WITH
11 ALTA.

12 CHAIRMAN KESSLER: THAT'S ALL RIGHT. IS
13 THERE SOMEBODY WHO WOULD FIT THAT ROLE THAT WOULD HELP
14 SOLVE THIS PROBLEM? WHERE YOU THINK WE WOULD GET THE
15 BEST OF ALL WORLDS HERE?

16 MS. SAMUELSON: I THINK THERE WILL BE TIMES
17 WHEN WE REALLY WANT TO DRILL DOWN ON CERTAIN ETHICAL
18 AND REGULATORY QUESTIONS, AND THERE MIGHT BE PEOPLE
19 THAT WE WOULD WANT THE EXPERTISE FROM THAT ARE NOT
20 INCLUDED IN THE LIMITED NUMBER WE CAN HAVE ON THE
21 WORKING GROUP, AND THEY COULD BE AVAILABLE FOR THAT.

22 CHAIRMAN KESSLER: BUT IN LISTENING TO WHAT
23 YOU'VE SAID, THE DIFFICULTY IN CHOOSING, FOR EXAMPLE,
24 WOULD IT MAKE SENSE TO RECOMMEND TO MR. KLEIN, DR.
25 HALL, AND TO THE ICOC -- I GUESS IT'S REALLY TO ZACH --

1 THAT WE PRESENT THE SLATE; BUT, FOR EXAMPLE, MS. CHARO
2 BE APPOINTED AS A SPECIAL ADVISOR TO THAT WORKING
3 GROUP?

4 MS. SAMUELSON: SHE REALLY -- HER KNOWLEDGE
5 IS SO ENCYCLOPEDIAIC. I COULD IMAGINE HER IN A ROLE THAT
6 IS AT OUR RIGHT HAND IN ALMOST EVERYTHING WE DO.

7 CHAIRMAN KESSLER: IS THAT ROLE AS SPECIAL
8 ADVISOR TO THAT COMMITTEE? DOES THAT WORK FOR THAT
9 ROLE?

10 MS. SAMUELSON: FOR SOME REASON I THOUGHT
11 THAT SHE WANTED TO BE CONSIDERED FOR THE WORKING GROUP
12 AS OPPOSED TO SOME KIND OF A CONSULTANCY.

13 DR. STEWARD: THAT'S WHAT I RECALL TOO, BUT I
14 DON'T KNOW WHY THAT IS. THERE WAS SOME ISSUE THAT CAME
15 UP.

16 I GUESS I ACTUALLY THINK THAT MEMBERSHIP,
17 FORMAL MEMBERSHIP, ON THAT WORKING GROUP MIGHT BE MORE
18 ADVANTAGEOUS IN THE LONG RUN THAN HAVING SORT OF A
19 FLOATING, NONSPECIFIC RELATIONSHIP, ESPECIALLY BECAUSE
20 THE FORMAL RELATIONSHIP IS DEFINED IN THE STATUTE AND
21 THE OTHER WOULD BE KIND OF ILL-DEFINED.

22 MR. SERRANO-SEWELL: I FEEL MOST COMFORTABLE
23 MAKING A DECISION BASED ON THE FACTS WHICH ARE BEFORE
24 THIS COMMITTEE. THAT IS, WE KNOW ALTA CHARO HAS
25 SUBMITTED HER NAME AS A WORKING GROUP MEMBER. THERE'S

1 SOME PERHAPS ONGOING DISCUSSIONS ABOUT A DIFFERENT
2 ROLE. WE DON'T KNOW ABOUT IT YET. ONCE WE KNOW ABOUT
3 IT, WE CAN THEN MAKE A DECISION AT THAT POINT. BUT IN
4 TERMS OF GETTING THE WORK DONE NOW, I JUST AS WELL
5 PROCEED AND GO ON WITH THE VOTE.

6 CHAIRMAN KESSLER: OTHER MEMBERS OF THE
7 SUBCOMMITTEE, DISCUSSION, PLEASE.

8 DR. STEWARD: QUESTION. IS THE CHAIR OF THE
9 WORKING GROUP A MEMBER OF THE WORKING GROUP, OR IS THAT
10 SOMEONE SEPARATE?

11 MR. HARRISON: YES. THE ACT ACTUALLY DOES
12 NOT SPECIFICALLY DELINEATE THE FACT THAT THERE WILL BE
13 A CHAIR, BUT I THINK IMPLICIT IN THE NOTION THAT THE
14 ACT CREATES A COMMITTEE IS THE IDEA THAT ONE OF THOSE
15 MEMBERS WILL SERVE AS CHAIR.

16 DR. STEWARD: OKAY.

17 MS. SAMUELSON: MOVING TO THE DISCUSSION OF
18 SOME OF THE OTHER MEMBERS OF THE ETHICIST CANDIDATES,
19 WE, JEFF AND I, HAVE HAD A VERY INTERESTING, I THOUGHT,
20 CONVERSATION WITH TED PETERS. AND THE THING THAT
21 STRUCK ME WAS HE DESCRIBES HIMSELF AS AN ACADEMIC WHOSE
22 PRIMARY ROLE IS IN IDENTIFYING THE DIFFERENT
23 THEOLOGICAL POINTS OF VIEW OF DIFFERENT RELIGIOUS AND,
24 I GUESS, RELIGIOUS GROUPS ACROSS THE SPECTRUM. BUT HE
25 HIMSELF IS A LUTHERAN THEOLOGIAN AND FORMER PASTOR AND

1 COMES FROM THAT BACKGROUND.

2 AND SO WE ASKED HIM ABOUT HIS OWN VIEWS, AND
3 ALSO ASKED HIM WHAT THE DEFENSE OF STEM CELL RESEARCH
4 IS FROM THAT POINT OF VIEW, WHICH HE DOES SUPPORT. AND
5 IT WAS INTERESTING TO ME BECAUSE HE TALKED ABOUT THE
6 PARABLE OF THE GOOD SAMARITAN AND THE NEED TO HELP THE
7 PERSON IN NEED OF HELP ALONG THE ROAD. AND IT WAS MORE
8 DETAILED AND MORE ARTICULATE THAN I CAN PRESENT AT THIS
9 POINT, BUT IT WAS VERY COMPELLING TO ME. AND IT
10 INTERESTED ME THAT I HAD NEVER HEARD A CHRISTIAN OR
11 PROTESTANT DEFENSE OF STEM CELL RESEARCH, ALTHOUGH I
12 HAD OFTEN HEARD THE ATTACK ON IT. AND I THOUGHT THAT
13 MIGHT BE OF GREAT INTEREST, NOT ONLY TO OUR COMMITTEE,
14 BUT TO CALIFORNIANS WHO SUPPORT STEM CELL RESEARCH OR
15 OPPOSE IT, BUT ARE CURIOUS ABOUT WHETHER THERE IS A
16 RELIGIOUS PERSPECTIVE THAT DOES SUPPORT IT.

17 SO I THOUGHT THAT WOULD BE A VERY
18 INTERESTING, IMPORTANT ADDITION TO THE COMMITTEES -- TO
19 THE WORKING GROUP.

20 CHAIRMAN KESSLER: ANY OTHER COMMENTS, JOAN?

21 MS. SAMUELSON: ONLY THAT I THINK, THERE
22 AGAIN, REPRESENTED WITH THE WEALTH OF CHOICES BEYOND
23 THE NUMBERS WE'RE PRESENTED WITH, IT WOULD BE TERRIFIC,
24 I THINK, TO ALSO INCLUDE MS. ZOLOTH. I COME DOWN IN
25 THINKING THAT THE BREADTH OF PERSPECTIVE THAT

1 DR. PETERS BRINGS WOULD BE OF THE MOST USE TO US, BUT I
2 DO SO RELUCTANTLY BECAUSE I THINK SHE'D BE A GREAT
3 ADDITION AS WELL.

4 CHAIRMAN KESSLER: OTHER COMMENTS FROM THE
5 MEMBERS OF THE BOARD? I WANT TO PERSONALLY THANK JOAN,
6 JEFF, AND MY OTHER COLLEAGUES FOR TAKING THE TIME IN
7 ACCORDANCE, LET THE RECORD SHOW, WITH BAGLEY-KEENE TO
8 REALLY DO THE HOMEWORK HERE. SO THANK YOU VERY MUCH
9 FOR DOING THAT.

10 JON, ARE YOU THERE, BY ANY CHANCE, IN L.A.?
11 IS ZACH AVAILABLE BY ANY CHANCE?

12 ARE THERE COMMENTS FROM THE PUBLIC ABOUT THE
13 CANDIDATES UNDER DISCUSSION IN SAN FRANCISCO?

14 DR. REED: FIRST OFF, I'M DON REED,
15 CALIFORNIANS FOR CURES, PATIENT ADVOCATE. I DON'T ENVY
16 YOU YOUR TASK BECAUSE THESE ARE SUPERB PEOPLE ALL
17 ACROSS THE BOARD. I MUST PUT EVERY POWER OF MY BEING
18 BEHIND ALTA CHARO. I'VE KNOWN OF HER WORK FOR YEARS.
19 AND I'VE EVEN REACHED OUT TO HER AT TIMES WHEN THE
20 ROMAN REED SPINAL CORD INJURY RESEARCH ACT NEEDED A
21 QUESTION, A SCIENTIFIC QUESTION, A THEOLOGICAL
22 QUESTION, AN ETHICAL QUESTION, AND ALWAYS, AS
23 INCREDIBLY BUSY AS SHE IS, SHE ALWAYS TAKES THE TIME TO
24 GIVE SOMETHING THAT'S SUCCINCT AND WELL PUT. SHE HAS
25 AN INCREDIBLE DEPTH OF KNOWLEDGE ON MANY FIELDS. I

1 JUST FEEL WE NEED TO MAKE HER AN INTEGRAL PART OF THIS.
2 THE ONLY PERSON THAT I WOULD NOT WANT TO SEE,
3 AND I DON'T KNOW HIM, BUT JUST IS PAUL BILLINGS. HE
4 WAS AN OPPONENT OF THE RESEARCH -- OF THE ACT FROM THE
5 BEGINNING AND A MEMBER OF THIS PRO CHOICE ALLIANCE AND
6 AGAINST IT. I FELT THAT THAT WHOLE IDEA OF A PRO
7 CHOICE ALLIANCE WAS AN ETHICAL MISNOMER BECAUSE MOST
8 MAJOR WOMEN'S GROUPS WERE A HUNDRED PERCENT IN SUPPORT
9 OF THIS FROM THE BEGINNING. SO IT WAS A FRINGE GROUP
10 TRYING TO PRETEND IT WAS A GIGANTIC GROUP. SO I WOULD
11 PERSONALLY VOTE AGAINST HIM.

12 I DO THINK THAT, AGAIN, WITH EVERYBODY ELSE
13 HAVING A CONTRIBUTION TO MAKE, I THINK IT WOULD BE
14 GREAT TO BE A RELIGIOUS PERSPECTIVE IF IT WAS SOMEBODY
15 WHO COULD BE OPEN-MINDED AND SEE ALL DIFFERENT SIDES.
16 SO I THINK THAT MR. PETERS' CANDIDACY IS A VERY STRONG
17 ONE. THANK YOU.

18 CHAIRMAN KESSLER: ANY OTHER COMMENTS IN SAN
19 FRANCISCO? ANY COMMENTS IN L.A.? SO AT THIS POINT LET
20 ME SUGGEST THAT EACH COMMITTEE MEMBER -- I THINK WE
21 HAVE SOME PAPERS IN FRONT OF YOU. THERE IS SOMETHING
22 CALLED AN ETHICIST BALLOT. VOTE FOR THE TWO CANDIDATES
23 THEY MOST STRONGLY SUPPORT. YOU CAN CHECK OFF. YOU
24 CAN CIRCLE. YOU CAN INDICATE IN ANY WAY THAT IS CLEAR
25 TO STAFF THE NAMES OF THE CANDIDATES ON THE PROVIDED

1 PIECE OF PAPER. THESE VOTES, OF COURSE, IN ACCORDANCE
2 WITH THE OPEN PUBLIC MEETING, WILL THEN BE READ BY
3 KATE.

4 WRITING DOWN THE NAMES SERVES TO PREVENT BIAS
5 BASED ON OTHERS MEMBERS' VOTES; BUT BECAUSE THEIR NAMES
6 WILL BE READ ALONG WITH WHO VOTED FOR THEM, THE VOTE
7 WILL BE A MATTER OF PUBLIC RECORD. SO IF I CAN ASK YOU
8 TO CIRCLE YOUR TWO CANDIDATES YOU MOST STRONGLY SUPPORT
9 AND HAND THAT BALLOT TO KATE. AND THEN ASK KATE AND
10 DINA IF YOU WOULD BE KIND ENOUGH TO RECORD ON THE FLIP
11 CHART THE RESULTS OF THAT VOTE.

12 MS. SHREVE: OSWALD STEWARD: ALTA CHARO AND
13 LAURIE ZOLOTH.

14 JOAN SAMUELSON: ALTA CHARO, TED PETERS.

15 JEFF SHEEHY: ALTA CHARO, TED PETERS.

16 DAVID KESSLER: PATRICIA KING, TED PETERS.

17 DAVID SERRANO-SEWELL: ALTA CHARO, TED
18 PETERS.

19 CHAIRMAN KESSLER: SO I THINK WE HAVE THERE
20 ALTA CHARO AND TED PETERS AS THE TWO THAT ARE MOST
21 STRONGLY SUPPORTED. WE HAVE TWO SLOTS TO FILL. ANY
22 DISCUSSION FROM THE BOARD?

23 DR. STEWARD: I'D LIKE TO MOVE THAT WE VOTE
24 UNANIMOUSLY FOR THE TWO TOP CANDIDATES AT THIS POINT IF
25 I THINK SOME DEGREE OF UNANIMITY IS APPROPRIATE BECAUSE

1 REALLY ALL OF THESE CANDIDATES ARE ABSOLUTELY SUPERB.

2 CHAIRMAN KESSLER: IS THERE A SECOND?

3 MR. SERRANO-SEWELL: SECOND.

4 CHAIRMAN KESSLER: DISCUSSION ON THIS MOTION?

5 MS. SAMUELSON: I ASSUME WE SHOULD TAKE UP
6 ANY ISSUE OF OTHER ADDITIONAL ADVISORS SEPARATE FROM
7 THIS VOTE.

8 CHAIRMAN KESSLER: YES. ANY COMMENTS FROM
9 THE PUBLIC? CAN I ASK COUNSEL TO CLARIFY. ARE WE NOW
10 VOTING ON JUST TWO MORE MEMBERS, OR DO WE HAVE TO
11 FORMALLY VOTE AGAIN ON ALL FOUR?

12 MR. HARRISON: YOU HAVE ALREADY VOTED TO
13 RECOMMEND HARRIET RABB AND BERNARD LO, SO YOU ONLY NEED
14 TO VOTE TO RECOMMEND TWO ADDITIONAL MEMBERS.

15 CHAIRMAN KESSLER: THERE IS A MOTION ON THE
16 FLOOR. WE'VE HAD DISCUSSION ON THE MOTION. MAY I CALL
17 FOR A VOTE ON THE MOTION? CAN I ASK FOR A ROLL CALL
18 VOTE?

19 MS. SHREVE: DAVID KESSLER.

20 CHAIRMAN KESSLER: YES.

21 MS. SHREVE: JOAN SAMUELSON.

22 MS. SAMUELSON: YES.

23 MS. SHREVE: DAVID SERRANO-SEWELL.

24 MR. SERRANO-SEWELL: YES.

25 MS. SHREVE: JEFF SHEEHY.

1 MR. SHEEHY: YES.

2 MS. SHREVE: JON SHESTACK. OS STEWARD.

3 DR. STEWARD: YES.

4 MS. SHREVE: MOTION PASSES WITH A MAJORITY.

5 CHAIRMAN KESSLER: THE NEXT ITEM -- QUESTION
6 IS MAY I MOVE ON TO THE NEXT ITEM ON THE AGENDA? NEXT
7 ITEM ON AGENDA IS NO. 5 IS CONSIDERATION OF
8 SCIENTIST/CLINICIAN MEMBERS OF THE SCIENTIFIC AND
9 MEDICAL ACCOUNTABILITY STANDARDS WORKING GROUP. THE
10 GOAL OF THIS AGENDA ITEM IS TO RECOMMEND NINE
11 SCIENTISTS AND CLINICIANS FOR APPOINTMENT BY THE ICOC
12 AT THE MAY 6TH MEETING.

13 DUE TO TIME CONSTRAINTS, WE HAD A LIMITED
14 DISCUSSION OF CANDIDATES FOR THIS CATEGORY AT OUR
15 MEETING IN LATE MARCH. I WOULD LIKE TO REMIND YOU OF
16 THE CANDIDATES BROUGHT FORWARD BY EACH OF THE REVIEW
17 TEAMS. ARE THEY ON THE BOARD?

18 MS. HALME: I CAN REWRITE THEM OVER THERE IF
19 THAT WOULD BE HELPFUL.

20 MS. SAMUELSON: THAT IS THE SAME LIST.

21 MS. HALME: IT'S THE SAME LIST. THERE'S ONE
22 NAME ON YOUR BALLOT NOT ON THE BOARD YET.

23 CHAIRMAN KESSLER: IS THERE -- WOULD ANYONE
24 CARE TO KNOW WHICH TEAMS RECOMMENDED WHICH OF THE NINE,
25 OR WE NEED NOT DO THAT? WHAT ABOUT ADDITIONAL NAMES

1 THAT HAVE BEEN ADDED ON THE PIECE OF PAPER? DINA, CAN
2 TELL YOU THE HISTORY.

3 MS. HALME: ACTUALLY DR. STEWARD WAS GOING TO
4 POTENTIALLY ADD SOME MORE NAMES TO THE LIST.

5 DR. STEWARD: IF I MAY. IS THAT APPROPRIATE
6 NOW?

7 MS. HALME: TO EXPAND THE POOL OF CANDIDATES.
8 THERE'S ONE NAME THAT I ADDED BECAUSE I KNEW THAT HE
9 WOULD BE PRESENTING THAT NAME, BUT I BELIEVE HE HAS
10 OTHER NAMES HE WOULD ALSO LIKE TO BRING FORWARD.

11 DR. STEWARD: JUST LOOKING THROUGH THE LIST,
12 I'D LIKE TO CONSIDER JANET ROWLEY.

13 CHAIRMAN KESSLER: DO WE HAVE CV'S FOR THESE
14 PEOPLE?

15 MS. HALME: YES, WE DO. THEY'RE IN YOUR
16 GIGANTIC BOOKS, BUT I CAN ALSO GET THEM OUT OF THE BOOK
17 AND PASS THEM AROUND IN PARTICULAR LIKE, DR. ROWLEY.
18 IN THE B SECTION.

19 CHAIRMAN KESSLER: UNIVERSITY OF CHICAGO
20 GENETICIST.

21 DR. STEWARD: LET ME JUST GO TO IT. AND
22 SHOULD I GO AHEAD AND SAY SOMETHING ABOUT HER AT THIS
23 POINT?

24 CHAIRMAN KESSLER: SHE IS ONE OF THE MOST
25 ESTEEMED CANCER GENETICISTS IN THE COUNTRY. I THINK

1 THAT'S CORRECT.

2 MS. HALME: ABSOLUTELY.

3 DR. STEWARD: IT'S HARD TO KNOW WHERE TO
4 START TALKING ABOUT HER EXTREME QUALIFICATIONS. AS
5 DR. KESSLER JUST SAID, SHE'S ONE OF THE BEST KNOWN
6 CANCER GENETICISTS IN THE COUNTRY. SHE HAS AN
7 INCREDIBLE CAREER. SHE IS AN M.D. THE LIST OF HER
8 PRIZES AND AWARDS, IF I READ THEM ALL, WOULD TAKE MUCH
9 MORE TIME THAN WE PROBABLY SHOULD TAKE. BUT JUST TO
10 NOTE A FEW, SHE IS THE RECIPIENT OF THE MEDAL OF
11 SCIENCE, THE LASKER AWARD. SHE'S A MEMBER OF THE
12 NATIONAL ACADEMY OF ARTS AND SCIENCES AND AMERICAN
13 PHILOSOPHICAL SOCIETY.

14 SHE'S JUST EXTRAORDINARY. I'M NOT QUITE SURE
15 WHY SHE WASN'T ON THE LIST FROM BEFORE. BUT SHE IS
16 CERTAINLY THE KIND OF PERSON, I THINK, THAT IN TERMS OF
17 STATURE, OVERALL STATURE, AND HER -- THE FACT THAT SHE
18 IS BOTH A SCIENTIST AND A PHYSICIAN, I THINK, PUTS HER
19 IN A CATEGORY ALL ITS OWN.

20 AS LONG AS WE'RE ADDING --

21 MS. HALME: AS A MEMBER OF THE PUBLIC, MAY I
22 ASK A POINT OF INFORMATION, I GUESS A STAFF POINT OF
23 INFORMATION. SHE HAS SERVED ON THE NATIONAL ACADEMIES
24 COMMITTEE ON DEVELOPING STEM CELL RESEARCH GUIDELINES,
25 ETHICAL GUIDELINES. SO I THINK THAT SHE WOULD BE AN

1 EXCELLENT BRIDGE BETWEEN EXISTING STANDARDS AND ANY
2 MODIFICATIONS MADE BY THIS WORKING GROUP.

3 DR. STEWARD: I'LL JUST ASK. SHE DID
4 INDICATE HER WILLINGNESS TO DO THIS?

5 MS. HALME: YES, SHE DID TO ME.

6 DR. STEWARD: THE OTHER PERSON THAT I WANTED
7 TO ADD WAS ACTUALLY JAMES WILLERSON. LET ME JUST GO TO
8 HIM. AGAIN, EXTRAORDINARY LIST OF QUALIFICATIONS. HE
9 IS THE PRESIDENT OF THE UNIVERSITY OF TEXAS HOUSTON.
10 HE'S CHAIR OF THE INTERNAL MEDICINE, PRESIDENT ELECT
11 TEXAS HEART INSTITUTE, ANOTHER LONG LIST OF
12 ACCOMPLISHMENTS. HE IS A MEMBER OF THE INSTITUTE OF
13 MEDICINE OF THE NATIONAL ACADEMY OF SCIENCE.

