

BEFORE THE
LEGISLATIVE SUBCOMMITTEE OF THE
INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE
TO THE
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE
ORGANIZED PURSUANT TO THE
CALIFORNIA STEM CELL RESEARCH AND CURES ACT
REGULAR MEETING

LOCATION: AS INDICATED ON AGENDA

DATE: MONDAY, NOVEMBER 8, 2010
1 P.M.

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

BRS FILE NO.: 88675

BARRISTERS' REPORTING SERVICE

I N D E X

ITEM	DESCRIPTION	PAGE NO.
CALL TO ORDER		3
ROLL CALL		3
CONSIDERATION OF FEDERAL LEGISLATIVE INITIATIVES REGARDING STEM CELL RESEARCH		4
PUBLIC COMMENT		25

BARRISTERS' REPORTING SERVICE

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MONDAY, NOVEMBER 8, 2010; 1 P.M.

CHAIRMAN TORRES: THE LEGISLATIVE
SUBCOMMITTEE WILL COME TO ORDER. WOULD YOU CALL THE
ROLL, PLEASE.

MS. KING: JACOB LEVIN FOR SUSAN BRYANT.
MICHAEL GOLDBERG.

MR. GOLDBERG: HERE.

MS. KING: BOB KLEIN.

CHAIRMAN KLEIN: HERE.

MS. KING: CLAIRE POMEROY. FRANCISCO
PRIETO.

DR. PRIETO: HERE.

MS. KING: JEANNIE FONTANA.

DR. FONTANA: HERE.

MS. KING: DUANE ROTH.

MR. ROTH: HERE.

MS. KING: JOAN SAMUELSON.

MS. SAMUELSON: HERE.

MS. KING: JEFF SHEEHY.

MR. SHEEHY: HERE.

MS. KING: ART TORRES.

CHAIRMAN TORRES: HERE.

MS. KING: THANK YOU. THANK YOU ALL THREE
OF YOU. WE DO HAVE A QUORUM PRESENT.

BARRISTERS' REPORTING SERVICE

1 CHAIRMAN TORRES: ALL RIGHT. THERE'S A
2 QUORUM PRESENT. WE'D LIKE TO START FIRST WITH
3 HAVING OUR BIRTHDAY BOY ARTICULATE FOR US THE TWO
4 PIECES OF LEGISLATION THAT WE'RE AWARE OF AT THE
5 FEDERAL LEVEL THAT MAY OR MAY NOT BE INTRODUCED.

6 MR. HARRISON: THANK YOU, MR. CHAIR.

7 CHAIRMAN TORRES: SHOULD BE IN YOUR
8 PACKETS AS WELL, MEMBERS.

9 MR. HARRISON: AS YOU MAY KNOW, THERE ARE
10 TWO BILLS THAT HAVE BEEN INTRODUCED, HR 4808 BY
11 CONGRESSWOMAN DEGETTE AND S 3766 WHICH WAS
12 INTRODUCED BY SENATOR SPECTER. THESE BILLS WILL
13 PROBABLY BE FAMILIAR TO THOSE OF YOU WHO HAVE HAD A
14 CHANCE TO TAKE A LOOK AT THEM BECAUSE THEY ARE
15 SIMILAR TO TWO BILLS THAT WERE ADOPTED AND VETOED BY
16 PRESIDENT BUSH.

17 BRIEFLY THE DEGETTE BILL WOULD ESSENTIALLY
18 CODIFY PRESIDENT