14 HE IS PRIMARILY A CARDIOLOGIST. IF YOU LOOK
15 AT -- HIS CV IS IN THE BOOK THERE. HE HAS A RATHER
16 INTERESTING SET OF ACTIVITIES, INCLUDING TEXAS TRAINING
17 AND TECHNOLOGY AGAINST TRAUMA AND TERRORISM GRANT. SO
18 INTERESTING BREADTH OF INTERESTS, I GUESS. HE, AGAIN,
19 IS AN M.D. AND WOULD BRING THAT EXPERTISE TO THE GROUP.

20 CHAIRMAN KESSLER: BOTH HAVE INDICATED THEIR
21 WILLINGNESS TO SERVE?

22 MS. HALME: YES.

23 CHAIRMAN KESSLER: THE REASON THEY WEREN'T
24 INCLUDED LAST --

25 MS. HALME: I BELIEVE THAT LAST TIME IT WAS A

1 VERY CURSORY DISCUSSION, AND THE SUBCOMMITTEES, IN
2 SEARCHING FOR SCIENTISTS, HADN'T SUFFICIENT INFORMATION
3 TO REALLY FULLY PULL OUT THE BEST.

4 DR. STEWARD: I FELT THAT I CERTAINLY DIDN'T
5 HAVE ENOUGH INFORMATION.

6 CHAIRMAN KESSLER: THANKS FOR DOING THAT
7 FURTHER HOMEWORK. THAT IS VERY IMPORTANT.

8 CAN I ASK FOR FURTHER DISCUSSION FROM OUR
9 COLLEAGUES ON THE BOARD?

10 MR. SHEEHY: BOTH JOAN AND I HAVE INTERVIEWED
11 SEVERAL OF THESE SCIENTISTS. SO MAYBE WE'LL FOLLOW THE
12 SAME PROCESS WE DID WITH THE ETHICISTS. FOR TIME,
13 SINCE WE SEEM TO BE MOVING QUICKLY TODAY, BUT I THINK
14 IT WORKS TO EACH GIVE OUR OWN IMPRESSIONS. WE'VE
15 INTERVIEWED KEN OLDEN, ROB TAYLOR, WARREN OLANOW, ANN
16 KIESSLING.

17 SO TO START, I THOUGHT THAT KEN OLDEN WAS
18 SUPERB. JUST AN UNBELIEVABLE EXPERIENCE. HIS
19 BACKGROUND, FIRST, HE'S AN NIH DIRECTOR. SO HE'S A
20 SCIENTIST OF THE HIGHEST ORDER. HE HAS DIRECTED
21 CLINICAL TRIALS. ONE OF THE THINGS THAT I THOUGHT THAT
22 WAS EXTREMELY INTERESTING IS THAT HIS EXPERIENCE WITH
23 ENVIRONMENTAL HEALTH, ONE OF THE THINGS WHICH I
24 THINK -- THIS IS WHAT I LEARNED, MAYBE OTHER FOLKS HAVE
25 THOUGHT ABOUT THIS, BUT WHEN PEOPLE TALK ABOUT GENE

1 THERAPY, IT DOESN'T HAPPEN IN A VACUUM, IS HOW GENES
2 INTERACT WITH THE ENVIRONMENT. SO WE ACTUALLY NEED
3 SOME EXPERTISE IN ENVIRONMENTAL HEALTH AND THE
4 INTERACTIONS BETWEEN GENES AND ENVIRONMENTAL HEALTH AND
5 STEM CELLS AND ENVIRONMENTAL -- WHAT'S GOING ON IN THE
6 ENVIRONMENT TO REALLY UNDERSTAND WHAT WE'RE DOING AND
7 TO BE SUCCESSFUL WITH WHAT WE'RE DOING.

8 I ALSO WAS INCREDIBLY IMPRESSED, AND I JUST
9 LOVE THIS QUOTE OF HIS THAT HE INCLUDED IN HERE FROM
10 THE CHRONICLE OF HIGHER EDUCATION BECAUSE THIS REALLY
11 DOES KIND OF GET TO THE HEART OF WHAT PROP 71 IS AND
12 WHAT OUR ENTERPRISE IS AND PERHAPS OUR GREATEST
13 CHALLENGE. "WE NEED MORE RATHER THAN LESS
14 PARTICIPATION BY THE PUBLIC AND PUBLIC INTEREST GROUPS
15 IN POLICY MAKING GIVEN THE MAGNITUDE OF POTENTIAL
16 CHANGES IN OUR LIVES THAT MAY BE WROUGHT." I THINK
17 THAT RECOGNITION, THAT WE HAVE TO BRING THE PUBLIC
18 ALONG WITH US, IS A CRITICAL ELEMENT IN OUR SUCCESS.
19 AND THAT COMMITMENT TO DOING SO MAKES HIM AN
20 OUTSTANDING CANDIDATE.

21 FINALLY, JUST HIS PARTICULAR ATTENTION TO
22 HEALTH DISPARITIES IS CRITICAL AS WELL. SO THREE OR
23 FOUR MAJOR POINTS THAT WE LINED OUT AT THE BEGINNING,
24 HE'S A SUPERSTAR.

25 THE NEXT ONE I WOULD LIKE TO TALK ABOUT,

1 GOING THROUGH MY NOTES, WOULD BE ROB TAYLOR, WHO IS A
2 REPRODUCTIVE HEALTH EXPERT. AND HE BRINGS TO THE TABLE
3 EXPERIENCE I THINK THAT WE'RE GOING TO NEED IN ASSISTED
4 IVF, IN VITRO FERTILIZATION, AND ASSISTED REPRODUCTION.
5 HE HAS BEEN WORKING WITH THOSE ISSUES AND SETTING UP --
6 I MEAN HE'S WORKED -- UCSF HAS, AND, AGAIN, NOT TO -- I
7 PROBABLY WON'T BE ABLE TO VOTE DIRECTLY FOR HIM. I
8 THINK I'LL PROBABLY HAVE TO ABSTAIN. BUT HE HAS WORKED
9 IN DEALING WITH THE ETHICAL ISSUES INVOLVED WITH THAT.
10 UCSF HAS A STEM CELL LINE. HE WAS PART OF SETTING UP
11 THE MECHANISM FROM THE REPRODUCTIVE SIDE FOR THAT STEM
12 CELL LINE. SO IN MANY WAYS HE HAS WORKED THROUGH THE
13 EXPERIENCES THAT WE'RE GOING TO WORK THROUGH.

14 AND I ALSO FOUND HIM TO BE JUST AS A
15 REPRODUCTIVE HEALTH SCIENTIST TO BE UNBELIEVABLY
16 ATTUNED TO HIS PATIENTS AND THEIR CONCERNS. AND I
17 THINK THAT WE'RE GOING TO NEED THAT KIND OF MENTALITY
18 AS WE GO ALONG.

19 WARREN OLANOW IS THE THIRD ONE. HE
20 DEFINITELY WAS AN IMPRESSIVE SCIENTIST. I HAVE TO SAY
21 THAT I WAS UNCOMFORTABLE AND I TRIED TO AVOID ANY
22 DISCUSSION OF SPECIFIC ISSUES THAT MIGHT BE BEFORE US,
23 THAT WE MIGHT ANTICIPATE BEING BEFORE US. WE TALKED
24 ABOUT ISSUES THAT MIGHT COME UP, BUT I ASKED HIM NOT TO
25 SPEAK DIRECTLY TO POSITIONS THAT THEY MIGHT TAKE

1 BECAUSE I DIDN'T WANT TO HAVE A DISCUSSION IN ADVANCE
2 OF THOSE ISSUES. BUT HE VOLUNTEERED A PUBLICATION OF
3 HIS, "USE OF PLACEBO SURGERY IN CONTROLLED TRIAL OF
4 CELLULAR-BASED THERAPY FOR PARKINSON'S DISEASE" IN THE
5 "NEW ENGLAND JOURNAL."

6 HIS STRIDENT ADVOCACY FOR PLACEBO TRIALS, I
7 REALLY WOULD PREFER MYSELF NOT TO HAVE AN ADVOCATE FOR
8 PLACEBO TRIALS IN INVASIVE SURGICAL PROCEDURES.

9 MR. SHESTACK: HE WAS INSISTING ON --

10 MR. SHEEHY: HE JUST NOTED THAT. HE'S
11 PUBLISHED ON THAT.

12 MR. SHESTACK: DOUBLE BLIND PLACEBO TRIALS --

13 MR. SHEEHY: FOR SURGICAL TRIALS.

14 MR. SHESTACK: AND YOU'RE --

15 MR. SHEEHY: I THINK THAT WE WILL -- THAT
16 WILL BE A SUBJECT OF ROBUST DISCUSSION WITHIN THE
17 COMMITTEE. AND I DON'T KNOW IF I WOULD NECESSARILY,
18 GIVEN THE EXTRAORDINARY CANDIDATES WE HAVE IN FRONT OF
19 US, CHOOSE SOMEONE WHO HAD ALREADY PRETTY WELL LOCKED
20 IN A POSITION ON AN ISSUE THAT MAY BE DECISIVE IN TERMS
21 OF THE SPEED WITH WHICH WE GET THERAPIES TO PATIENTS.
22 AND I JUST -- IT GAVE ME PAUSE. I WOULDN'T ELIMINATE
23 HIM ENTIRELY IN MY MIND FROM CONSIDERATION, BUT IT
24 BACKED ME UP A BIT.

25 MR. SHESTACK: OKAY.

1 MR. SHEEHY: AND THE NEXT CANDIDATE WHO I
2 THOUGHT WAS EXTRAORDINARY WAS ANN KIESSLING WHO HAD
3 THIS GREAT COMMENT. SHE ACTUALLY HAS BECOME SOMETHING
4 OF AN ADVOCATE FOR STEM CELL RESEARCH THAT I DON'T
5 THINK IS REFLECTED IN HER BIO MATERIALS, BUT SHE
6 ACTUALLY HAS TESTIFIED BEFORE THE MASSACHUSETTS
7 LEGISLATURE. AND I THOUGHT IT WAS INTERESTING THAT HER
8 COMMENT WAS -- AND I WANT TO SAY I THINK THIS IS AN
9 IMPORTANT PART OF WHAT THIS COMMITTEE IS GOING TO DO.
10 HER COMMENT WAS THAT I FELT LIKE I HAD TO COME OUT FROM
11 BEHIND THE BENCH AND GET OUT AND TALK TO THE PUBLIC
12 ABOUT THIS ISSUE BECAUSE THERE'S SO MUCH
13 MISINFORMATION. AND SHE SAID THAT WHEN SHE HAD LEFT
14 THAT LEGISLATIVE HEARING, THAT SHE HAD THE OPPONENTS
15 COMING UP TO HER AND SAYING THAT THEY WERE ON HER SIDE.

16 SO THIS IS A VERY EXPERIENCED BENCH SCIENTIST
17 IN REPRODUCTIVE HEALTH ISSUES, ASSISTED REPRODUCTION.
18 SHE HAS WORKED WITH ANIMAL MODELS, WHICH IS A TYPE OF
19 EXPERIENCE I THINK WE'RE GOING TO NEED TO HAVE SOME
20 IN-DEPTH UNDERSTANDING OF ISSUES RELATED TO, AND I
21 THINK SHE'S AN EXTRAORDINARILY QUALIFIED CANDIDATE.

22 CHAIRMAN KESSLER: JEFF, AGAIN, THANK YOU FOR
23 THE HARD WORK.

24 MS. SAMUELSON: LET ME ADD MY COMMENTS. ON
25 KEN OLDEN, I THINK HE'D BE A VERY STRONG MEMBER OF THE

1 WORKING GROUP. HE BRINGS A VARIETY OF TALENTS AND
2 EXPERIENCE. ONE THAT I THINK REALLY STRUCK ME AS
3 SOMETHING THAT WOULD BE IN ADDITION THAT PERHAPS NONE
4 OF THE REST WOULD BRING IS HIS STRONG INSTINCTS FOR
5 ENVIRONMENTAL JUSTICE, AS WELL AS A SENSE OF URGENCY IN
6 DELIVERING TREATMENTS. AND MY PERSONAL EXPERIENCE IN
7 WORKING WITH HIM, AS WELL AS GLEANED FROM OUR
8 CONVERSATION, IS THAT HE SEES THE MISSION OF
9 PROPOSITION 71 AS NECESSARILY REQUIRING A FOCUS ON THAT
10 URGENCY WITH ALL OF OUR DELIBERATIONS EVERY DAY,
11 INCLUDING THOSE OF THE DEVELOPMENT OF ALL OF OUR
12 STANDARDS. AND I APPRECIATED THAT, AND I THOUGHT THAT
13 WAS AN IMPORTANT COMPONENT.

14 AND, OF COURSE, AS WELL, BEING THE FIRST
15 AFRICAN AMERICAN DIRECTOR OF AN INSTITUTE OF THE NIH
16 BRINGS IMPORTANT DIVERSITY.

17 I'D LIKE -- LET ME ALSO SAY THAT JEFF AND I,
18 AS WE WERE INTERVIEWING THESE CANDIDATES, I THINK,
19 DEVELOPED A SENSE OF -- FOR THE FIRST TIME IN MY CASE A
20 SENSE OF HOW THE WORKING GROUP MIGHT OPERATE. WE'RE
21 DOING SOMETHING NOVEL IN TAKING THE TERMS ON THE TEXT
22 OF THE INITIATIVE, WHICH NONE OF US WROTE OR HAVE
23 DEBATED AS IT WAS DEVELOPED. GIVEN THAT IT'S AN
24 INITIATIVE, IT'S KIND OF SPRUNG INTO THE BALLOT IN
25 WHOLE WITH ALL OF THE SUBPARTS AND DETAILS. AND FOR

1 THE FIRST TIME I THINK IN HAVING THESE CONVERSATIONS I
2 DEVELOPED A SENSE OF HOW THE WORKING GROUPS WILL REALLY
3 BENEFIT OR WORK AS THE ICOC.

4 AND JON AND I STARTED -- JEFF AND I, EXCUSE
5 ME, I CERTAINLY STARTED LOOKING AT THE PERSONAL STYLE,
6 THE PERSONALITY, THE PERSONAL ATTRIBUTES THAT THESE
7 CANDIDATES BROUGHT TO THESE CONVERSATIONS WE HAD AND
8 STARTED SEEING THAT AS AN IMPORTANT INGREDIENT. I
9 STARTED SEEING THE WORKING GROUP AS A VERY CLOSE
10 WORKING TEAM THAT WOULD HAVE LOTS OF IMPORTANT ISSUES
11 TO CONFRONT AND A HEAVY AGENDA AND A LOT OF
12 RESPONSIBILITY, AND THAT THE PERSONAL ATTRIBUTES OF
13 COLLABORATION AND ABILITY TO WORK AS A TEAM PLAYER WERE
14 VERY IMPORTANT TO THIS AS WELL. AND I CERTAINLY SAW
15 DR. OLDEN AS POSSESSING THOSE.

16 I FELT THE SAME WAY ABOUT ROB TAYLOR. DR.
17 TAYLOR, IN ADDITION TO THE EXPERIENCE THAT JEFF
18 DESCRIBED, SEEMED VERY THOUGHTFUL AND REFLECTIVE. AND
19 I LIKED HIS PERSONAL APPROACH TO THINKING ABOUT THESE
20 ISSUES. I THOUGHT THAT WOULD BE A GREAT ADDITION.

21 DR. OLANOW, I AGREE WITH WHAT JEFF HAD TO
22 SAY. THE ISSUE OF DOUBLE BLIND TRIALS HAS BEEN A VERY
23 CONTROVERSIAL ONE IN THE PARKINSON'S RESEARCH
24 COMMUNITY. AND THERE HAVE BEEN A COUPLE OF CLINICAL
25 TRIALS THAT HAVE NOT BEEN SUCCESSES AND HAVE LEFT THE

1 FIELD WITH LOSING THE MOMENTUM THAT IT HAD WHEN THEY
2 STARTED, UNFORTUNATELY. CLINICAL TRIALS SHOULDN'T
3 NECESSARILY HAVE TO DO THAT. AND I THINK IT'S
4 IMPORTANT THAT EITHER ON STANDARDS OR ON THE GRANTS
5 FUNDING WORKING GROUP OR BOTH WE HAVE THE BENEFIT OF
6 SCIENTISTS WHO REALLY KNOW HOW TO TEASE OUT THE
7 PROBLEMS OF, THE BIG PROBLEMS OF TRANSLATING BASIC
8 SCIENCE, UNDERSTANDINGS AND HYPOTHESES FOR FUTURE
9 TREATMENTS IN A WAY THAT DOESN'T LEAVE THAT KIND OF
10 DISARRAY, I THINK, AND LOSS OF MOMENTUM THAT HAS
11 OCCURRED IN THE PARKINSON'S COMMUNITY. AND IT WOULD BE
12 GREAT TO HAVE PEOPLE WITH GREAT INSIGHT AND WISDOM WHO
13 CAN ADDRESS THAT.

14 I THINK THERE ARE SOME OTHER PEOPLE IN THE
15 PARKINSON'S RESEARCH COMMUNITY WHO MIGHT BE ABLE TO DO
16 IT, BUT DR. OLANOW'S INSISTENCE UPON THE DOUBLE BLIND
17 APPROACH MIGHT MAKE HIM NOT THAT CANDIDATE.

18 DR. KIESSLING, I AGREE WITH WHAT JEFF HAD TO
19 SAY. AND I ALSO FOUND HER TO HAVE A PERSONAL STYLE
20 THAT WOULD BE EFFECTIVE IN WORKING AS A TEAM. AND I
21 GUESS THAT'S IT. I'M INTERESTED TO HEAR ABOUT SOME OF
22 THE OTHER CANDIDATES. HAVING THE INTERVIEWS WAS BOTH
23 INSTRUCTIVE IN THE GREATER SCHEME OF HOW THE WORKING
24 GROUPS WILL WORK, AND IT ALSO WAS JUST INVALUABLE IN
25 REALLY GETTING TO KNOW THEM BETTER. SO IT'S TOO BAD

1 THERE WASN'T TIME TO INTERVIEW EVERYONE. I FEEL AT A
2 LOSS THERE, BUT MAYBE WE'LL HAVE A WEALTH OF OTHER GOOD
3 CANDIDATES THAT THE REST OF YOU ARE SUPPORTIVE OF.

4 MR. SHEEHY: WHO WERE SOME OF THE OTHER
5 CANDIDATES?

6 MS. SAMUELSON: WELL, THERE ARE THREE WHO ARE
7 SUBMITTED AS CANDIDATES FOR THE GRANTS WORKING GROUP.
8 I'M JUST NOT SURE WHAT THE STATUS OF THAT IS.

9 MR. SHEEHY: I ACTUALLY CAN TELL YOU.

10 MS. SHREVE: IT'S REALLY NOT APPROPRIATE.

11 MR. SHEEHY: NOT NECESSARILY TO SAY, BUT IF
12 THERE WAS A CANDIDATE THAT HAD EXPRESSED AN INTEREST,
13 IF THERE WAS A CANDIDATE THAT WAS ONE OF JOAN'S
14 PREFERRED CHOICES WHO HAS EXPRESSED AN INTEREST IN
15 SERVING ON GRANTS, BUT DID NOT MAKE THE SHORT LIST,
16 WOULD THAT PERSON BE ABLE TO BE CONSIDERED FOR
17 CONSIDERATION HERE WITHOUT VIOLATING IN ANY WAY
18 BAGLEY-KEENE?

19 MS. HALME: THEY WOULD HAVE NOT BEEN
20 CONTACTED TO FIND OUT WHETHER OR NOT THEY WOULD BE
21 INTERESTED IN SERVING ON THIS WORKING GROUP, WHICH I
22 THINK --

23 MR. SERRANO-SEWELL: IT'S NOT A PREREQUISITE.

24 MS. HALME: WHAT, HAVING BEEN CONTACTED? NO,
25 BUT IT'S RELEVANT BECAUSE THE VAST MAJORITY OF THE

1 SCIENTISTS CONTACTED WERE NOT INTERESTED. SO IT'S JUST
2 AN IMPORTANT THING TO KEEP IN MIND, THAT JUST BECAUSE
3 THEY'RE NOT ON THIS LIST DOESN'T MEAN THAT WILL
4 DEFINITELY --

5 CHAIRMAN KESSLER: IT WILL BE A LITTLE HARD
6 TO COME UP WITH NINE. ONE OF THE REQUIREMENTS WE'VE
7 HAD IS THAT THEY'VE EXPRESSED SOME INTEREST.

8 MR. SHESTACK: THERE WAS ONE WOMAN WHO I'VE
9 EXCHANGED E-MAILS WITH, MARGARET GOODELL, WHO WAS
10 ACTUALLY ON BOTH LISTS, ON STANDARDS AS A
11 SCIENTIST/CLINICIAN AND ON GRANTS. AND IT TOOK US
12 AWHILE TO CONNECT. AND SHE WAS QUITE INTERESTED IN
13 EITHER -- IN EITHER POSITION. WANTED TO KNOW A LITTLE
14 BIT MORE ABOUT TIME COMMITMENTS AND SEEMED INTERESTING,
15 BUT I CAN'T -- SOUNDS LIKE WE HAVE A LOT OF PEOPLE.

16 CHAIRMAN KESSLER: ANYONE WANT TO TALK TO HER
17 SPECIFICALLY?

18 MR. SHESTACK: I WILL IN A MOMENT WHEN I FIND
19 HER MATERIAL. I'M JUST UNPACKING A CRATE OF THE
20 PAPERWORK.

21 MS. SHREVE: JUST TO CLARIFY. THIS IS KATE
22 SHREVE OF STAFF. THE PROCESS STARTED A LITTLE BIT
23 EARLIER FOR GRANTS. THOSE NAMES WERE SENT OUT TO THE
24 GRANTS INTERVIEW TEAMS. THOSE INDIVIDUALS WHO ACTUALLY
25 EXPRESSED A WILLINGNESS TO SERVE ON THE STANDARDS

1 COMMITTEE WERE REMOVED FROM CONSIDERATION FOR GRANTS
2 BECAUSE THEY'D ACTUALLY -- THIS WAS A VERY DIFFERENT
3 PROCESS, AND SO THERE SHOULDN'T HAVE BEEN DUPLICATION
4 ON THOSE TWO GROUPS.

5 MR. SHESTACK: WELL, THERE IS UNLESS SHE WAS
6 REMOVED AFTER THE INITIAL LISTS WERE PUT OUT.

7 MS. SHREVE: THAT'S EXACTLY WHAT HAPPENED.

8 MR. SHESTACK: WELL, THERE IS NO WAY FOR
9 ANYONE LIKE ME TO KNOW THAT. YOU CANNOT CONSIDER HER.
10 THAT'S FINE.

11 MS. SHREVE: I DON'T MEAN TO SHUT DOWN THE
12 DISCUSSION. I'M JUST DESCRIBING THE PROCESS.

13 CHAIRMAN KESSLER: LET'S HAVE A FULL
14 DISCUSSION OF ANY NAME ANY MEMBER OF THE BOARD WANTS TO
15 TALK ABOUT.

16 MR. SHESTACK: I'M NOT TALKING ABOUT THE
17 MERITS OF THE PERSON. IT'S JUST THE -- IT'S JUST THE
18 PROCESS. THAT'S ALL. I WAS NOT -- I WASN'T AWARE THAT
19 THAT HAD HAPPENED.

20 MS. HALME: REGARDLESS, SHE HAS REMAINED ON
21 THE STANDARDS LIST, AND YOU WERE PROVIDED WITH HER
22 INFORMATION FOR THIS PARTICULAR MEETING.

23 MR. SHESTACK: SHE WAS ON THE STANDARDS LIST,
24 BUT SHE WAS ALSO ACTUALLY ON OUR -- BRIAN HENDERSON AND
25 MY GRANT LIST.

1 CHAIRMAN KESSLER: RIGHT. YOU CAN CERTAINLY
2 BRING HER FORWARD. YOU HAVE HER RESUME. SHE WAS GIVEN
3 TO ONE OF THE SUBCOMMITTEES TO DO SO. IF SOMEONE WOULD
4 LIKE TO PRESENT HER, THAT WOULD BE FINE.

5 MR. SHESTACK: IT WAS JUST A QUESTION OF
6 PORTFOLIO MANAGEMENT. IT WAS SORT OF LIKE I HAD NO
7 IDEA -- WHAT I HAVE TO SAY IS ON THE STANDARDS
8 COMMITTEE, I FEEL BY ALLOWING US THIS EXTRA BEEF TO
9 REVIEW RESUMES, SOME OF US TALKED TO PEOPLE, WE HAVE A
10 REALLY GOOD SENSE OF DESIGNING A PORTFOLIO OF PEOPLE
11 WHO COVER A LOT OF FIELDS. I DON'T KNOW WHAT THAT
12 PROCESS WILL BE LIKE ON THE GRANTS. THERE ARE PEOPLE
13 LIKE CIBELLI.

14 CHAIRMAN KESSLER: LET'S JUST STAY WITH, IF
15 YOU CAN, JON, WE'D BE HAPPY TO HAVE YOU PRESENT
16 MARGARET GOODELL'S RESUME AND APPROPRIATENESS HERE. I
17 HAVE HER BIO SKETCH. I'D BE HAPPY TO HAND IT TO ANY
18 MEMBER OF THE COMMITTEE.

19 MR. SHESTACK: I ACTUALLY THINK SHE'S MORE
20 PERFECT FOR THE GRANTS COMMITTEE.

21 CHAIRMAN KESSLER: ANY OTHER DISCUSSION?

22 MS. SAMUELSON: LET ME --

23 CHAIRMAN KESSLER: ANY OTHER DISCUSSION?

24 MS. SAMUELSON: THE DISCUSSION OF THE
25 PARKINSON'S RESEARCHERS AND THE EXPERIENCE OF CLINICAL

1 TRIALS AND ISSUE OF DOUBLE BLIND AND ISSUE OF RELATIVE
2 RISK, WHICH WE DISCUSSED WITH -- WE STARTED, I THINK,
3 DISCUSSING IN OUR CONVERSATION WITH ALTA CHARO BECAUSE
4 SHE RAISED SOME ISSUES THAT SHE THOUGHT WOULD ARISE
5 THAT WERE BEYOND THOSE THAT WERE SPECIFIED IN EITHER
6 THE INITIATIVE OR IN CONVERSATIONS THAT WE'VE HAD ABOUT
7 THE SCOPE OF THIS WORKING GROUP. AND IT STRUCK ME THAT
8 WE WILL FACE ISSUES THAT WE ARE NOT AWARE OF THAT
9 AREN'T SPECIFIED, AND THEY INCLUDE GRAPPLING WITH THE
10 ISSUE OF HOW WE'RE GOING TO TAKE BASIC SCIENCE
11 DEVELOPMENTS THAT WILL BE PRODUCED, ONE HOPES, FROM
12 RESEARCH FUNDED BY PROP 71 AND THEN TRANSLATE
13 SPECULATIVE TREATMENTS AND ALL THE DIFFICULTIES THAT
14 WE'VE SEEN IN DOING THAT WITH AIDS TREATMENTS AND WITH
15 PARKINSON'S AND OTHERS, AND ISSUES OF HOW YOU REALLY
16 SERVE THIS SUFFERING POPULATION AND TRY TO GET
17 SOMETHING TO ALL OF THEM, AND HOW HARD YOU PUSH, IF
18 IT'S ETHICAL, TO PUSH A TREATMENT WHEN IT DOES HAVE
19 CONSIDERABLE RISK, WHEN AT THE SAME TIME YOU KNOW THAT
20 THERE ARE DAILY RISKS THAT PEOPLE WHO ARE WORSENING
21 WITH PARKINSON'S AND DIABETES AND AIDS AND BREAST
22 CANCER AND SO ON ARE LIVING WITH.

23 AND SO THAT REMINDED ME THAT THOSE DIFFICULT
24 SCIENTIFIC QUESTIONS AND TRANSLATIONAL QUESTIONS MAY
25 WELL BE PRESENTED WITHIN THE SCOPE OF THIS COMMITTEE AS

1 WELL, AND THAT IT WOULD REALLY SERVE US TO HAVE
2 SCIENTISTS WHO ARE EXPERIENCED IN THOSE DIFFICULTIES.
3 SO THAT'S WHY -- THEN AT THAT POINT I WAS REMINDED OF
4 THE CANDIDATES THAT I HAD SUGGESTED FOR THE GRANTS
5 WORKING GROUP AND TRIED TO BEGIN TO FIGURE OUT WHAT
6 THEIR STATUS WAS, AND I HAVEN'T REALLY SUCCEEDED.

7 SO I DON'T HAVE ALL MY HOMEWORK DONE IN TERMS
8 OF HAVING THEM PROPOSED AS ADDITIONAL CANDIDATES HERE
9 BECAUSE I REALLY DON'T KNOW WHAT THEIR STATUS IS
10 ELSEWHERE, BUT THERE ARE THREE OF THEM. I COULD TALK
11 ABOUT THEM IF THAT WAS APPROPRIATE.

12 MR. SHEEHY: MAYBE A SOLUTION IS TO MAYBE GO
13 THROUGH THIS LIST, AND MAYBE IF WE HAVE A SLOT LEFT, WE
14 COULD HAVE THAT DISCUSSION THEN. WE CERTAINLY HAVE THE
15 ABILITY TO ADD ADDITIONAL CANDIDATES. I MEAN I THINK
16 THAT -- I MEAN, YOU KNOW, BECAUSE WE WERE A TEAM, WE
17 HAD THESE DISCUSSIONS. THERE IS A MEMBER -- THERE WAS
18 A PERSON THAT JOAN HAD AN INTEREST AND THOUGHT WOULD BE
19 HIGHLY QUALIFIED TO FULFILL THE NEED SHE JUST DESCRIBED
20 WHO WAS ON MY LIST FOR GRANTS, ACCEPTED FOR GRANTS, BUT
21 DID NOT MAKE THE SHORT LIST. SO IF AT THE END OF THIS
22 PROCESS, WE HAVE AN EXTRA SLOT, MAYBE WE COULD CONSIDER
23 THAT PERSON, ACCEPT THAT PERSON PENDING HIS OR HER
24 WILLINGNESS TO SERVE ON THIS COMMITTEE, AND THAT WE
25 WOULD BE ABLE TO SEND FORWARD A FULL SLATE, ASSUMING

1 THAT THIS PERSON STILL WAS WILLING TO HELP US EVEN
2 THOUGH IT WAS A SEPARATE CAPACITY.

3 DOES THAT SOUND LIKE THAT MIGHT BE A WAY --

4 CHAIRMAN KESSLER: LET'S JUST SEE WHERE WE
5 ARE. WE HAVE 11 NAMES ON THE FLIP CHART.

6 DR. STEWARD: I MIGHT ADD THERE STILL MIGHT
7 BE OTHERS THAT WE COULD BRING FORWARD FOR DISCUSSION ON
8 OUR PACKAGE.

9 CHAIRMAN KESSLER: ABSOLUTELY. SO WHY DON'T
10 I ASK, IN AN ATTEMPT TO TRY TO GET US THERE TODAY, AND
11 WE HAVE -- THIS ROOM WILL BE OCCUPIED AT 12:30. SO MY
12 SENSE IS LET ME TRY TO DRIVE RIGHT NOW IF THERE ARE
13 OTHER NAMES THAT ANY MEMBER OF THE BOARD WOULD LIKE TO
14 PUT ON THAT FLIP CHART AND SPEAK TO. LET ME GIVE YOU
15 THE OPPORTUNITY TO DO THAT NOW.

16 DR. STEWARD: ONE OTHER NAME I'D LIKE TO AT
17 LEAST RAISE WOULD BE ALICE TARANTAL. I THINK -- LET ME
18 GO AHEAD AND DO IT. SO SHE'S A PROFESSOR IN DEPARTMENT
19 OF PEDIATRICS AT UC DAVIS. SHE IS INVOLVED -- SHE'S
20 INVOLVED IN THE NATIONAL PRIMATE RESEARCH CENTER THERE.
21 HER RESEARCH FOCUS IS ON FETAL THERAPY AND STEM CELL
22 AND GENE TRANSFER, DEVELOPMENTAL REPRODUCTIVE BIOLOGY,
23 AND HEMATOPOIETIC CELL BIOLOGY. SHE'S A PI AND
24 DIRECTOR OF THE CENTER FOR FETAL MONKEY GENE TRANSFER
25 FOR HEART, LUNG, AND BLOOD AND HAS AN ANNUAL GENE

1 THERAPY SYMPOSIUM THERE.

2 SHE'S A SENIOR SCIENTIST, PUBLISHED
3 EXTENSIVELY, INVOLVED IN DIFFERENT PUBLIC EDUCATION
4 KINDS OF ACTIVITIES, AND CERTAINLY IS THE TYPE OF
5 PERSON THAT SCIENTIFICALLY, AT ANY RATE, WOULD BE VERY
6 VALUABLE ON THE COMMITTEE.

7 I DON'T KNOW HOW MUCH MORE YOU WANT ME TO
8 SAY.

9 CHAIRMAN KESSLER: AS MUCH AS YOU WOULD LIKE.

10 DR. STEWARD: THE ONE OTHER ASPECT OF HER, I
11 GUESS, IS THAT SHE'S A CALIFORNIAN. AND TO THE DEGREE
12 THAT WE WOULD LIKE THIS COMMITTEE TO HAVE CALIFORNIANS
13 INVOLVED, I THINK THAT SHE BRINGS AN EXPERTISE THAT
14 WOULD BE VERY VALUABLE. THAT'S ALL I'LL SAY FOR NOW.

15 CHAIRMAN KESSLER: OTHER NAMES THAT PEOPLE
16 WOULD LIKE TO PUT ON THE BOARD?

17 MS. SAMUELSON: I'D LIKE TO ADD DR. JEFFREY
18 KORDOWER. HE IS AT -- THE DIRECTOR OF THE SECTION OF
19 NEUROBIOLOGY OF THE DEPARTMENT OF NEUROLOGICAL SCIENCES
20 AT RUSH PRESBYTERIAN IN CHICAGO. HE'S ALSO DIRECTOR OF
21 THE RESEARCH CENTER FOR BRAIN REPAIR, AND A PROFESSOR
22 OF NEUROLOGICAL SCIENCES. HE IS A RESEARCHER IN THE
23 FIELDS OF GENE THERAPY, NEUROTRANSPLANTATION, NONHUMAN
24 PRIMATE MODELS OF NEURODEGENERATIVE DISEASE AND
25 EXPERIMENTAL THERAPEUTIC STRATEGIES FOR PARKINSON'S AND

1 HUNTINGTON'S DISEASE.

2 IN '95 HE MADE THE PIONEERING DEMONSTRATION
3 THAT FETAL TRANSPLANTS CAN SURVIVE IN PATIENTS WITH
4 PARKINSON'S DISEASE, AND THE PAPER WAS PUBLISHED IN THE
5 "NEW ENGLAND JOURNAL" ON THAT. IN 2000 HE PUBLISHED A
6 LEAD ARTICLE IN "SCIENCE" DEMONSTRATING FOR THE FIRST
7 TIME THAT GENE DELIVERY OF ATROPHIC FACTOR CALLED GDNF
8 CAN PREVENT DEGENERATION AND RESTORE FUNCTIONS IN
9 NONHUMAN PRIMATE MODELS OF PARKINSON'S. AND THEN THIS
10 STUDY FORMED THE BASIS FOR A RESEARCH PROGRAM THAT IS
11 DIRECTED TOWARD BRINGING THIS THERAPEUTIC STRATEGY;
12 THAT IS, USING A NEUROGROWTH FACTOR TO RESTORE FUNCTION
13 AND PREVENTIVE GENERATION.

14 HE'S WORKING ON BRINGING IT INTO CLINICAL
15 TRIALS, INCLUDING AT THIS POINT THE ADDITION OF A NOVEL
16 DELIVERY DEVICE WHICH IS A VIRAL VECTOR. HIS MAIN
17 INTERESTS NOW INVOLVE GENE THERAPY AND CELL TRANSPLANT
18 STRATEGIES USING STEM CELLS IN RODENT AND NONHUMAN
19 PRIMATE MODELS OF PARKINSON'S AND HUNTINGTON'S.

20 AND HIS CURRENT RESEARCH PROGRAMS INCLUDE
21 LENTIVIRAL GENE THERAPY FOR PARKINSON'S, STEM CELL
22 TRANSPLANTATION FOR PARKINSON'S, LENTIVIRAL GENE
23 THERAPY FOR HUNTINGTON'S, AND STEM CELL TRANSPLANTATION
24 FOR HUNTINGTON'S.

25 I RECENTLY PARTICIPATED IN A PRESENTATION TO

1 THE NIH RECOMBINANT DNA PANEL CONCERNING THE VIRAL
2 VECTOR DELIVERY OF A GROWTH FACTOR, NOT GDNF, BUT A
3 DIFFERENT ONE. AND HE WAS LEADING THE EFFORT AS A
4 COLLEAGUE PART OF A TEAM WITH SOME MEMBERS OF A BIOTECH
5 COMPANY. AND I WATCHED THEM AS THEY WERE WORKING
6 ADDRESS ISSUES OF RELATIVE RISK AND THE COMPLICATIONS
7 OF DECISION -- THE DECISION -- DIFFICULT DECISION
8 POINTS IN TRANSLATING THEIR SCIENTIFIC UNDERSTANDING
9 AND THE HYPOTHESES THAT THEY DEVELOPED FROM THAT INTO A
10 REAL CLINICAL SITUATION. AND I'M IMPRESSED WITH HIS
11 SKILL IN THAT FIELD.

12 SO I THINK HE WOULD BRING SOMETHING IMPORTANT
13 TO THE STANDARDS WORKING GROUP AS IT ADDRESSES THAT
14 KIND OF ETHICAL ISSUE.

15 CHAIRMAN KESSLER: THANK YOU. OTHER NAMES?

16 DR. STEWARD: ACTUALLY SO HE'S NOT ON OUR
17 LIST.

18 MS. SAMUELSON: NO. NO. HE WAS SUBMITTED TO
19 GRANTS, AND I DON'T KNOW THE STATUS OF THAT.

20 DR. STEWARD: I GUESS I HAVE TO SAY I KNOW
21 JEFF RATHER WELL, AND I'M ACTUALLY QUITE COMFORTABLE
22 WITH HIM. BUT I'M CONCERNED IN PRINCIPLE ABOUT
23 CONSIDERING SOMEBODY THAT WE DON'T HAVE FULL
24 DOCUMENTATION.

25 MS. SAMUELSON: I UNDERSTAND. IT WAS A

1 FUNCTION OF THIS ALL OCCURRING TO US AT THE END OF LAST
2 WEEK.

3 CHAIRMAN KESSLER: I THINK IN THE SPIRIT OF
4 TRYING TO BE AS BROAD AND INCLUSIVE AND GET EVERYTHING,
5 JOAN'S PRESENTED, I THINK SHE'S PRESENTED IN SOME
6 DEPTH, PUT IT ON THE NAME, AND MEMBERS OF THE COMMITTEE
7 CAN USE THEIR JUDGMENT AS THEY LIKE.

8 OTHER NAMES YOU'D LIKE TO -- ANY MEMBER OF
9 THE COMMITTEE WOULD LIKE TO PUT IN A SIMILAR FASHION?
10 HEARING NONE, LET US STAY NOW --

11 MS. HALME: BEFORE YOU GO FORWARD, THERE'S
12 ONE THING ABOUT KEN OLDEN THAT NEEDS TO BE SAID, WHICH
13 IS BEING AT THE NIH AS AN NIH EMPLOYEE, HE'S EXPRESSED
14 GREAT INTEREST IN SERVING, BUT HE SAID THAT HE WOULD
15 HAVE TO APPLY FOR PERMISSION TO PARTICIPATE IN THIS
16 EXTRAMURAL ACTIVITY, AND THAT HE'S QUITE WILLING TO DO
17 SO, BUT THAT HE IS NOT GUARANTEED THAT HE WOULD BE
18 GIVEN PERMISSION TO DO SO. SO THAT MAY JUST PLAY A
19 ROLE IN WHETHER OR NOT THERE NEED TO BE ALTERNATES,
20 WHICH IS SOMETHING WE DISCUSSED ALREADY. WANTED TO
21 BRING THAT TO YOUR ATTENTION.

22 CHAIRMAN KESSLER: SO NOTED.

23 MR. SHESTACK: WHAT WAS THE COMMENT ON
24 ALTERNATES?

25 MS. SAMUELSON: THAT DR. OLDEN IS EMPLOYED BY

1 THE NIH AND WOULD NEED TO SEEK PERMISSION FROM THEM TO
2 PARTICIPATE, AND THAT WE MIGHT NEED AN ALTERNATE IN THE
3 EVENT THAT HE WAS DENIED IF WE APPOINTED HIM.

4 I SHOULD JUST SAY HE HAS BEEN THE NIH
5 DIRECTOR OF THE ENVIRONMENTAL HEALTH SCIENCES
6 INSTITUTE, BUT HE WILL VERY SOON FINISH THAT ROLE.
7 HE'S GOING TO KEEP A LAB THERE AND, AMONG OTHER THINGS,
8 RUN THE SCIENTIFIC ADVISORY PROGRAM FOR THE MICHAEL J.
9 FOX PARKINSON'S RESEARCH FOUNDATION.

10 MR. SHEEHY: I WOULD ADD THAT THIS ISSUE DID
11 COME UP IN OUR CONVERSATIONS. AND I -- HIS INDICATION
12 WAS A VERY STRONG DESIRE TO SERVE ON THIS COMMITTEE.
13 SO --

14 MS. HALME: I DIDN'T MEAN TO IMPLY OTHERWISE.
15 IT WAS MORE JUST TECHNICALITIES TO BE PREPARED FOR.

16 MR. SHEEHY: I DON'T KNOW WHAT -- HOW HE
17 MIGHT REACT IF HE WAS TOLD NO, MEANING IF HE HAD TO
18 MAKE A CHOICE. NOT TO MAKE ANY ASSUMPTIONS.

19 CHAIRMAN KESSLER: WE NOW HAVE NAMES ON THE
20 BOARD. JON, JUST SO YOU KNOW --

21 MR. SHESTACK: COULD YOU READ THEM TO ME?

22 CHAIRMAN KESSLER: I WILL ASK STAFF TO READ
23 EACH OF THESE NAMES ON THE BOARD OUT LOUD NOW.

24 MR. SHESTACK: THANK YOU VERY MUCH.

25 MS. HALME: ALICE TARANTAL, JANET ROWLEY,

1 JAMES WILLERSON, KENNETH OLDEN, ROB TAYLOR. AM I GOING
2 TOO FAST? JOHN KESSLER, JOSE CIBELLI, KEVIN EGGAN,
3 WARREN OLANOW, ANN KIESSLING, ROBERT PRETI, BERTRAM
4 LUBIN, AND JEFFREY KORDOWER.

5 CHAIRMAN KESSLER: ZACH, DR. HALL, ARE YOU
6 THERE?

7 MR. SHESTACK: HE IS NOT. I THINK HE WOULD
8 BE WHERE I AM HERE IN LOS ANGELES, BUT HE IS NOT.

9 CHAIRMAN KESSLER: MAY I ASK WHETHER THERE
10 ARE COMMENTS FROM THE PUBLIC HERE IN SAN FRANCISCO?

11 MR. REED: DON REED. JOSE CIBELLI, OF
12 COURSE, IS THIS GIANT IN THE FIELD, AND I WOULD LOVE TO
13 HAVE HIS PARTICIPATION IN THIS ENDEAVOR. BUT THE
14 PERSON THAT I WOULD MOST LIKE, IF I HAD ONE PERSON TO
15 VOTE, WOULD BE ANN KIESSLING BECAUSE I REALLY THINK THE
16 EGG AND WOMAN ISSUE IS GOING TO COME UP AGAIN AND AGAIN
17 AND AGAIN. AND SHE'S EXCELLENT AT DEALING WITH THAT
18 SUBJECT. SHE SAID THAT IT'S DEMEANING TO WOMEN TO SAY
19 THEY DO NOT HAVE THE INTELLIGENCE TO MAKE UP THEIR MIND
20 ABOUT WHETHER TO DONATE OR NOT. ALSO, SHE HAS A LOT OF
21 PRACTICAL EXPERIENCE IN THIS AREA, SO I'D LOVE TO SEE
22 HER ON THIS. AND THANK YOU VERY MUCH.

23 MR. SHESTACK: THIS IS FOR THE
24 SCIENTIST/CLINICIAN SLOTS, RIGHT? HOW MANY SLOTS ARE
25 THERE?

1 MR. SERRANO-SEWELL: NINE.

2 MR. SHESTACK: NINE. OKAY. THANK YOU.

3 CHAIRMAN KESSLER: OTHER COMMENTS FROM THE
4 PUBLIC IN SAN FRANCISCO, PLEASE. IN L.A. ANY COMMENTS
5 FROM THE PUBLIC?

6 MR. SHESTACK: NO, PUBLIC HERE.

7 CHAIRMAN KESSLER: LET ME SUGGEST THAT EACH
8 OF YOU HAVE IN FRONT OF YOU, AND I DON'T KNOW IF STAFF
9 HAS EXTRA COPIES OF THESE. PASS OUT SOME CLEAN COPIES.
10 MAY I SUGGEST THAT EACH OF YOU PREPARE A PIECE OF PAPER
11 BALLOT.

12 MR. SERRANO-SEWELL: DAVID, I'M SORRY. I
13 APOLOGIZE FOR INTERJECTING MYSELF AT THIS POINT. THERE
14 WAS ONE NAME THAT YOU AND I WENT OVER AND WAS ONE OF
15 OUR RECOMMENDATIONS THAT'S ON THIS LIST. AND THAT IS
16 DR. KEVIN EGGAN. I BELIEVE HE'S STARTING OUT AT
17 HARVARD. HIS WORK HAS BEEN THUS FAR IN STEM CELL.
18 HE'S A YOUNGER GENTLEMAN, WHICH I LIKED.

19 CHAIRMAN KESSLER: AND VERY TALENTED.

20 MR. SERRANO-SEWELL: AND VERY TALENTED,
21 BRILLIANT YOUNG MAN. I THOUGHT IT WOULD BRING SOME
22 NICE AGE DIVERSITY AND OPINION ON THIS IMPORTANT
23 WORKING GROUP.

24 MS. SAMUELSON: THAT'S HELPFUL.

25 CHAIRMAN KESSLER: THANK YOU VERY MUCH, SIR.

1 DR. STEWARD: I HAVE TO COMMENT ON THAT.

2 CHAIRMAN KESSLER: IF IT'S ON THE AGE THING,
3 SIR, NO. IF IT'S ON THE TALENT OF THE PERSON, YES.

4 DR. STEWARD: WELL, IT'S SO -- I MEAN I
5 UNDERSTAND THE DESIRE TO HAVE A YOUNGER PERSON ON.
6 HOWEVER -- AND BRILLIANT. HOWEVER, HE IS AN ASSISTANT
7 PROFESSOR. AND, FOR EXAMPLE, AT AN NIH STUDY SECTION,
8 AN ASSISTANT PROFESSOR WOULD NOT NORMALLY QUALIFY FOR
9 MEMBERSHIP UNTIL THEY HAD ADVANCED TO THE RANK OF
10 ASSOCIATE PROFESSOR. AND I THINK THAT THERE'S LOTS AND
11 LOTS OF REASONS FOR THAT, AMONGST THEM BEING THAT THE
12 PERSON REALLY HAS TO FOCUS ON THEIR CAREER.

13 SO I GUESS I'M A LITTLE CONCERNED FROM THAT
14 PERSPECTIVE THAT WE WOULD IN A SENSE HAVE A STANDARD
15 THAT WOULD BE A LITTLE BIT DIFFERENT THAN SORT OF THE
16 MINIMAL QUALIFICATIONS FOR NIH STUDY SECTIONS.

17 MR. SERRANO-SEWELL: I DON'T WANT TO SPEND
18 MORE THAN TWO MINUTES TALKING ABOUT THIS, BUT LET ME
19 SEE IF I UNDERSTAND THAT. I MEAN I LIKE THE NIH
20 STANDARDS, AND IT'S SOMETHING THAT I KNOW THIS
21 COMMITTEE AND THE FULL ICOC ARE LOOKING TOWARDS FOR
22 GUIDANCE, AS WELL WE SHOULD, BUT WE'RE NOT BOUND TO IT
23 IN ANY WAY, AND WE CAN DO THINGS DIFFERENTLY. AND I
24 THINK THAT'S WHAT'S EXPECTED. AND IF THERE'S A
25 CANDIDATE SUCH AS KEVIN EGGAN THAT REALLY, IN MY

1 OPINION, STANDS OUT, I DON'T WANT HIS TENURE TRACK OR
2 HIS STATUS TO DISQUALIFY THAT INDIVIDUAL BECAUSE THE
3 NIH STANDARDS ARE SUCH.

4 CHAIRMAN KESSLER: I ALSO THINK WE'RE NOT --
5 THIS IS NOT THE GRANTS. THIS IS NOT WHERE HE'S ASKED
6 TO OPINE ON THE GRANTS OF SOMEONE ELSE PERHAPS MORE
7 SENIOR. HERE THE ISSUE IS COMING UP WITH THE RIGHT
8 STANDARDS. I THINK THAT AGE, I WOULD ARGUE, IS
9 IMMATERIAL. I MEAN EXPERIENCE, WISDOM, DEPTH I THINK
10 ARE THE CRITERIA WE SHOULD BE LOOKING FOR.

11 DR. STEWARD: I AGREE, EXPERIENCE, WISDOM,
12 AND DEPTH.

13 CHAIRMAN KESSLER: IF YOU CAN -- HAVING AN
14 AGREEMENT ON THAT, THOSE CRITERIA, IF YOU COULD MAKE
15 SURE THAT YOU HAVE IN FRONT OF YOU A CLEAN --
16 RELATIVELY CLEAN SHEET, A BALLOT, THAT HAS THE NAMES
17 THAT STAFF JUST READ OUT IN FRONT OF YOU. DOES
18 EVERYONE FEEL COMFORTABLE THEY HAVE A SHEET IN FRONT OF
19 THEM THAT REFLECTS THE FLIP CHART?

20 DR. HALL: EXCUSE ME, DAVID. ZACH HALL HERE.

21 CHAIRMAN KESSLER: DR. HALL.

22 DR. HALL: JUST ARRIVED.

23 CHAIRMAN KESSLER: IF YOU WOULD BE KIND, WE
24 ARE ABOUT TO CALL THE QUESTION ON VOTING FOR
25 SCIENTIST/CLINICIANS. IF YOU HAVE ANY COMMENTS ON

1 ANYONE ON THE LIST. FOR YOUR INFORMATION, ZACH, I'LL
2 ASK STAFF TO READ THE LIST ONE MORE TIME SO YOU CAN
3 HEAR THEM. AND THEN IF YOU HAVE ANY COMMENTS ON ANY OF
4 THESE NAMES, AND THEN WE WILL MOVE TO DO A PRELIMINARY
5 VOTE.

6 MS. HALME: ALICE TARANTAL, JANET ROWLEY,
7 JAMES WILLERSON, KENNETH OLDEN, ROB TAYLOR, JOHN
8 KESSLER, JOSE CIBELLI, KEVIN EGGAN, WARREN OLANOW, ANN
9 KIESSLING, ROBERT PRETI, BERTRAM LUBIN, JEFFREY
10 KORDOWER.

11 DR. HALL: OKAY. I HAVE A COMMENT ON ONE,
12 AND THAT'S KEN OLDEN. AND I THINK I HAD THE FOLLOWING
13 CONVERSATION WITH JIM BATTE ABOUT THE GRANTS REVIEW
14 WORKING GROUP. I ASKED IF HE WERE ABLE TO SERVE FROM
15 NIH ON A CIRM WORKING GROUP. AND HE SAID THERE ARE TWO
16 WAYS TO DO IT. YOU CAN EITHER DO IT OFFICIALLY OR YOU
17 CAN DO IT OFF DUTY. AND HE SAID OFFICIALLY YOU COULD
18 NOT GET PERMISSION TO DO THIS. OFF DUTY HE SAID
19 THERE'S A 22-PAGE FORM TO FILL OUT, AND THE REQUEST
20 MUST GO THROUGH THE ETHICS COMMITTEE AT NIH AND THEN
21 MUST BE PASSED ON BY THE LAWYERS. AND HE SAID HE
22 THOUGHT IT WAS DOUBTFUL, ALTHOUGH HE HIMSELF, BECAUSE
23 IT WAS SUCH A LONG AND COMPLICATED PROCESS, HAD CHOSEN
24 NOT TO TRY.

25 SO I THINK YOU MIGHT WANT TO DECIDE WITH

1 OLDEN. OLDEN VOLUNTEERED TO BE A GUINEA PIG; THAT IS,
2 TO BE A TEST CASE IF HE GOT AN OFFICIAL LETTER. BUT MY
3 GUESS IS FROM WHAT JIM SAID, IT WOULD NOT BE RESOLVED
4 FOR PROBABLY MONTHS.

5 CHAIRMAN KESSLER: ANY OTHER COMMENTS YOU'D
6 LIKE TO MAKE, DR. HALL?

7 DR. HALL: THE ONES I KNOW I REGARD VERY
8 HIGHLY. I THINK IT'S AN EXCELLENT LIST.

9 CHAIRMAN KESSLER: LET ME MAKE A REQUEST
10 THEN. THERE'S A LITTLE BIT OF AN ECHO. I APOLOGIZE.
11 IF EVERYONE HAS A CLEAN BALLOT. JON, DO YOU HAVE A
12 CLEAN BALLOT IN FRONT OF YOU?

13 MR. SHESTACK: I JUST HAVE A PIECE OF PAPER
14 THAT I'M GOING TO WRITE SOME NAMES ON.

15 CHAIRMAN KESSLER: IF YOU CAN MAKE SURE YOU
16 HAVE THE FULL LIST OF NAMES ON THE FLIP CHART, RIGHT?

17 MR. SHESTACK: I DO.

18 CHAIRMAN KESSLER: LET ME MAKE THE FOLLOWING
19 SUGGESTION, THAT EACH COMMITTEE MEMBER VOTE FOR THE
20 NINE, NINE, CANDIDATES THEY MOST STRONGLY SUPPORT, UP
21 TO NINE. YOU DO NOT HAVE TO VOTE FOR NINE. UP TO NINE
22 CANDIDATES THEY MOST STRONGLY SUPPORT BY INDICATING THE
23 NAMES OF THE CANDIDATES ON A PIECE OF PAPER. AND THEN
24 WE WILL ASK THAT THOSE VOTES BE READ BY STAFF. WRITING
25 DOWN THE NAMES PROVIDES A MEANS TO TRY TO PREVENT BIAS

1 SO THAT YOU DON'T HEAR FROM OTHER MEMBERS AT THE SAME
2 TIME; BUT BECAUSE THE NAMES WILL BE READ ALONG WITH
3 THOSE WHO VOTED FOR THEM, THE VOTES WILL BE A MATTER OF
4 PUBLIC RECORD.

5 IF YOU ARE ABSTAINING ON ANYONE BECAUSE THEY
6 ARE FROM YOUR INSTITUTION AND YOU'VE CHOSEN TO DO THAT,
7 THEN I ASK THAT YOU WRITE THE WORD "ABSTAIN" DOWN SO
8 THAT CAN BE RECORDED. AND THEN WE NEED SOME
9 STATISTICIAN TO CALCULATE THE EFFECT OF ABSTENTIONS ON
10 THIS. IF YOU COULD NOTE HOW MANY ABSTENTIONS BECAUSE
11 THAT CHANGES THE DENOMINATOR OF HOW MANY VOTES ARE
12 POSSIBLE FOR AN INDIVIDUAL.

13 WHY DON'T WE TAKE AN APPROPRIATE AMOUNT OF
14 TIME TO BE ABLE TO GET -- TO FILL OUT THOSE BALLOTS.
15 IT WILL CERTAINLY TAKE ME A MINUTE TO SEE IF I CAN DO
16 THIS CORRECTLY.

17 MR. SERRANO-SEWELL: YOU DON'T HAVE TO VOTE
18 FOR NINE.

19 CHAIRMAN KESSLER: RIGHT.

20 (PAUSE IN PROCEEDINGS.)

21 CHAIRMAN KESSLER: HAS EVERYONE PUT THEIR
22 NAME ON THE BALLOT? MY COLLEAGUES ARE QUICKER THAN I
23 AM. IS THERE SOMEBODY IN L.A. WHO COULD READ MR. JON'S
24 VOTES? JON, ARE YOU READY?

25 MR. SHESTACK: I'M HERE. I WILL ACTUALLY

1 TAKE THAT UPON MYSELF TO DO, IF THAT'S OKAY.

2 CHAIRMAN KESSLER: OKAY. IF YOU CAN INDICATE
3 WHO YOU VOTED FOR.

4 MR. SHESTACK: I DID NOT VOTE FOR ALL NINE AT
5 THIS POINT, BUT I VOTED FOR CIBELLI, TARANTAL,
6 KIESSLING, OLDEN, WITH THE CAVEATS THAT WE KNOW, BUT I
7 GUESS HE'S LEAVING TO GO TO PARKINSON'S, TAYLOR,
8 ROWLEY, AND EGGAN.

9 CHAIRMAN KESSLER: THANK YOU, SIR.

10 MR. SHESTACK: THAT WAS SEVEN OUT OF NINE.

11 CHAIRMAN KESSLER: KATE, CAN YOU --

12 MS. SHREVE: THESE ARE FOR DR. KESSLER:
13 KENNETH OLDEN, AN ABSTENTION VOTE FOR ROBERT TAYLOR,
14 JOSE CIBELLI, KEVIN EGGAN, WARREN OLANOW, ANN
15 KIESSLING, ROBERT PRETI, BERTRAM LUBIN, JANET ROWLEY,
16 JAMES WILLERSON.

17 CHAIRMAN KESSLER: LET THE RECORD SHOW THAT
18 AN ABSTENTION IS NOT A VOTE.

19 MS. SHREVE: FROM JOAN SAMUELSON: KENNETH
20 OLDEN, ROBERT TAYLOR, JOSE CIBELLI, KEVIN EGGAN, ANN
21 KIESSLING, ROBERT PRETI, ALICE TARANTAL, JANET ROWLEY,
22 JEFFREY KORDOWER.

23 JEFF SHEEHY: KENNETH OLDEN, ABSTAIN FOR
24 ROBERT TAYLOR, JOSE CIBELLI, KEVIN EGGAN, ANN
25 KIESSLING, JEFF KORDOWER, ALICE TARANTAL, JANET ROWLEY

1 JAMES WILLERSON.

2 FROM DAVID SERRANO-SEWELL: KENNETH OLDEN,
3 JOSE CIBELLI, KEVIN EGGAN, ANN KIESSLING, JANET ROWLEY,
4 JEFFREY KORDOWER.

5 AND FROM OSWALD STEWARD: KENNETH OLDEN,
6 ROBERT TAYLOR, JOHN KESSLER, JOSE CIBELLI, WARREN
7 OLANOW, ANN KIESSLING, JAMES WILLERSON, JANET ROWLEY,
8 JEFF KORDOWER.

9 CHAIRMAN KESSLER: SO LET ME ASK STAFF TO DO
10 THE FOLLOWING, AND I DO THIS WITH SOME TREPIDATION. AS
11 I READ THIS, THERE ARE 13 NAMES ON THE FLIP CHART.
12 THERE IS A RANGE OF BETWEEN ONE VOTE AND SIX VOTES. WE
13 HAVE TO RECOMMEND NINE, SO LET ME ASK THAT YOU JUST --
14 LET'S WORK BY A MEANS OF EXCLUSION. COULD YOU CROSS
15 OFF -- HOW MANY NAMES WHERE THERE ARE ONES? WE HAVE TO
16 CROSS OFF FOUR NAMES TOTAL.

17 MS. HALME: BERTRAM LUBIN AND JOHN KESSLER.

18 CHAIRMAN KESSLER: COULD I ASK YOU TO CROSS
19 OFF THOSE TWO NAMES, IF YOU WOULD BE SO KIND.

20 CHAIRMAN KESSLER: CAN I ASK STAFF TO REPORT
21 HOW MANY PEOPLE HAVE TWOS?

22 MS. HALME: TWO OF THEM: WARREN OLANOW AND
23 ROBERT PRETI.

24 CHAIRMAN KESSLER: CAN I ASK THAT STAFF CROSS
25 OFF THOSE NAMES. CAN STAFF ASCERTAIN HOW MANY NAMES

1 REMAIN ON THE BOARD NOT BEING CROSSED OFF.

2 MS. HALME: NINE.

3 CHAIRMAN KESSLER: MAY I ASK FOR A DISCUSSION
4 ON THE NINE? IS THERE ANY DISCUSSION ON THE NINE NAMES
5 ON THE BOARD?

6 MS. SHREVE: CAN WE READ THOSE NAMES FOR THE
7 BENEFIT OF THOSE IN L.A.?

8 MS. HALME: ALICE TARANTAL, JANET ROWLEY,
9 JAMES WILLERSON, KENNETH OLDEN, ROBERT TAYLOR, JOSE
10 CIBELLI, KEVIN EGGAN, ANN KIESSLING, JEFFREY KORDOWER.

11 MR. SHESTACK: COULD I ASK A QUESTION OF
12 DAVID KESSLER AND OF ZACH, WHO HAVE A BETTER SENSE OF
13 THESE NAMES AT A GLANCE. IS ANY PARTICULAR AREA
14 OVERREPRESENTED OR GLARINGLY UNDERREPRESENTED LOOKING
15 AT THIS LIST?

16 CHAIRMAN KESSLER: ZACH, YOU WANT TO TAKE A
17 QUICK.

18 DR. HALL: I HAVE MADE THE CASE EARLIER THAT
19 I THOUGHT IT WOULD BE WISE TO HAVE A NEURO PERSON ON
20 JUST BECAUSE AGAINST THE DAY WHEN THERE WOULD BE
21 CLINICAL TRIALS INVOLVING THE NERVOUS SYSTEM WHICH
22 SOMETIMES POSES SPECIAL PROBLEMS. AND I'M NOT SURE
23 THAT THE LIST AS IT'S COMPOSED HAS ONE. THAT MAY NOT
24 BE AN OVERRIDING CONSIDERATION.

25 MR. SHESTACK: THAT WOULD HAVE BEEN OLANOW.

1 IS THAT THE ONLY REPRESENTATIVE OR KESSLER MAYBE.

2 DR. HALL: KESSLER WAS THE OTHER ONE.

3 DR. STEWARD: JEFF KORDOWER WOULD COUNT AS A
4 NEURO PERSON.

5 DR. HALL: OKAY. I DON'T KNOW HIM. LET ME
6 LOOK UP.

7 DR. STEWARD: HE'S RUSH PRESBYTERIAN. HE'S
8 BEEN DOING THE PARKINSON'S WORK IN PRIMATES.

9 DR. HALL: THEN THAT'S FINE. IN PRIMATES,
10 BUT IS HE M.D.?

11 DR. STEWARD: NO.

12 DR. HALL: WELL, THAT'S ACTUALLY WHAT I WAS
13 INTERESTED IN JUST BECAUSE I THINK THERE ARE SOME
14 PROBLEMS. WHEN YOU PUT CELLS INTO SOMEBODY'S BRAIN,
15 SORT OF KNOWING WHAT THE RISKS ARE AND WHAT THE
16 CONSIDERATIONS MIGHT BE. AND I THINK IT'S, WITH ALL
17 DUE RESPECT, IT'S PROBABLY NOT THE SAME IN PRIMATES AS
18 IT IS IN HUMANS. SO THAT WOULD BE MY ONE COMMENT. AS
19 I SAY, WHETHER THAT'S AN OVERRIDING CONVERSATION OR
20 NOT, I DO MAKE THE COMMENT.

21 CHAIRMAN KESSLER: ARE THERE ANY COMMENTS
22 FROM THE BOARD THAT THEY'D LIKE TO CHANGE THE NINE
23 NAMES OR ALTER TO A DIFFERENT LIST OF NINE NAMES FROM
24 THE MEMBERS OF THE BOARD?

25 DR. STEWARD: THIS IS OS, AND I AM ACTUALLY

1 VERY MUCH IN AGREEMENT WITH ZACH. I THINK THAT NEURO
2 IS LIKELY TO BE ONE OF THE EARLY AND IMPORTANT TARGETS.
3 AND YOU'RE ABSOLUTELY RIGHT, NOT HAVING AN M.D. NEURO
4 PERSON ON THERE IS SOMETHING THAT IS A PROBLEM.

5 THE PEOPLE THAT WE HAVE WHO COULD BE
6 CONSIDERED THERE WOULD BE WARREN OLANOW AND JOHN
7 KESSLER. KESSLER IS A NEUROLOGIST. AND I CAN GO
8 THROUGH HIS CREDENTIALS IF YOU WANT. WE DIDN'T DISCUSS
9 HIM THIS TIME, BUT HE CERTAINLY HAS A BROAD LEVEL OF
10 EXPERIENCE. AND OLANOW WE DID DISCUSS.

11 DR. HALL: LET ME ASK ALSO IS THERE ANYBODY
12 ON THE PANEL AS CONSTITUTED WITH CLINICAL TRIAL
13 EXPERIENCE? WHO WOULD THOSE BE?

14 CHAIRMAN KESSLER: KEN OLDEN.

15 DR. HALL: OKAY. HE'S ACTUALLY RUN OR BEEN
16 INVOLVED IN CLINICAL TRIALS. I DIDN'T KNOW THAT.

17 MR. SHEEHY: PHASE I, PHASE II, PHASE III
18 CLINICAL TRIALS. I'M NOT COMPLETELY SURE ROB TAYLOR
19 HASN'T HAD SOME.

20 MR. HALL: HE MAY HAVE.

21 MR. SHESTACK: CAN I ASK A QUESTION? IF WE
22 IDENTIFY -- I MEAN THERE'S A CLEAR PROCEDURE OR ALMOST
23 CLEAR FOR ADDING AD HOC PEOPLE TO THE GRANTS. BUT, YOU
24 KNOW, THIS IS SOMEWHAT LUCK OF THE DRAW. IF WE CLEARLY
25 IDENTIFY A HOLE IN OUR CHOICE, BUT WE DON'T HAVE

1 SOMEONE TO FILL IT, ARE WE ABLE, AS A COMMITTEE, TO
2 BRING IN AD HOC PEOPLE TO ADVISE US AND PARTICIPATE?
3 WHETHER OR NOT THEY ACTUALLY HAVE A VOTE, I DON'T KNOW.
4 IT'S NOT THE SAME PROCESS OF REVIEWING AS GRANTS, BUT I
5 DO WANT TO KNOW WHETHER -- THERE MAY VERY WELL BE THAT
6 WE DISCOVER THAT WE'RE MISSING CERTAIN PIECES GIVEN
7 THAT WE'RE DOING THIS FAIRLY FAST.

8 MR. SERRANO-SEWELL: HOW ABOUT WE DO THIS.

9 MR. SHEEHY: I NOTICE THAT'S SEVEN THAT HAVE
10 WHAT APPEARS TO BE MORE OR LESS A MAJORITY OF THE
11 BOARD. WHAT IF WE GO AHEAD AND ADOPT THOSE FOR THE
12 PROCESS OF GETTING -- MAKING SOME PROGRESS. AND THEN
13 SEE WHAT WE'RE LEFT WITH BECAUSE, YOU KNOW, THE TWO
14 CANDIDATES THAT ONLY RECEIVED THREE VOTES AND --

15 MR. SHESTACK: WHICH ONES WERE THEY?

16 MR. SHEEHY: ALICE TARANTAL AND JAMES
17 WILLERSON.

18 CHAIRMAN KESSLER: AND ROB TAYLOR.

19 MR. SHEEHY: WELL, TWO ABSTENTIONS.

20 CHAIRMAN KESSLER: THEY CAN'T BE COUNTED.

21 MR. SERRANO-SEWELL: PREFERENCE.

22 CHAIRMAN KESSLER: IT'S NOT A PREFERENCE.

23 YOU GOT TO BE CAREFUL. ABSTENTIONS --

24 MR. SHESTACK: JEFF, PERSONALLY I'D BE HAPPY
25 TO ADOPT ALL NINE IF I ACTUALLY FELT THAT -- THIS IS

1 THE PROBLEM THAT BEDEVILS ALL OF US WITH THIS
2 LEGISLATION IS THAT, YOU KNOW, IT ONLY SEEMS TO LEAVE
3 ROOM FOR JUDGMENT ONCE OR TWICE. BUT IF WE FELT THAT
4 THERE WAS A CHANCE TO BRING OTHER PEOPLE IN --

5 CHAIRMAN KESSLER: I SEE -- JON, I THINK IT'S
6 A GOOD POINT. I THINK THERE ARE GOING TO BE A NUMBER
7 OF AREAS WHERE THERE'S GOING TO BE A NEED FOR REPEATED
8 FILLING THE GAP IN EXPERTISE, AND THE WORKING GROUP
9 CERTAINLY HAS THE PREROGATIVE OF BRINGING IN EXPERTISE.
10 AND MY GUESS IS IT'S GOING TO BE IMPERATIVE THAT IT
11 DOES THAT.

12 MS. SAMUELSON: I AGREE. I'M FRUSTRATED,
13 JON, AS PERHAPS YOU ARE. I THINK WE'VE BEEN SLOWED
14 DOWN TREMENDOUSLY BY BAGLEY-KEENE, AND THAT IS
15 SOMETHING, I THINK, WE HAVE TO CONTINUE TO TRY TO
16 SOLVE, SOME OF THE DIFFICULTIES WITH WORKING WITH IT,
17 ESPECIALLY IF THERE'S AN INTEREST IN TRYING TO APPLY
18 ANY ASPECT OF BAGLEY-KEENE TO THE WORKING GROUPS
19 BECAUSE THE INABILITY TO SHARE THE IMPORTANT
20 INFORMATION WE GOT IN OUR TELECONFERENCES WITH THE
21 LARGER GROUP IN THE TEAM BECAUSE OF SOME TECHNICAL
22 REQUIREMENT THAT MADE NO SENSE HAMPERED OUR ABILITY TO
23 COME HERE AND BE WELL INFORMED. AND THAT'S A PROBLEM.

24 I THINK PROBABLY, IN ADDITION TO BEING ABLE
25 TO HAVE AD HOC ASSISTANCE, WE ARE LIKELY TO HAVE PEOPLE

1 WHO TURN OUT FOR ONE REASON OR ANOTHER TO BE UNABLE TO
2 SERVE, AND THAT WE COULD FILL THOSE GAPS WITH THOSE
3 VACANCIES.

4 CHAIRMAN KESSLER: LET ME ASK THE SENSE OF MY
5 MEMBERS OF THE SUBCOMMITTEE. WOULD YOU LIKE ME TO MOVE
6 ON THE SLATE AS IT'S IN FRONT OF YOU AND PRESENT THAT
7 FOR A VOTE, OR WOULD YOU LIKE TO DO SOME MORE -- WHAT'S
8 THE RIGHT WORD -- EDITING OF THIS SLATE BEFORE I PUSH
9 FORWARD? DO YOU WANT TO ACCEPT -- YOU WANT ME TO MOVE
10 AHEAD WITH THIS, OR DO YOU WANT TO DO SOME MORE EDITING
11 RIGHT NOW?

12 MR. SERRANO-SEWELL: DAVID SERRANO-SEWELL
13 SPEAKING. I THINK YOU LAID OUT REALLY TWO CHOICES. WE
14 CAN GO WITH THE NINE, OR, AS JEFF SUGGESTED, THE SEVEN.
15 AND GIVEN THIS ROBUST CONVERSATION THAT WE'VE HAD AND
16 LISTENING TO WHAT DR. HALL HAS TO SAY, AND ALSO WHAT MY
17 TWO COLLEAGUES HAD TO SAY ABOUT WARREN OLANOW, SOMEBODY
18 I WILL NOT BE SUPPORTING, I'D LIKE TO GO WITH THE NINE
19 THAT WE HAVE NOW.

20 CHAIRMAN KESSLER: ANY OTHER COMMENTS?

21 MR. SHESTACK: I WOULD LIKE TO GO WITH THE
22 NINE, BUT I WOULD REALLY LIKE THE RECORD TO EXPRESS THE
23 CAVEAT THAT AT LEAST SOME OF US ON THE GROUP ARE AWARE
24 THAT WE MAY HAVE NOT FULL EXPERTISE ON THIS GROUP, AND
25 THAT WE WILL BE PLANNING TO GO OUTSIDE OF IT FOR

1 SPECIAL EXPERTISE WHEN WE NEED IT.

2 CHAIRMAN KESSLER: POINT WELL MADE, SIR. WE
3 WILL DO THAT.

4 DO I HAVE A MOTION TO NOMINATE THESE NINE
5 INDIVIDUALS TO SERVE AS THE SCIENTISTS AND CLINICIANS
6 ON THE STANDARDS WORKING GROUP: ALICE TARANTAL, JANET
7 ROWLEY, JAMES WILLERSON, KENNETH OLDEN, ROBERT TAYLOR,
8 JEFF KORDOWER, JOSE CIBELLI, KEVIN EGGAN, ANN
9 KIESSLING?

10 MR. HARRISON: DAVID, IF YOU AND JEFF WOULD
11 PLAN TO ABSTAIN IN VOTING TO RECOMMEND ROBERT TAYLOR,
12 THEN WHAT I RECOMMEND YOU DO IS BREAK IT INTO TWO
13 SEPARATE MOTIONS.

14 CHAIRMAN KESSLER: THANK YOU, COUNSEL. LET
15 ME ASK, THEN, FOR A VOTE -- A MOTION TO NOMINATE SEVEN:
16 ALICE TARANTAL, JANET ROWLEY, JAMES WILLERSON, KENNETH
17 OLDEN, JEFF KORDOWER, JOSE CIBELLI, KEVIN EGGAN, AND
18 ANN KIESSLING. IS THERE A MOTION ON THOSE EIGHT?

19 MS. SAMUELSON: SO MOVED.

20 CHAIRMAN KESSLER: IS THERE A SECOND?

21 MR. SERRANO-SEWELL: SECOND.

22 CHAIRMAN KESSLER: CAN I CALL FOR A VOTE ON
23 THAT MOTION? WE WILL HAVE A ROLL CALL VOTE.

24 MS. SHREVE: DAVID KESSLER.

25 CHAIRMAN KESSLER: YES.

1 MS. SHREVE: JOAN SAMUELSON.
2 MS. SAMUELSON: YES.
3 MS. SHREVE: DAVID SERRANO-SEWELL.
4 MR. SERRANO-SEWELL: YES.
5 MS. SHREVE: JEFF SHEEHY.
6 MR. SHEEHY: YES.
7 MS. SHREVE: JON SHESTACK.
8 MR. SHESTACK: YES.
9 MS. SHREVE: OS STEWARD.
10 DR. STEWARD: YES.
11 CHAIRMAN KESSLER: THE VOTE IS UNANIMOUS.
12 MAY I ASK FOR A MOTION TO NOMINATE ONE MORE
13 NAME OF ONE MORE INDIVIDUAL TO SERVE AS A SCIENTIST AND
14 CLINICIAN ON THE STANDARDS WORKING GROUP? SOMEONE MAKE
15 A MOTION.
16 MS. SAMUELSON: I MOVE THAT ROBERT TAYLOR BE
17 ADDED TO THE LIST OF PROPOSED MEMBERS OF THE
18 SCIENTIST-CLINICIAN PORTION OF THE STANDARDS WORKING
19 GROUP.
20 CHAIRMAN KESSLER: IS THERE A SECOND?
21 MR. SERRANO-SEWELL: SECOND.
22 CHAIRMAN KESSLER: MAY I ASK FOR A ROLL CALL
23 VOTE.
24 MS. SHREVE: DAVID KESSLER.
25 CHAIRMAN KESSLER: ABSTENTION.

1 MS. SHREVE: JOAN SAMUELSON.
2 MS. SAMUELSON: YES.
3 MS. SHREVE: DAVID SERRANO-SEWELL.
4 MR. SERRANO-SEWELL: YES.
5 MS. SHREVE: JEFF SHEEHY.
6 MR. SHEEHY: ABSTENTION.
7 MS. SHREVE: JON SHESTACK.
8 MR. SHESTACK: YES.
9 MS. SHREVE: OS STEWARD.
10 DR. STEWARD: YES.
11 MS. SHREVE: VOTE PASSES WITH TWO ABSTENTIONS
12 AND A MAJORITY VOTE.
13 CHAIRMAN KESSLER: THANK YOU VERY MUCH.
14 THE NEXT ITEM ON THE AGENDA IS NO. 6,
15 CONSIDERATION OF A DISEASE ADVOCATE SERVING AS
16 CHAIRPERSON, VICE CHAIRPERSON, OR CO-CHAIRPERSON FOR
17 THE SCIENTIFIC AND MEDICAL ACCOUNTABILITY STANDARDS
18 WORKING GROUP. AT THIS POINT I WELCOME DISCUSSION OF
19 THE IDEA OF A DISEASE ADVOCATE SERVING AS CHAIR,
20 CO-CHAIR, OR VICE CHAIR OF THE STANDARDS WORKING GROUP.
21 LET ME POINT OUT THAT I'VE BEEN INSTRUCTED,
22 AND I'VE BEEN ADVISED, IS A MORE ACCURATE WAY TO SAY
23 THIS, THAT THIS IS A MATTER THAT SHOULD BE ADDRESSED BY
24 THE FULL ICOC AS IT IS APPLICABLE TO MULTIPLE WORKING
25 GROUPS. HOWEVER, WHILE NO ACTION SHOULD BE TAKEN

1 TODAY, THIS IS A GOOD OPPORTUNITY TO EXPLORE THE IDEA.
2 ARE THERE COMMENTS FROM THE COMMITTEE?

3 MR. SERRANO-SEWELL: WE'RE ON ITEM NO. 5?

4 CHAIRMAN KESSLER: WE'RE ON ITEM NO. 6. I
5 APOLOGIZE. I'M SORRY. I MISSED THE COMMENT FROM THE
6 PUBLIC.

7 MR. REED: IT SEEMS TO ME WE ALREADY HAVE A
8 PRECEDENT THAT PEOPLE NOT SELECTED FOR ACTIVE
9 PARTICIPATION ON THE GROUP WOULD BE ASKED TO BE AN AD
10 HOC PERSON. AND SINCE THERE'S GOING TO BE NOTIFICATION
11 AS TO THE PEOPLE WHO ARE ON THE OFFICIAL COMMITTEE, IT
12 SEEMS TO ME THAT THE PEOPLE THAT WERE NOT CHOSEN SHOULD
13 BE ASKED TO BE ON THE AD HOC ADVISORY COMMITTEE IF
14 THERE'S GOING TO BE ONE. I BELIEVE ON THE OTHER
15 COMMITTEES THIS WAS ALREADY SET UP.

16 CHAIRMAN KESSLER: THANK YOU VERY MUCH.

17 MR. REED: BECAUSE THE NOTIFICATION, WE DON'T
18 WANT TO HAVE THEM BE NOTIFIED THAT, WELL, YOU LOST.
19 IT'D BE MUCH BETTER IF THEY COULD BE NOTIFIED THAT WE
20 WOULD LIKE TO HAVE YOU SERVE ON AN AD HOC ADVISORY
21 COMMITTEE.

22 CHAIRMAN KESSLER: I WILL CERTAINLY ASK DR.
23 HALL TO MAKE A RECOMMENDATION OF HOW WE SO NOTIFY
24 PEOPLE AND WHAT IS ACTUALLY SAID. I THINK IT'S A GOOD
25 POINT.

1 MR. SHEEHY: IS THE ISSUE BEFORE US, COULD I
2 ASK FOR LEGAL OPINION ON THE LEGISLATIVE INTENT OF PROP
3 71 VIS-A-VIS A CHAIRPERSON BEING A DISEASE ADVOCATE?
4 MY SENSE IS THAT THESE WORKING GROUPS ARE SUBCOMMITTEES
5 OF THE ICOC.

6 MR. SHESTACK: WHO'S SPEAKING?

7 MS. SAMUELSON: JEFF SHEEHY.

8 MR. SHEEHY: AND THAT THE ONLY ICOC MEMBERS
9 WHO CAN SERVE ON THE WORKING GROUPS ARE DISEASE
10 ADVOCATES. IT SEEMS TO ME THAT IF THESE SUBCOMMITTEES
11 OF THE ICOC, WHICH THESE WORKING GROUPS EFFECTIVELY
12 ARE, ARE TO HAVE CHAIRPEOPLE, THAT THAT CHAIRPERSON
13 SHOULD BE AN ICOC MEMBER.

14 I ALSO WONDER WHAT THE LEGAL RAMIFICATIONS
15 ARE OF HAVING A CHAIRPERSON OF A SUBCOMMITTEE OF THE
16 ICOC WHO IS NOT AN EMPLOYEE OF THE STATE, BUT A
17 CONSULTANT, SOMEONE WHO HAS NOT FILLED OUT A FORM 700,
18 IS NOT BOUND BY THE CONFLICT OF INTEREST RULES THAT THE
19 ICOC MEMBERS ARE, AND POTENTIALLY IS NOT A CALIFORNIAN,
20 A CITIZEN OF THE STATE OF CALIFORNIA.

21 MR. HARRISON: THE ACT ESTABLISHES THE
22 WORKING GROUPS AS ADVISORY BODIES. SO TECHNICALLY
23 THEY'RE NOT SUBCOMMITTEES OF THE FULL BOARD. THEY ARE
24 SEPARATE AND SELF-STANDING ADVISORY BODIES ON WHICH
25 BOTH ICOC MEMBERS AND NON-ICOC MEMBERS SERVE.

1 AND YOU'RE CORRECT, THAT THE ACT EXPRESSLY
2 PROVIDES THAT THE MEMBERS OF THE WORKING GROUPS ARE NOT
3 OFFICERS OR EMPLOYEES OF THE STATE OF CALIFORNIA AND
4 THAT THEY ARE, THEREFORE, NOT SUBJECT TO STATE CONFLICT
5 OF INTEREST LAWS, INCLUDING THE REQUIREMENT TO FILE
6 FORM 700, AS WELL AS OPEN MEETING LAWS AND OTHER STATE
7 LAW REQUIREMENTS.

8 AND THE REASON FOR THAT IS THAT THE WORKING
9 GROUPS ARE PURELY ADVISORY. THEY HAVE NO FINAL
10 DECISION-MAKING AUTHORITY. THEY CAN ONLY MAKE
11 RECOMMENDATIONS TO THE ICOC, AND ULTIMATELY THE ICOC
12 HAS TO TAKE ANY ACTION. SO THE POWER OF THE WORKING
13 GROUPS IS STRICTLY CIRCUMSCRIBED. THEY HAVE NO
14 AUTHORITY TO BIND THE ICOC OR THE STATE.

15 MR. SHEEHY: WELL, I'M CURIOUS BECAUSE IF WE
16 FOLLOW THE MODEL FOR THE ICOC, THE CHAIR SETS THE
17 AGENDA. SO THIS PERSON WOULD SET THE AGENDA FOR THE
18 WORKING GROUP. AND YOU THINK -- DOES THAT SEEM TO
19 YOU -- I MEAN THAT WAS A QUICK ANSWER. I GATHER YOU
20 RESEARCHED THIS, BUT --

21 MR. HARRISON: NO. LET ME ANSWER THAT. I
22 HAVEN'T. I'M JUST TRYING TO EXPLAIN --

23 MR. SHEEHY: WELL, HAVE YOU HEARD OF STATE
24 BODIES THAT SET UP ENTITIES THAT PROCESS WORK FOR THEM,
25 THAT THEY HAVE PEOPLE UNRELATED TO EITHER --

1 FUNDAMENTALLY UNRELATED TO THE STATE OF CALIFORNIA
2 SETTING THE AGENDA AND MAKING DECISIONS POTENTIALLY FOR
3 THE BODY AS A WHOLE, THAT ARE RATIFIED FOR THE BODY AS
4 A WHOLE? DOES THAT SOUND LIKE PRACTICE -- IS THERE
5 ANOTHER ENTITY WITHIN THE STATE OF CALIFORNIA THAT
6 MIGHT FOLLOW A PRACTICE LIKE THAT THAT WE MIGHT HAVE A
7 STANDARD OF COMPARISON?

8 MR. HARRISON: WELL, THERE ARE CERTAINLY
9 OTHER ADVISORY BODIES IN THE STATE OF CALIFORNIA AND IN
10 LOCAL JURISDICTIONS AS WELL. AND I THINK THE KEY IS
11 THAT THE WORKING GROUPS ARE PURELY ADVISORY. THEY
12 DON'T HAVE ANY FINAL DECISION-MAKING AUTHORITY. ONLY
13 YOU AS THE BOARD HAVE THAT AUTHORITY.

14 NOW, HAVING SAID THAT, OBVIOUSLY I HAVE NO
15 POSITION, CAN'T PREJUDGE WHETHER OR NOT THERE ARE GOOD
16 POLICY REASONS, AS YOU SUGGEST, TO HAVE A DISEASE
17 ADVOCATE AND ICOC MEMBER SERVE AS THE CHAIR OF THE
18 WORKING GROUP, BUT I DON'T THINK THAT THE ISSUE IS
19 REALLY ADDRESSED AT ALL IN THE ACT.

20 MR. SHESTACK: COULD I ASK A QUESTION?
21 RATHER THAN ADDRESS THE LEGAL ISSUES ON THIS, COULD YOU
22 OR JOAN, WHO HAVE REALLY THOUGHT ABOUT IT QUITE A BIT,
23 JUST ADDRESS WHY IT IS FROM A POLICY STANDPOINT, FROM A
24 GREATER RESPONSIBILITY OR ACCOUNTABILITY OR
25 EFFECTIVENESS OF THE ICOC, WHY IT IS THAT YOU ACTUALLY

1 ADVOCATE THIS POSITION SO PEOPLE LIKE ME COULD
2 UNDERSTAND IT BETTER FROM NOT A LEGALISTIC POINT OF
3 VIEW, BUT JUST FROM A SUBSTANCE AND POLICY POINT OF
4 VIEW?

5 MS. SAMUELSON: I CAN CERTAINLY GIVE YOU
6 MIGHT THOUGHTS. WERE YOU GOING TO SAY SOMETHING,
7 DAVID?

8 MR. SERRANO-SEWELL: WELL, IS DR. HALL STILL
9 HERE?

10 DR. HALL: I AM.

11 MR. SERRANO-SEWELL: I MEAN, FIRST, I WANTED
12 TO THANK DEAN KESSLER FOR PUTTING THIS ON THE AGENDA.
13 IT WAS SOMETHING THAT CHAIRMAN KLEIN HAD ASKED ALL THE
14 WORKING GROUPS TO CONSIDER, AND DAVID HAS DONE A GREAT
15 JOB IN PUTTING IT ON THE AGENDA. I DON'T KNOW IF WE'LL
16 COME TO ANY CONCLUSIONS TODAY, BUT THIS IS A PRECURSOR
17 OF, I THINK, A BROADER POLICY DISCUSSION THAT THE ICOC
18 WILL HAVE TO CONTEND WITH.

19 DR. HALL: IT'S ON THE AGENDA FOR OUR NEXT
20 MEETING.

21 MR. SERRANO-SEWELL: THANK YOU. I APPRECIATE
22 THAT, DR. HALL.

23 DR. HALL: JUST TO SAY THAT IT WILL BE TAKEN
24 UP BY THE FULL ICOC.

25 MR. SERRANO-SEWELL: AS CHAIRMAN KLEIN ASKED.

1 SO MY POINT IS -- I MEAN MR. HARRISON HAS GIVEN US WHAT
2 PROPOSITION 71 SAYS. AS I READ IT, IT'S SILENT ON THE
3 ISSUE AS TO WHO IS CHAIR OF ANY OF THESE WORKING
4 GROUPS, SO IT BECOMES A POLICY MATTER. AND WE HAVE TO
5 HAVE A FULL AND ROBUST DISCUSSION ON THIS ISSUE. AND
6 WHETHER WE'LL COME TO ANY CONCLUSIONS TODAY OR
7 RECOMMENDATIONS, WHO KNOWS; BUT IN THE COURSE OF THIS
8 DISCUSSION, DR. HALL, I'D LIKE TO HEAR FROM YOU AND
9 WHAT YOU SORT OF THINK ABOUT THIS ISSUE.

10 YOU CAN DO THAT NOW, OR JOAN CAN TALK.
11 WHATEVER THE PLEASURE OF THE CHAIR IS.

12 MR. SHESTACK: I WOULD ALSO ASK DR. HALL TO
13 REALLY -- IT'S A SMALL GROUP. THERE'S NO -- TO SPEAK,
14 PLEASE BE FRANK ABOUT YOUR OPINION.

15 DR. HALL: I ALWAYS AM.

16 MR. SHESTACK: OKAY.

17 DR. HALL: SO IT DEPENDS ON HOW YOU THINK OF
18 THESE GROUPS. IF YOU THINK OF THEM AS JUST AS
19 SUBCOMMITTEES OF THE ICOC THAT ARE GIVEN A SPECIFIC
20 TASK AND BRING RECOMMENDATIONS BACK TO THE ICOC AND IS
21 A SUBGROUP OF THE ICOC, THEN I THINK YOU GO ABOUT IT
22 ONE WAY. IF YOU SEE THEM AS ADVISORY AND DOING A JOB
23 OF EVALUATION, WHICH IS THEN REVIEWED BY THE ICOC AND
24 IS USED AS INPUT FOR DECISION THAT THE ICOC MAKES, THEN
25 THERE IS A SENSE IN WHICH HAVING AN ICOC MEMBER,

1 WHETHER A PATIENT ADVOCACY PERSON OR ANYONE ELSE, BE
2 THE CHAIR OF THAT COMMITTEE IS SORT OF YOU THEN HAVE --
3 YOU ARE THEN PUT IN THE POSITION OF REVIEWING YOUR OWN
4 WORK IN ESSENCE.

5 AS I POINTED OUT BEFORE, HAVING ICOC MEMBERS
6 ON THESE COMMITTEES TO BEGIN WITH IS, IN A SENSE, A
7 VIOLATION OF THAT IF YOU THINK THAT'S IMPORTANT. THAT
8 IS, ONE COULD HAVE PATIENT ADVOCATES WHO ARE FROM
9 OUTSIDE THE STATE OF CALIFORNIA OR WHO ARE NOT ON THE
10 ICOC AS WELL. SO I THINK THE ISSUE THAT THE COMMITTEE
11 HAS TO DECIDE AS A WHOLE IS WHAT IS ITS ATTITUDE TOWARD
12 THE ADVISORY GROUPS, AND DOES IT WANT A STRICT
13 REPORTING RELATIONSHIP OR NOT. AND IF YOU WANT PEOPLE
14 FROM OUTSIDE TO COME IN, MAKE SOME SORT OF REPORT, AND
15 THEN THAT IS CONSIDERED AS INPUT BY THE ICOC, THAT'S
16 ONE THING. IF YOU WANT THEM TO, YOU KNOW, HAVE A -- BE
17 MEMBERS OF THE ICOC WHO HAVE BEEN CHARGED TO CARRY OUT
18 SOME TASK ON BEHALF OF THE LARGER COMMITTEE, THAT'S
19 ANOTHER. I THINK THAT'S A QUESTION THAT I THINK NEEDS
20 A FULL AIRING AT OUR MEETING ON MAY 6TH, AND I THINK IT
21 WILL BE VERY HELPFUL FOR US TO DO THAT.

22 MR. SHEEHY: YOU PROPOSE A MODEL THAT ISN'T
23 IN THE LAW, AND I DON'T UNDERSTAND --

24 DR. HALL: NEITHER MODEL IS IN THE LAW, JEFF.
25 I'M PROPOSING TWO WAYS OF THINKING ABOUT IT WOULD SEEM

1 TO BE INVOLVED IN THESE TOO. I'M NOT TRYING --

2 MR. SHEEHY: IT DOES KIND OF -- THE
3 PRESUPPOSITION THAT A PATIENT ADVOCATE CAN SERVE AS
4 CHAIR SEEMED TO EMERGE FROM THE BROW OF ZEUS.

5 DR. HALL: THERE ARE TWO ISSUES HERE WHICH WE
6 SHOULD KEEP SEPARATE. ONE IS WHETHER A PATIENT
7 ADVOCATE SHOULD BE CHAIR. THE OTHER IS WHETHER A
8 MEMBER OF THE ICOC SHOULD BE CHAIR. I THINK THOSE ARE
9 TWO SEPARATE ISSUES.

10 MR. SHEEHY: WELL, THEY'RE NOT. THEY'RE THE
11 SAME ISSUE. YOU KNOW, TO MAKE THAT SEPARATION IS A
12 LITTLE A BIT OF SOPHISTRY. I ACTUALLY THINK -- AND I
13 ALSO THINK IT'S A LITTLE -- YOU KNOW, EITHER SCIENTISTS
14 AND THE PEOPLE WHO HAVE DISEASES ARE PARTNERS IN THIS
15 EFFORT OR NOT. AND I THINK FOR ME, WHEN I READ PROP
16 71, THE INTENT WAS TO CREATE A PARTNERSHIP. I KNOW
17 FROM SOMEONE COMING FROM THE HIV FIELD THAT THE
18 PARTNERSHIP OF RESEARCH SCIENTISTS AND CLINICIANS AND
19 ADVOCATES AND ACTIVISTS HAS BEEN VERY SUCCESSFUL.

20 AND I THINK A MODEL THAT TRIED TO EDUCATE --
21 I MEAN WE HAVE TO BRING THE PUBLIC WITH US. YOU KNOW,
22 WE HAVE TWO BILLS PASS TEN OH OUT OF ONE TO TAKE PROP
23 71 BACK TO THE BALLOT PASSED OUT OF THE SENATE HEALTH
24 SUBCOMMITTEE. WE'RE NOT OPERATING IN A VACUUM. AND I
25 THINK THAT THERE'S ALSO ISSUES OF ACCOUNTABILITY.

1 THESE SUBCOMMITTEES HAVE -- ONE OF THESE
2 SUBCOMMITTEES IS GOING TO -- TWO OF THESE SUBCOMMITTEES
3 ARE GOING TO OPERATE OUTSIDE OF PUBLIC VIEW. ONE OF
4 THEM IS GOING TO PASS OUT \$2.7 BILLION IN PUBLIC FUNDS.

5 MR. SERRANO-SEWELL: RECOMMEND.

6 MR. SHEEHY: I REALLY HAVE TROUBLE
7 UNDERSTANDING HOW THE ICOC IS GOING TO BE ABLE TO
8 REALLY GET INTO THE DETAILS OF THIS -- I JUST -- I
9 DON'T -- THE WAY WE'VE WORKED SO FAR, THESE
10 SUBCOMMITTEES HAVE DONE A LOT OF WORK, YOU KNOW. AND
11 IF THE WORKING GROUPS SUDDENLY ARE NOT GOING TO DO THAT
12 MUCH WORK -- I MEAN, YOU KNOW, I JUST -- I'M HAVING A
13 TROUBLE UNDERSTANDING THE VISION OF THESE WORKING
14 GROUPS. I HAVE A TROUBLE UNDERSTANDING WHERE THE
15 ACCOUNTABILITY IS. YOU CAN TALK ABOUT NIH MODELS,
16 WHICH SOUNDS LIKE WHAT YOU'RE TALKING ABOUT. ANY
17 SENATOR OR ANY MEMBER OF CONGRESS CAN CALL ANY DIRECTOR
18 OF THE NIH. THEY CAN REFUSE TO FUND ANY GRANT AT THE
19 NIH. AND WE HAVE TAKEN THAT POWER AWAY FROM THE STATE
20 LEGISLATURE EXPLICITLY IN PROP 71. SO WHERE IS THE
21 ACCOUNTABILITY?

22 MR. SHESTACK: WHAT YOU'RE PROPOSING, JEFF,
23 DOESN'T ACTUALLY LEGISLATE OR MANDATE ACCOUNTABILITY.
24 IT JUST SUGGESTS THAT THERE MIGHT PERHAPS BE MORE
25 ACCOUNTABILITY IF AN ADVOCATE ICOC MEMBER WERE CO-CHAIR

1 OF THE COMMITTEE. IT'S SORT -- IT'S LIKE A BEST EFFORT
2 IN THIS DIRECTION.

3 MS. SAMUELSON: YEAH. HERE'S THE WAY I HAVE
4 STARTED THINKING ABOUT AS I'VE STARTED THINKING ABOUT
5 IT, WHICH THIS PROCESS OF INTERVIEWING HAS REALLY LED
6 TO BECAUSE IT STARTED TO FLESH OUT WHAT THE REAL
7 COMPOSITION AND TEXTURE OF THESE WORKING GROUPS WILL BE
8 AND HOW THEY COULD FUNCTION BEST. BECAUSE THE WAY WE
9 HAVE BEEN TALKING ABOUT THEM IN THE COMMITTEE MEETINGS,
10 TO THE EXTENT WE HAVE, HAS BEEN AS ADVISORY BODIES THAT
11 WOULD REALLY DO A LOT OF IMPORTANT HOMEWORK FOR THE
12 FULL COMMITTEE.

13 AND SO, FIRST OFF, ON ACCOUNTABILITY, I THINK
14 THE CHAIR OF THE ICOC REALLY -- OF THE WORKINGS GROUPS
15 REALLY NEEDS TO BE A MEMBER OF THE ICOC. THEY'RE THE
16 ONLY ONES WHO HAVE BEEN APPOINTED BY A CONSTITUTIONAL
17 OFFICER, WHO'S ACCOUNTABLE TO THE CALIFORNIA
18 ELECTORATE. THAT IS SOMETHING THAT HAS BEEN RAISED BY
19 THE CRITICS OF OUR PROCESS AT MEETINGS OF THE FULL
20 COMMITTEE. WE'VE BEEN TOLD OVER AND OVER THAT WE
21 OURSELVES DO NOT HAVE THAT DIRECT ACCOUNTABILITY TO THE
22 VOTERS, AND THAT THAT'S A GREAT CONCERN. BUT AT LEAST
23 WE HAVE BEEN APPOINTED BY THOSE APPOINTING OFFICERS WHO
24 DO HAVE THAT DIRECT ACCOUNTABILITY. AND THE OUTSIDE
25 MEMBERS OF THE WORKING GROUPS WOULD NOT. AND WE ARE

1 CERTAIN TO BE CALIFORNIA RESIDENTS BECAUSE THAT WAS A
2 REQUIREMENT, AND IT'S PROBABLY MOST LIKELY THAT THE
3 OUTSIDE MEMBERS WOULD NOT BE.

4 AND THEN I THINK ALSO IMPORTANT IS WHAT
5 POLLING AND FOCUS GROUPS HAVE TOLD US ABOUT THE PATIENT
6 ADVOCATES BECAUSE OBVIOUSLY UNDER THE TERMS OF THE
7 INITIATIVE, WE'RE THE ONLY ONES WHO COULD SERVE AS A
8 CHAIR BECAUSE WE'RE THE ONLY ONES WHO ARE ON THE
9 WORKING GROUPS OF THE ICOC MEMBERS. AND THE POLLING
10 AND FOCUS GROUPS DURING THE CAMPAIGN AND BEFORE
11 IDENTIFIED THE PATIENT ADVOCATES AS THE GROUP MOST
12 TRUSTED BY CALIFORNIA VOTERS. AND I STARTED THINKING
13 ABOUT THE KINDS OF SITUATIONS WE'RE GOING TO BE FACED
14 WITH AND WE ALREADY ARE IN SOME CASES.

15 THERE ARE VARIOUS QUESTIONS AND ACCUSATIONS
16 THAT ARE ALREADY BEGINNING TO STALL OUR WORK, AND WE'LL
17 HAVE TOUGH SPOTS IN THE FUTURE IF WE'RE GOING TO BE
18 DOING WHAT WE SHOULD BE DOING, WHICH IS AGGRESSIVELY
19 PUSHING TOWARD CURES. THERE COULD BE ALLEGATIONS THAT
20 THE STANDARDS THAT WE'RE SETTING ARE UNETHICAL OR THAT
21 THEY FAILED TO RESOLVE CONFLICTS OF INTEREST AND SO ON.
22 WHATEVER STANDARDS WE END UP SETTING AS A COMMITTEE
23 WILL THEN BE CHALLENGED BY SOMEBODY BECAUSE THAT SEEMS
24 TO BE THE WAY THIS IS WORKING.

25 WE ARE LIKELY TO BE TOLD THAT THE FUNDS ARE

1 BEING SPENT INEFFICIENTLY TO ENRICH BIG BIOMEDICAL
2 INSTITUTIONS RATHER THAN SPEEDING DEVELOPMENTS OF A
3 CURE, OR WE MIGHT BE TOLD THE MONEY IS BEING WASTED ON
4 EXPENSIVE RESEARCH PALACES THAT ARE UNNECESSARY TO THE
5 SUCCESS OF 71.

6 WE COULD BE TOLD -- WE COULD HAVE A SITUATION
7 WHERE A CLINICAL TRIAL THAT'S ATTEMPTING SUCCESSFUL
8 TRANSLATION OF SOME SCIENTIFIC UNDERSTANDING FAILS OR
9 HAS HARMFUL SIDE EFFECTS. ALTERNATIVELY, THERE MAY BE
10 COMPLAINTS THAT WE'RE NOT MOVING FAST ENOUGH TO GET TO
11 CLINICAL TRIALS.

12 THE CHAIR OF THE WORKING GROUP IS GOING TO BE
13 ONE OF THE PEOPLE, I THINK, THAT THE MEDIA GOES TO TO
14 RESPOND TO THESE ALLEGATIONS. WHO IS GOING TO HELP US
15 DEAL WITH THAT PROBLEM? AND WE ALREADY CAN SEE,
16 BECAUSE OF THE EFFORTS IN THE LEGISLATURE THAT ARE
17 ONGOING NOW, THAT KIND OF THING, IF WE CAN'T BE
18 SUCCESSFULLY DEFENDING WHAT WE'RE DOING, THAT IT'S
19 GOING TO HURT THE PROGRESS OF IMPLEMENTING 71. AND WHO
20 CAN BEST EXPLAIN THE WORK OF THE COMMITTEE AND THE
21 WORKING GROUPS, WHICH BY AND LARGE MAY BE CLOSED TO THE
22 PUBLIC, AND DEFEND WHAT WE'RE DOING AS ETHICAL AND WITH
23 SCIENTIFIC MERIT AND WITH THE BEST INTERESTS OF THE
24 VOTERS AT HEART. AND I THINK WITHOUT QUESTION, IF OUR
25 ALTERNATIVES, AND THEY ARE THE ALTERNATIVES WE'RE GIVEN

1 BY THE INITIATIVE, ARE A CALIFORNIA -- A PATIENT
2 ADVOCATE WHO IS TRUSTED, ACCORDING TO THE POLLING BY
3 THE VOTERS, AND IS A CALIFORNIA RESIDENT AND WAS
4 APPOINTED BY A CONSTITUTIONAL OFFICER VERSUS SOMEONE
5 WHO DOESN'T HAVE ANY OF THOSE -- THAT HISTORY. I JUST
6 DON'T THINK THERE'S ANY QUESTION ABOUT IT.

7 CHAIRMAN KESSLER: FURTHER DISCUSSION?

8 DR. HALL: THESE ARE ISSUES THAT I HOPE WILL
9 BE BROUGHT UP AT THE ICOC MEETING ON THE 6TH. I THINK
10 THEY'RE VERY IMPORTANT ISSUES, AND I THINK IT IS A
11 DECISION BY THE COMMITTEE OF WHAT IT WANTS TO DO.

12 MR. SHESTACK: LET ME ASK A QUESTION. IS
13 IT -- JUST SO I UNDERSTAND, IS IT REQUIRED THAT ALL
14 COMMITTEES FOLLOW THE SAME POLICY ON THIS?

15 MR. SERRANO-SEWELL: WHAT WAS YOUR QUESTION,
16 JON?

17 MR. SHESTACK: WHY IS IT THAT WE'RE LOOKING
18 FOR A BLANKET DECISION FROM THE ICOC? WHAT WOULD
19 HAPPEN IF A PARTICULAR WORKING GROUP OR SUBCOMMITTEE
20 DECIDED THAT'S HOW THEY WANTED TO DO IT? I KNOW ON THE
21 AGENDA IT ISN'T -- WHAT WE'RE TALKING ABOUT IS MAKING A
22 REAL DECISION AT THE ICOC, BUT WHY COULDN'T THIS
23 COMMITTEE -- IS THERE A REASON THIS COMMITTEE COULDN'T
24 MAKE ITS OWN DECISION OR RECOMMENDATION ON HOW IT WOULD
25 LIKE TO RUN ITS OWN MEETINGS?

1 MS. SAMUELSON: I THINK WE CAN DO THAT.

2 MR. SHEEHY: I THINK WE COULD, IN FACT,
3 PERHAPS, THAT'S WHAT'S NEXT IS TO MAKE A MOTION THAT WE
4 RECOMMEND TO THE ICOC THAT THE CHAIRPERSON FOR THE
5 STANDARDS WORKING GROUP BE A PATIENT ADVOCATE.

6 MR. SHESTACK: ARE YOU SURE YOU WANT IT TO BE
7 THE CHAIRPERSON OR HAVE A PATIENT ADVOCATE CO-CHAIR,
8 JEFF?

9 MR. SERRANO-SEWELL: LET ME ASK A QUESTION
10 TO -- I DON'T WANT TO GET SIDE-TRACKED, BUT AS I RECALL
11 AT OUR LAST ICOC MEETING, THE CHARGE FROM DR. HALL TO
12 THE COMMITTEE CHAIRS WAS TO RECOMMEND A SLATE TO
13 POPULATE THE WORKING GROUP, ONE, WHICH WE'VE DONE VERY
14 WELL; AND, TWO, TO ALSO RECOMMEND A CHAIR FOR THIS
15 WORKING GROUP. THAT WAS MY RECOLLECTION OF DR. HALL'S
16 CHARGE TO US.

17 CHAIRMAN KESSLER: IF POSSIBLE.

18 MR. SERRANO-SEWELL: IS THAT RIGHT, IF
19 POSSIBLE?

20 CHAIRMAN KESSLER: YOU TELL ME WHAT MY
21 RESPONSIBILITY IS.

22 DR. HALL: LOOK, I DON'T -- I THINK IF THIS
23 SUBCOMMITTEE WANTS TO MAKE A RECOMMENDATION AND WANTS
24 TO MAKE A RECOMMENDATION THAT ANYBODY WHO YOU'VE NAMED,
25 CLINICIAN, PATIENT ADVOCATE, OR BOB KLEIN, WHO I THINK

1 IS A MEMBER OF THE SUBCOMMITTEE AS WELL, IF YOU WANT TO
2 MAKE A RECOMMENDATION THAT ANY OF THOSE BE CHAIR, I SEE
3 NOTHING WRONG WITH IT. THEY'D HAVE TO TAKE IT UP IN
4 THE CONTEXT OF THE OTHER QUESTION BY THE ICOC.

5 MR. SHESTACK: ONE OTHER QUESTION ON THIS IS
6 WHAT IS ALLOWED TO BE BEHIND RECOMMENDING A CHAIR AND
7 VICE CHAIR AT THIS POINT? DOES THIS HAVE --

8 CHAIRMAN KESSLER: THAT WOULD BE NUMBER --
9 THE NEXT ITEM ON THE AGENDA. I DO WANT TO GO BACK ON
10 ONE POINT THAT I WANT TO MAKE SURE WE DIDN'T MISS, BUT
11 WE CAN NOW PROCEED, IF YOU LIKE, TO DISCUSS WHO SHOULD
12 BE CHAIR AND/OR CO-CHAIR.

13 MS. SAMUELSON: IT SEEMS TO ME THAT IF WE'RE
14 GOING TO TRY TO MAKE A DECISION ABOUT NAMING ONE OF THE
15 ETHICISTS OR SCIENTIFIC MEMBERS IN ANY ONE OF THESE
16 POSITIONS, THAT IT'S A BIT PREMATURE BECAUSE WE
17 CERTAINLY ALL HAVEN'T HAD THE BENEFIT OF SITTING DOWN
18 WITH ANY OF THEM.

19 CHAIRMAN KESSLER: I HAVE NO PROBLEMS NOT
20 DOING IT AND NOT GOING TO THE NEXT ITEM ON THE AGENDA.
21 IT'S ENTIRELY THE WISHES OF THE SUBCOMMITTEE.

22 MR. SHESTACK: DAVID AND ZACH TOO, COULD YOU
23 JUST ADDRESS IT FROM A PRACTICAL NATURE? MANY OF US
24 FEEL LIKE THIS IS RIDICULOUS, ELECT A CHAIR. WE DON'T
25 KNOW ANY OF THESE PEOPLE REALLY. WE DON'T KNOW HOW

1 THEY'RE GOING TO WORK, AND YET I SUPPOSE THERE WILL BE,
2 SOONER RATHER THAN A LATER, A MEETING THAT JUST, FOR
3 THE SAKE OF ORDER, WILL NEED TO BE CHAIRED.

4 CHAIRMAN KESSLER: AND SOMEBODY IS GOING TO
5 HAVE TO BE ABLE TO DO THAT AND --

6 DR. HALL: ALSO TO HELP PLAN THE FIRST
7 MEETING AND TO BEGIN THINGS. AND I THINK THERE ARE
8 PEOPLE ON THE LIST WHO, BY VIRTUE OF THEIR CREDENTIALS
9 AND THEIR SORT OF KNOWN LEADERSHIP QUALITIES, WOULD
10 MAKE EXCELLENT CHAIRS AND CO-CHAIRS AND/OR CO-CHAIRS,
11 HOWEVER YOU WANT TO DO IT. IF YOU WANT -- YOU KNOW,
12 SOME OF THE PEOPLE WE'RE TALKING ABOUT WHO ARE ALSO
13 MEMBERS OF THE SUBCOMMITTEE, THESE ARE CERTAINLY KNOWN
14 QUANTITIES, SO I DON'T SEE WHY --

15 MR. SHESTACK: BUT I'M NOT. I'M ACTUALLY
16 TALKING ABOUT REALLY FOR THE RECORD, WHICH IS THAT WE
17 ARE, ONCE AGAIN, BEING ASKED TO MAKE DECISIONS WITHOUT
18 BEING ABLE -- I MEAN WHAT IS THE TERM OF A CHAIR OF A
19 COMMITTEE? AND NONE OF US --

20 DR. HALL: IT'S UP TO YOU TO DECIDE. YOU
21 MIGHT EVEN WANT TO APPOINT A PROVISIONAL CHAIR.

22 CHAIRMAN KESSLER: FOR A YEAR.

23 DR. HALL: THE CHAIR IS NOT -- I BROUGHT UP
24 THE ISSUE OF THE CHAIR BECAUSE, AS THE STAFF, WHO WILL
25 BE WORKING WITH THESE WORKING GROUPS, I REALIZE THAT IN

1 ORDER TO PLAN OUR ORDERLY MEETING, AND THIS IS
2 PARTICULARLY TRUE IN THE CASE OF THE GRANTS REVIEW
3 SUBCOMMITTEE, THAT IN ORDER TO HAVE AN ORDERLY MEETING,
4 ONE VERY MUCH NEEDS SOMEBODY WHO IS WILLING TO PUT IN
5 THE TIME AND WHO IS KNOWLEDGEABLE WHO CAN HELP PLAN THE
6 SESSION. AND IN THE CASE OF THE GRANTS REVIEW
7 SUBCOMMITTEE OR WORKING GROUP, IT'S NOT A SUBCOMMITTEE,
8 BUT THAT WORKING GROUP TO DO THINGS LIKE ASSIGN
9 REVIEWERS. THERE'S A LOT OF AD HOC REVIEWER. IF
10 PEOPLE CAN'T COME, WE NEED TO BRING IN AD HOC, WHO IS
11 THE BEST PERSON TO BRING? SO YOU NEED TO HAVE A
12 DISCUSSION WITH SOMEBODY WHO KNOWS THE EXPERTISE OF
13 THESE PEOPLE AND WHO KNOWS THE PEOPLE AND WHO CAN
14 ARRANGE ALL THAT. AND THEN SOMEBODY JUST TO PRESIDE
15 OVER THE MEETING TO GUIDE THE SORT OF DISCUSSION IN THE
16 WAY THAT -- TO GET THE -- TO REACH THE BEST OPINION AND
17 NOT TO WASTE A LOT OF TIME.

18 MR. SHESTACK: THE WAY DAVID HAS DONE VERY
19 ABLY FOR US.

20 DR. HALL: ALL OF THOSE THINGS. MY OWN VIEW
21 IS THAT CERTAINLY FOR THE SCIENTIFIC REVIEW, THAT THAT
22 PROCESS WOULD GO MORE SMOOTHLY AND WOULD BE BETTER
23 SERVED BY HAVING A SCIENTIST DO THAT PART OF IT.

24 IN THE -- AS YOU RECALL, PROPOSITION 71
25 REQUIRES THAT THERE BE A SCIENTIFIC REVIEW. THEN THERE

1 IS A SORT OF SECOND STAGE TO THAT PROCESS, AND I THINK
2 WE CAN TALK ABOUT IT. I DON'T -- I'M NOT WEDDED TO
3 THIS IN ANY THEOLOGICAL WAY. THIS COMMITTEE, IT SEEMS
4 TO ME, IT IS LESS IMPORTANT, AND ONE COULD EASILY HAVE
5 A PATIENT ADVOCATE AND AN OUTSIDE PERSON BE CO-CHAIRS.
6 I DON'T SEE ANYTHING WRONG WITH THAT, AND I THINK THAT
7 SOME OF THE PEOPLE THAT HAVE BEEN MENTIONED,
8 PARTICULARLY ON THE ETHICIST SIDE, ARE EXTRAORDINARILY
9 QUALIFIED AND AMAZING PEOPLE WITH STRONG LEADERSHIP
10 RECORDS. AND I THINK THAT WE COULD PICK AMONG THOSE
11 ONE OR TWO CANDIDATES WHO I THINK ARE VERY WELL
12 QUALIFIED.

13 MR. SHESTACK: WHO ARE THE FINAL TWO
14 ETHICISTS WHO WERE CHOSEN BECAUSE I GOT HERE LATE?

15 CHAIRMAN KESSLER: IT'S HARRIET RABB, BERNARD
16 LO, ALTA CHARO, AND TED PETERS.

17 MR. SERRANO-SEWELL: ON THAT POINT, DAVID,
18 LET ME JUST SAY SOMETHING. THOSE ARE THE FOUR
19 ETHICISTS. THOSE ARE THE FOUR PEOPLE THAT WE'VE
20 APPOINTED.

21 CHAIRMAN KESSLER: THAT'S WHAT I WAS SAYING.

22 MR. SERRANO-SEWELL: BUT WE'RE TALKING ABOUT
23 WELL QUALIFIED INDIVIDUALS, QUALITIES THAT DR. HALL HAS
24 STATED, THAT YOU HAVE STATED IN YOUR LETTER, DAVID, TO
25 US, WHICH I THOUGHT WAS GREAT, GAVE US A LOT OF

1 GUIDANCE ON THIS TOPIC. AND, JONATHAN, YOU RAISED A
2 VERY GOOD ISSUE. WE DON'T KNOW THESE PEOPLE. THEY
3 COULD WALK IN THE ROOM RIGHT NOW, I DON'T KNOW WHAT
4 THEY LOOK LIKE, BUT WE DO KNOW WHAT OUR COLLEAGUES LOOK
5 LIKE. WE'VE WORKED WITH THEM. WE KNOW THEIR
6 LEADERSHIP ABILITIES. AND LET ME SAY, IN WINDING UP,
7 THAT THERE IS ONE COMMITTEE MEMBER THAT WE'VE APPOINTED
8 AMONG US THAT I BELIEVE THAT HAS THOSE QUALITIES, THAT
9 CAN LEAD THIS WORKING GROUP, THAT CAN WORK WELL WITH
10 STAFF, THAT DOES HAVE EXPERIENCE ON THIS VERY SUBJECT
11 MATTER, AND WOULD MAKE A FINE WORKING GROUP CHAIR, AND
12 THAT IS OUR COLLEAGUE, JEFF SHEEHY.

13 MR. SHEEHY: NO.

14 MR. SERRANO-SEWELL: HE DOESN'T WANT TO DO
15 IT, SORRY. BUT YOU DO HAVE THOSE QUALITIES.

16 CHAIRMAN KESSLER: I WILL NOT HAVE A BRAWL
17 HERE IN PUBLIC VIEW.

18 MR. SHEEHY: I JUST WANT TO COME BACK. THIS
19 IS A FUNDAMENTAL POINT. AND I THINK THAT ACTUALLY THE
20 WHOLE FATE OF 71 IS GOING TO REST ON THIS. AND THIS
21 IS, ZACH, I JUST THINK SCIENTISTS AND ADVOCATES ARE NOT
22 TWO DIFFERENT CLASSES OF PEOPLE.

23 DR. HALL: I DON'T DISAGREE WITH YOU, JEFF.

24 MR. SHEEHY: LET ME -- EVERY TIME I TALK, YOU
25 INTERRUPT ME. I WOULD APPRECIATE BEING ABLE TO FINISH

1 A THOUGHT. THANK YOU. WE HAVE LEADERSHIP QUALITIES
2 THAT HAVE BEEN RECOGNIZED BY THE CONSTITUTIONAL
3 OFFICERS OF THE STATE OF CALIFORNIA. WE HAVE VERY LIFE
4 EXPERIENCES. SOME OF US HAVE ABILITIES TO -- I MEAN
5 IT'S JUST THIS ASSUMPTION, YOU KNOW, FOR INSTANCE, TAKE
6 BREAST CANCER RESEARCH AT THE DEPARTMENT OF DEFENSE.
7 THEY EDUCATE BREAST CANCER ADVOCATES TO ACTUALLY SIT ON
8 PEER REVIEW COMMITTEES. THEY HAVE TWO-DAY WORKSHOPS.
9 THIS CAN BE DONE. AND THE REASON THAT IT NEEDS -- WE
10 HAVE TO COME TO THE VIEW, I THINK, THAT IT IS THIS
11 PARTNERSHIP BETWEEN THE PEOPLE WHO ARE AFFECTED BY
12 THESE DISEASES AND THE SCIENTIFIC COMMUNITY.

13 YOU WOULD NOT HAVE THIS \$3 BILLION TO PLAY
14 WITH IF YOU DIDN'T HAVE THE ADVOCATES OUT THERE
15 FIGHTING FOR IT. WE HAVE TO MOVE FORWARD TOGETHER, AND
16 WE HAVE TO MAKE THAT LEAP INTELLECTUALLY AS A GROUP.
17 WE HAVE TO SEE EACH OTHER AS PEERS AND PARTNERS.

18 MR. SHESTACK: JEFF, THIS IS JON SHESTACK.
19 COULD I ADD SOMETHING OR QUESTION? YOU KNOW, IT SEEMS
20 TO ME THAT IF YOU DON'T HAVE THE STAKEHOLDERS INVOLVED
21 AT A VERY KEY LEVEL, YOU ARE MAKING A MISTAKE BECAUSE,
22 OF COURSE, ALL THE LEGISLATION WAS DRIVEN BY
23 STAKEHOLDERS, AND THEY MUST BE SERVED. BUT, YOU KNOW,
24 THERE IS -- THERE ARE THE PRACTICAL ASPECTS OF RUNNING
25 A GRANTS REVIEW COMMITTEE THAT WILL -- THAT IS IN MY

1 MIND ACTUALLY DESIGNED TO BE TOO SMALL AND OVERWORKED
2 FROM THE BEGINNING AND REQUIRES -- AND I HOPE WE WILL
3 FIND WAYS TO WORK AROUND THE LEGISLATION TO GET IT
4 BETTER, BUT IT JUST REQUIRES A LOT OF NUTS-AND-BOLTS
5 WORK.

6 SO I KNOW PERSONALLY I WOULD NOT RECOMMEND
7 THAT GRANTS BE CHAIRED BY SOMEONE WHO WASN'T A
8 SCIENTIST, ALTHOUGH I THINK A CO-CHAIR IS IMPORTANT,
9 AND IT ALSO DOES SEND OUT A VERY IMPORTANT MESSAGE FOR
10 ACCOUNTABILITY. BUT I JUST DON'T KNOW THAT -- I THINK
11 THE WAY YOU WANT TO DO IT IS RIGHT. I JUST WOULDN'T
12 WANT TO REALLY ASSUME THAT NECESSARILY ANYBODY IS
13 REALLY AGAINST IT.

14 CHAIRMAN KESSLER: HOLD ON. LET'S GET FINAL
15 COMMENTS ON THIS ISSUE, AND THEN I WANT TO MOVE ON.
16 JON, JEFF, JOAN, AND THEN LET'S MOVE ON. ONE LAST
17 COMMENT, PLEASE, EACH OF YOU.

18 MS. SAMUELSON: OKAY. I HAVE A COMMENT. I
19 ALSO HAVE A PROCEDURAL POINT THAT I WANT TO MAKE
20 BEFOREHAND. I DON'T WANT TO TAKE TIME FROM MY COMMENT
21 TO MAKE.

22 THIS IS EXACTLY THE KIND OF DISCUSSION THAT
23 WE HAVE TO HAVE IN THESE FORUMS BECAUSE WE CANNOT SIT
24 DOWN OVER COFFEE AND DISCUSS THEM AND FLESH THEM OUT,
25 AND THEY ARE SUPREMELY IMPORTANT. AND WE HAVE TIME

1 CONSTRAINTS, AND IT'S DIFFICULT TO DISAGREE IN PUBLIC.
2 AND I PERSONALLY HATE IT, BUT WE HAVE NO CHOICE, IT
3 SEEMS TO ME. AND I'M SORRY THAT IT'S TAKING TIME FROM
4 THE AGENDA. THAT IS MY PROCEDURAL POINT.

5 THE POINT ABOUT THE GRANTS WORKING GROUP IS
6 THIS. IT SEEMS TO ME THAT THE PEER REVIEW FUNCTION,
7 THE FUNCTION EQUIVALENT TO AN NIH STUDY SECTION SHOULD
8 BE MANAGED BY THE SCIENTISTS BECAUSE THEY'RE GOING TO
9 BE EVALUATING SCIENTIFIC MERIT, AND THAT IS NOT
10 SOMETHING THAT I, WITHOUT SCIENTIFIC TRAINING, FORMAL
11 SCIENTIFIC TRAINING CERTAINLY, WOULD CLAIM TO BE ABLE
12 TO DO AS EFFECTIVELY AS THE SCIENTISTS ARE GOING TO DO
13 IT. SO I THINK THE WAY THAT'S PRESENTED IN THE
14 INITIATIVE MAKES GREAT SENSE.

15 BUT IT SEEMS TO ME THERE IS A LARGE AREA OF
16 WORK THAT I WOULD HOPE SOME OF WHICH TAKES PLACE BEFORE
17 RUSHING INTO PEER REVIEW, SENDING OUT AN RFA, AND THEN
18 REVIEWING GRANT APPLICATIONS, WHICH IS STRATEGIC IN
19 NATURE, WHICH IS LOOKING AT THE SCIENCE AS IT IS NOW
20 AND THE TREMENDOUS NEED WHICH IS INTENDED TO BE MET BY
21 PROP 71, AND TO SAY WHAT IS IT THAT WE SHOULD BE
22 FUNDING. SHOULD IT BE TRAINING GRANTS FIRST? IS THERE
23 SOMETHING ELSE THAT SHOULD BE FUNDED? WHO SHOULD BE
24 TRAINED? AND WHAT OTHER KINDS OF FUNDING MECHANISMS
25 SHOULD WE BE DOING? IS IT APPROPRIATE AT THIS POINT

1 JUST TO DO R01 EQUIVALENT INVESTIGATOR-INITIATED
2 PROPOSALS? SHOULD THERE BE SOMETHING FAR MORE DIRECTED
3 THAT WOULD BE EFFECTIVE AT THIS POINT?

4 AND I THINK THOSE ARE CONVERSATIONS THAT
5 PATIENT ADVOCATES BRING A GREAT DEAL OF EXPERTISE TO.
6 AND YOU WOULD WANT -- YOU WOULD CERTAINLY WANT THAT
7 POINT OF VIEW IN THE ROOM ON AN EQUAL FOOTING, AT THE
8 VERY LEAST.

9 CHAIRMAN KESSLER: JEFF, FINAL COMMENT ON
10 THIS ISSUE.

11 MR. SHEEHY: JUST TO BE CLEAR, I HAVE TO -- I
12 REALLY HAD MY SPINE STIFFENED ON THIS BY TALKING
13 ACTUALLY WITH SOME OF THESE SCIENTISTS THAT I'VE
14 INTERVIEWED, TO THE KEN OLDEN. ANN KIESSLING SAID, YOU
15 KNOW, LOOK AT WHERE WE ARE WITH HIV AND AIDS. WE'VE
16 GOT 22 DRUGS. WHY IS THAT? IT'S BECAUSE PEOPLE DIDN'T
17 SIT BACK AND LET THE PROCESS TAKE PLACE. THEY WENT TO
18 TONY FOUCIS' HOUSE. I'M SURE DAVID COULD TALK ABOUT
19 SOME OF HIS EXPERIENCES. WE'VE COMPLETELY CHANGED HOW
20 DRUGS ARE APPROVED. AND HEAVEN FORBID THAT I BRING
21 SOME OF THAT TO THIS, YOU KNOW, THAT SENSE OF URGENCY.
22 BUT I THINK PEOPLE WANT US TO COME OUT OF THIS PROCESS
23 WITH CURES. AND I THINK THAT THIS IS SOMETHING THAT
24 WILL PROMOTE SOME DYNAMIC TENSION TO PUSH THIS FORWARD
25 WITH THE URGENCY THAT WE HAVE PROMISED TO THE PEOPLE OF

1 CALIFORNIA WE ARE GOING TO ACT WITH.

2 CHAIRMAN KESSLER: FINAL COMMENT, JON
3 SHESTACK.

4 MR. SHESTACK: NO. I MADE THE COMMENTS. I
5 WOULD LIKE TO SAY IN AGREEMENT WITH JOAN IS I THINK IT
6 IS REALLY ESSENTIAL THAT WE TAKE THE OPPORTUNITY TO
7 DISCUSS THESE THINGS FRANKLY IN ANY FORUM WE ARE GIVEN.
8 AND, YOU KNOW, THE MORE FRANK DISCUSSIONS WE HAVE,
9 ULTIMATELY THE BETTER IT WILL GO DOWN WITH THE PUBLIC,
10 WHICH IS ULTIMATELY A VERY IMPORTANT CONCERN OF OURS.

11 CHAIRMAN KESSLER: LET ME ASK DAVID IF HE HAS
12 A FINAL COMMENT.

13 MR. SHESTACK: I APPRECIATE TOO THAT YOU HAVE
14 HELPED US HAVE A DISCUSSION ON THE SUBJECT.

15 MR. SERRANO-SEWELL: I TOO WANT TO ECHO THAT
16 POINT. DAVID, THANK YOU. I THINK THIS IS AN ISSUE
17 WHERE REASONABLE MINDS ARE GOING TO DIFFER, AND THAT'S
18 OKAY. REALLY THE PHILOSOPHICAL, THE PUBLIC POLICY
19 QUESTION, TO GET RIGHT TO THE HEART OF IT, SHOULD AN
20 ICOC MEMBER, AND IN THIS CASE BY STATUTE, IT'S A
21 PATIENT ADVOCATE, SHOULD ONE OF THOSE TEN INDIVIDUALS
22 THAT WILL SERVE ON THE WORKING GROUP ALSO SERVE AS
23 CHAIR? AND, AGAIN, IT'S A POINT WHERE PEOPLE ARE GOING
24 TO HAVE DIFFERENT OPINIONS, PROS AND CONS.

25 AND SO WHILE WE MAY NOT COME TO ANY

1 CONCLUSION WITH THIS MEETING, DAVID, AND I KNOW YOUR
2 CHARGE TO US WAS YOU WANTED THIS TO BE THE LAST
3 MEETING, AND PERHAPS IT WILL BE, PERHAPS NOT. BUT I'M
4 SORRY IF WE DON'T ACCOMPLISH EVERYTHING YOU WANTED TO.

5 AND SO TO STAFF, TO MY COLLEAGUES, I LOOK
6 FORWARD TO THE DEBATE AND ANY PROPOSALS THAT STAFF
7 COMES UP WITH TO RESOLVE THIS ISSUE OR SORT OF MOVE THE
8 BALL FORWARD. I KNOW THAT THERE'S A LOT OF
9 EXPECTATIONS FOR MAY 6TH, AND THIS IS GOING TO BE, IN
10 MY MIND, A VERY IMPORTANT ISSUE. I'M GLAD WE'RE GOING
11 TO GET TO IT, AND I'M GLAD IT'S ON THE CALENDAR FOR MAY
12 6TH.

13 DR. STEWARD: JUST I'LL THROW IN SORT OF AN
14 ALTERNATIVE VIEWPOINT, I GUESS, WHICH IS THE MOST
15 IMPORTANT ROLE THAT A CHAIR HAS IS TO GET THE JOB DONE.
16 AND SOMETIMES THAT MEANS NOT LEADING, BUT REALLY
17 MANAGING. AND SO I WOULD HOPE THAT WE MAKE OUR
18 DECISIONS BASED ON EFFICIENTLY MOVING THE PROCESS
19 FORWARD AND GETTING THE DOCUMENTS AND DECISIONS OUT THE
20 DOOR AS QUICKLY AS WE CAN. AND MAYBE THAT MEANS HAVING
21 SOMEONE WHO WOULD BE VERY MUCH MORE EVEN-HANDED THAN
22 SORT OF A LEADER OF OPINIONS. I OFFER THAT FOR
23 WHATEVER IT'S WORTH.

24 CHAIRMAN KESSLER: COMMENTS FROM THE PUBLIC
25 ON THIS ISSUE.

1 DR. HALL: DAVID, MAY I MAKE A SUGGESTION?

2 CHAIRMAN KESSLER: ZACH, I HAVE A COMMENT
3 FROM THE PUBLIC, PLEASE.

4 DR. HALL: I'M SORRY. I COULDN'T SEE THAT.

5 MR. REED: DON REED. I THINK THE MOST
6 IMPORTANT THING IS THE BEST LEADER FOR THE JOB. AS A
7 PATIENT ADVOCATE, ACTUALLY I LIKE PATIENT ADVOCATES. I
8 RESPECT SCIENTISTS. THAT'S WONDERFUL. THE TWO BEST
9 LEADERS THAT I KNOW OF ARE BOB KLEIN AND SHERRY
10 LANSING. NEITHER ONE IS A SCIENTIST. CAN ANYBODY COME
11 UP WITH BETTER LEADERS THAN THAT? I THINK WE JUST HAVE
12 SOMEBODY, ECHOING THE PREVIOUS SPOKESMAN, WE NEED
13 SOMEBODY WHO WILL GET THE JOB DONE, WHO WILL LISTEN TO
14 ALL THE VIEWPOINTS, AND BRING EVERYBODY TOGETHER, AND
15 MOVE FORWARD. SO THE STRONGEST LEADER SHOULD LEAD.

16 CHAIRMAN KESSLER: ZACH, CLOSING COMMENT ON
17 THIS.

18 DR. HALL: I WAS JUST GOING TO SUGGEST THAT I
19 SEE NOTHING WRONG WITH HAVING SEVERAL NAMES COME
20 FORWARD OF PATIENT ADVOCATES, ETHICISTS, CLINICIANS,
21 SCIENTISTS, WHOEVER THEY MAY BE, THAT MIGHT BE
22 POTENTIAL CHAIRS AS JUST AN ACT OF THIS GROUP. NOBODY
23 KNOWS THESE CANDIDATES AT THIS POINT BETTER THAN YOU
24 GUYS DO BECAUSE YOU HAVE INTERVIEWED THEM AND TALKED TO
25 THEM AND KNOW THEM. AND THEN PENDING WHATEVER

1 DISCUSSION WE HAVE ON THE 6TH, THEN WE MIGHT GO AHEAD
2 AND EITHER APPOINT A PROVISIONAL CHAIR OR SOMEBODY JUST
3 TO GET THINGS GOING OR HAVE TWO PEOPLE. I THINK ANY OF
4 THOSE ALTERNATIVES WOULD BE FINE, BUT IT SEEMS TO ME
5 THAT JUST FOR YOUR CONSIDERATION, WHILE THE COMMITTEE
6 IS GATHERED, PERHAPS FOR THE LAST TIME, IF I
7 UNDERSTOOD, I CAME LATE, BUT THAT IT MIGHT BE WORTH
8 HAVING AT LEAST A FEW NAMES TO CONSIDER FOR THIS
9 POSITION.

10 CHAIRMAN KESSLER: THANK YOU, ZACH. LET
11 ME -- I'M GOING TO MOVE ON, IF I MAY. I ACTUALLY WANT
12 TO MOVE BACKWARDS FOR A MOMENT AND JUST GIVE -- MAKE
13 SURE THAT OUR WORK, OUR FULL WORK, ON THE NAMES FOR THE
14 SUBCOMMITTEE, IF YOU GO BACK TO THE FIRST FLIP CHART IS
15 IN FULL VIEW. THESE ARE THE NAMES THAT THE
16 SUBCOMMITTEE, I THINK, IS PREPARED TO RECOMMEND TO THE
17 ICOC ON THE FIRST FLIP CHART. PRECIADO, PRIETO,
18 LANSING, SHEEHY, SHESTACK, RABB, LO, CHARO, PETERS,
19 TARANTAL, ROWLEY, WILLERSON, OLDEN, TAYLOR, CIBELLI,
20 EGGAN, KIESSLING, KORDOWER.

21 I WANT TO MAKE SURE THAT ONE THING WE DO NOT
22 HAVE TO COME BACK HERE FOR IS IF THERE'S A NEED FOR AN
23 ALTERNATE. SO WHAT I HAVE DONE IS I'VE TAKEN DURING
24 OUR PREVIOUS DISCUSSION THE PEOPLE WHO HAD VOTES RIGHT
25 BEHIND THE VOTES THAT WE HAD, AND I LISTED THEM ON THE

1 SHEET IN FRONT OF YOU AS ALTERNATIVES WITH ONE
2 EXCEPTION. SO YOU MAY WANT TO HOLD UP THE SHEET THAT
3 HAD THE VOTES FOR THE ETHICISTS. THERE WERE TWO OTHER
4 NAMES, PATRICIA KING AND LAURIE ZOLOTH, ON THE
5 ETHICIST; AND ON THE SCIENTISTS, THERE ARE FOUR: JOHN
6 KESSLER, ROBERT PRETI, BERTRAM LUBIN, AND WARREN
7 OLANOW.

8 I TOOK THE -- AGAIN, I DON'T KNOW DR. OLANOW,
9 BUT I TOOK THE PREVIOUS CONVERSATION AS HAVING SOME
10 CONCERNS THERE, SO I DID NOT INCLUDE HIM ON THIS LIST.

11 WHAT I WOULD LIKE TO DO IS TO HAVE A
12 DISCUSSION AND A MOTION AND A VOTE THAT GIVES THE CHAIR
13 OF THE ICOC AND THE PRESIDENT A LIST OF ALTERNATES IF,
14 IN FACT, A MEMBER CANNOT SERVE, SO WE DON'T HAVE TO
15 RECONVENE TO FIND AN ALTERNATE, IF I MAY. YOU WANT TO
16 JUST SHOW PEOPLE WHAT THE VOTES WERE. ON THE
17 SCIENTISTS, IF I'M CORRECT, BERTRAM LUBIN GOT ONE VOTE,
18 WARREN OLANOW GOT TWO VOTES, ROBERT PRETI GOT TWO
19 VOTES, JOHN KESSLER GOT ONE VOTE.

20 DR. STEWARD: I'M SORRY, DAVID. I GUESS I'M
21 A LITTLE UNCOMFORTABLE WITH IT BECAUSE IT MAY BE THAT
22 IF WE DO HAVE SOMEONE WHO CAN'T SERVE, THERE WOULD BE
23 AN ISSUE OF BALANCE AND IT WOULD BE IMPORTANT TO
24 ACTUALLY THINK ABOUT THE APPROPRIATE PERSON.

25 CHAIRMAN KESSLER: I'VE THOUGHT ABOUT THAT,

1 OS. LET ME TELL YOU WHAT I'M SUGGESTING. I'M
2 SUGGESTING THAT WE HAVE A MOTION THAT WE SEND THESE
3 FIVE NAMES AS POSSIBLE ALTERNATES TO WHICH THE ICOC
4 PRESIDENT -- WHERE WE CAN -- WHERE CONSIDERING BALANCE,
5 CONSIDERING OTHER FACTORS, THESE ARE NAMES THAT COULD
6 BE SELECTED FROM TO FILL IN AN ALTERNATE POSITION
7 WITHOUT RANKING THEM, WITHOUT GIVING THEM AS ANY ONE
8 PERSON, JUST GIVING THE OPTION.

9 DR. STEWARD: I'D RATHER RECONVENE.

10 CHAIRMAN KESSLER: FOR AN ALTERNATE, YOU
11 WOULD RATHER GO THROUGH A PROCESS AGAIN AND DO THAT?

12 DR. STEWARD: I HONESTLY WOULD.

13 CHAIRMAN KESSLER: THAT'S FINE. IF YOU HAVE
14 AN ALTERNATE SLOT. THE CHANCES ARE -- HOW MANY NAMES
15 ARE YOU RECOMMENDING?

16 MS. HALME: TOTAL, OUTSIDE NAMES IS 13.

17 CHAIRMAN KESSLER: THERE'S A GOOD CHANCE OF
18 13 NAMES AND ONE'S NOT GOING TO -- IF YOU WANT TO
19 RECONVENE, THAT'S FINE.

20 MS. HALME: IS THAT TRUE ALSO FOR ETHICISTS
21 OR SPECIFICALLY FOR SCIENTISTS THAT YOU FEEL THAT WAY?

22 DR. STEWARD: NO. I THINK IT'S TRUE FOR ALL.

23 CHAIRMAN KESSLER: IF YOU DON'T WANT TO NAME
24 ALTERNATES, THAT'S FINE. I'M JUST GIVING YOU THE
25 OPTION OF NAMING ALTERNATES.

1 MR. SHEEHY: I AGREE WITH OS. THANKS.

2 CHAIRMAN KESSLER: YOU DON'T WANT TO GIVE
3 ALTERNATES.

4 MR. SHEEHY: I'M WITH HIM.

5 CHAIRMAN KESSLER: THAT'S FINE. SO WE WILL
6 NOT DO ALTERNATES.

7 NOW, LET'S GO TO ITEM NO. 8 -- ACTUALLY ITEM
8 NO. 7. THERE IS NO ITEM 8, WHICH IS CONSIDERATION OF
9 CANDIDATES TO SERVE AS CHAIRPERSON FOR THE SCIENTIFIC
10 AND MEDICAL ACCOUNTABILITY STANDARDS WORKING GROUP. WE
11 HAVE THE OPPORTUNITY, IF WE WOULD LIKE, TO DISCUSS
12 POTENTIAL CANDIDATES FOR THE POSITION OF CHAIR OF THE
13 STANDARDS WORKING GROUP. WOULD ANYONE LIKE TO TAKE
14 ADVANTAGE OF THAT OPPORTUNITY AT THIS TIME?

15 DR. STEWARD: I WOULD LIKE TO TAKE ADVANTAGE
16 OF THAT OPPORTUNITY.

17 CHAIRMAN KESSLER: ARE THERE OTHER MEMBERS OF
18 THIS COMMITTEE WHO WOULD LIKE TO TAKE THE ADVANTAGE OF
19 THAT OPPORTUNITY OR NOT TAKE ADVANTAGE OF THAT
20 OPPORTUNITY? WE HAVE FIVE MINUTES.

21 MS. SAMUELSON: I WOULD LIKE TO TAKE
22 ADVANTAGE.

23 CHAIRMAN KESSLER: YOU'D LIKE TO TAKE
24 ADVANTAGE? WE HAVE FIVE MINUTES LEFT IN THIS MEETING.

25 MS. HALME: AND THEY'RE ACTUALLY KICKING US

1 OUT. ANOTHER MEETING IS COMING IN, SO WE HAVE A REAL
2 FIVE MINUTES.

3 CHAIRMAN KESSLER: ANYONE WHO WOULD LIKE TO
4 DISCUSS CANDIDATES FOR CHAIR OF THIS COMMITTEE, PLEASE
5 LET'S DISCUSS THEM NOW.

6 MS. SAMUELSON: I PROPOSE THAT THE SEARCH
7 SUBCOMMITTEE RECOMMEND TO THE FULL COMMITTEE THAT WE
8 ADOPT A POLICY THAT THE CHAIR OF THE WORKING GROUPS BE
9 TAKEN FROM THE MEMBERS OF THE ICOC WHO SIT ON THOSE
10 WORKING GROUPS. AND IN THE CASE OF THE STANDARDS
11 WORKING GROUP, I RECOMMEND SHERRY LANSING. I THINK HER
12 LEADERSHIP QUALITIES ARE OBVIOUS.

13 CHAIRMAN KESSLER: I HAVE NO PROBLEMS PUTTING
14 A NAME.

15 MS. SAMUELSON: AND I HAVE TO SAY I HAVE NOT
16 TALKED TO HER ABOUT HER ROLE.

17 CHAIRMAN KESSLER: SO I HAVE NO PROBLEMS
18 TAKING A NAME FOR CONSIDERATION OF AN INDIVIDUAL. I
19 THINK THAT'S -- WE'VE BEEN AGENDAD TO CONSIDERATION OF
20 THE CANDIDATES TO SERVE AS CHAIRPERSON. THERE'S THE
21 NAME SHERRY LANSING. I THINK WE ALL ADMIRE SHERRY.

22 DR. STEWARD: ABSOLUTELY. I THINK SHERRY
23 WOULD BE WONDERFUL. I THINK THAT WHAT WORRIES ME A
24 LITTLE BIT IS THE SORT OF START OF YOUR MOTION, WHICH
25 IS THE PART ABOUT MAKING A FIRM DECISION NOW ABOUT

1 WHETHER IT SHOULD BE AN ICOC MEMBER. AS YOU WILL SEE
2 WHERE I'M GOING IT WILL BE, IT WILL BE. I'M A LITTLE,
3 I GUESS -- I WOULD LIKE THIS PROCESS TO GEL A LITTLE
4 BIT MORE. AND I GUESS WHERE I WAS GOING WAS TO
5 RECOMMEND BOB KLEIN TO SERVE AS THE CHAIR OF THIS
6 COMMITTEE ON A TEMPORARY BASIS UNTIL THE COMMITTEE HAS
7 MET A FEW TIMES. AND AS WE ALL KNOW, HE'S CERTAINLY A
8 PERSON WHO CAN BRING IT FORWARD AND GET THE THING
9 GOING.

10 CHAIRMAN KESSLER: IS THERE A PREFERENCE OF
11 MY COLLEAGUES ON THIS TABLE OF WHAT WE RECOMMEND?
12 THERE'S TWO DIFFERENT IDEAS ON THE TABLE.

13 MR. SHEEHY: PERHAPS WE COULD RECOMMEND
14 SHERRY; AND IF FOR WHATEVER REASON SHE WAS UNABLE TO
15 SERVE, THAT BOB COULD SERVE TEMPORARILY UNTIL THE
16 COMMITTEE HAD MET.

17 MR. SHESTACK: WHY ARE WE NOMINATING SHERRY
18 TO DO THIS WHO'S NEVER COME TO THESE MEETINGS, ISN'T ON
19 THIS COMMITTEE UNTIL TODAY, DOESN'T HAVE ANY PARTICULAR
20 KNOWLEDGE OR EXPERTISE ON STANDARDS OF BIOETHICS THAT I
21 KNOW ABOUT, BUT WHO WE ALL THINK CAN ALLEGEDLY RUN A
22 MEETING? BRING ME UP TO SPEED SO I UNDERSTAND IT.

23 MS. SAMUELSON: I GUESS IT'S THAT SHE IS A
24 MEMBER OF THE ICOC. AND I HAD NOT THOUGHT OF BOB
25 ACTUALLY, AND I THINK HE PROBABLY IN THE LONG RUN HAS A

1 FULL PLATE. BUT IT'S BECAUSE SHE'S BOTH A MEMBER OF
2 THE ICOC AND CERTAINLY HAS THE CAPACITY TO DO WHAT OS
3 WAS SAYING, WHICH IS MOVE THE MEETING, GET THINGS DONE.

4 HAVING MADE THAT MOTION, I'M INTERESTED IN
5 OS' ALTERNATIVE.

6 CHAIRMAN KESSLER: LET ME SUGGEST THE
7 FOLLOWING. CONSIDERING THE FACT THAT WE ONLY HAVE
8 LITERALLY TWO MINUTES LEFT AND WE'RE NOT GOING TO BE
9 ABLE TO HAVE FULL DISCUSSION OF THIS, I THINK THERE IS
10 AN IDEA THAT'S ON THE TABLE WITH TWO NAMES. I THINK
11 THAT, IF SO INSTRUCTED, I CAN PASS ON THE FACT THAT
12 THERE WAS AN INITIAL DISCUSSION OF THIS AT THE ICOC,
13 BUT FURTHER DISCUSSION WOULD BE NECESSARY, EITHER BY
14 THE ICOC OR, IF THEY WANTED TO SEND IT BACK, THEY COULD
15 SEND IT BACK.

16 MR. SHESTACK: DAVID, ARE YOU GOING TO
17 CONTINUE TO BE ON THIS COMMITTEE?

18 CHAIRMAN KESSLER: ON WHICH COMMITTEE?

19 MR. SHESTACK: THE STANDARDS COMMITTEE.

20 CHAIRMAN KESSLER: I AM NOT A MEMBER OF THE
21 STANDARDS COMMITTEE.

22 MS. SAMUELSON: HE CAN'T, BY DEFINITION IN
23 THE INITIATIVE.

24 CHAIRMAN KESSLER: SO I WOULD LEAVE THIS AS
25 AN ITEM THAT WE'VE THOUGHT ABOUT, AND WE WOULD ASK THE

1 ICOC ALSO TO THINK ABOUT. IS THAT A REASONABLE WAY TO
2 LEAVE THIS DISCUSSION TODAY ON CANDIDATES FOR THE
3 CHAIR? IT WILL ALSO GIVE SHERRY AN OPPORTUNITY, IF SHE
4 WANTS TO TAKE HER NAME OFF, WE DON'T HAVE TO PUT HER IN
5 THAT POSITION.

6 MS. SAMUELSON: AND BOB FOR THAT MATTER.

7 MR. SHESTACK: THE ETHICISTS ARE FILLED BY
8 LO, RABB --

9 MS. HALME: CHARO AND PETERS.

10 MR. SHESTACK: CHARO AND PETERS. OKAY.

11 CHAIRMAN KESSLER: JUST SO YOU KNOW, IF YOU
12 LOOK AT SOMEBODY WHO CAN RUN A MEETING WITH A VERY FAIR
13 HAND, WITH NO AXE TO GRIND, AND I THINK ALMOST PERFECT
14 EQUANIMITY, THERE IS ONE PERSON -- AGAIN, I'M NOT
15 PUSHING -- BUT JUST AS A MANAGER WHO KNOWS THIS, IT'S
16 HARRIET RABB. SHE HAS THAT TEMPERAMENT AND I'VE SEEN
17 THAT. BUT, AGAIN, I'M IN NO WAY -- THERE ARE BIGGER
18 ISSUES HERE FOR DISCUSSION, AND I AM RESPECTFUL OF
19 THAT. BUT THE FACT IS WE DO NEED AT LEAST THE FIRST
20 COUPLE OF MEETINGS TO GET UNDERWAY. I THINK THERE IS A
21 PRACTICAL. SHOULD WE LEAVE --

22 MR. SHESTACK: I WOULD LIKE TO SAY THAT THAT
23 WOULD BE A BETTER -- THAT THE CHAIRMANSHIP SHOULD BE
24 CONSIDERED, IN ANY EVENT, AN INTERIM CHAIRMANSHIP, AND
25 THAT WOULD BE A BETTER IDEA FOR ME.

1 CHAIRMAN KESSLER: WHY DON'T WE LEAVE THESE
2 AS THREE POSSIBLE IDEAS, AND RECOMMEND THERE'S THREE
3 POSSIBLE IDEAS THAT WE'VE HAD, AND DO CERTAINLY
4 UNDERSTAND THE ISSUE OF INTERIM AS SOMETHING THAT
5 PROBABLY IS WISE AT THE FIRST STEP.

6 ARE THERE ANY OTHER FURTHER COMMENTS FROM THE
7 PUBLIC ON ANY ISSUE THAT HAS BEEN RAISED TODAY?

8 MR. REED: AS A MEMBER OF THE PUBLIC, I WOULD
9 JUST LIKE TO SAY FUNDERS APPLAUSE. IT'S A JOY TO WATCH
10 YOU GUYS WORK.

11 CHAIRMAN KESSLER: THANK YOU, SIR. ANY
12 COMMENTS FROM MY COLLEAGUES ON THIS COMMITTEE?

13 MS. SAMUELSON: I WOULD LIKE TO COMMEND THE
14 CHAIR OF OUR SEARCH SUBCOMMITTEE. DR. KESSLER HAS LED
15 US ABLY, EFFICIENTLY, AND I ALSO APPRECIATE HIS
16 LEADERSHIP OF THE DISCUSSION THAT WE'VE JUST COMPLETED.
17 THAT'S PART OF THE WORK PRODUCT. AND I THINK WE CAN
18 FEEL GOOD THAT WE TOOK THE TIME AND ENGAGED IT.

19 (APPLAUSE.)

20 CHAIRMAN KESSLER: HEARING NO --

21 MR. SHEEHY: ONE MORE COMMENT. WE HAVE TO
22 THANK STAFF ONE MORE TIME. TREMENDOUS JOB. THAT'S IT.

23 CHAIRMAN KESSLER: WE ARE HEREBY
24 ADJOURNED.

25 (THE MEETING WAS THEN ADJOURNED.)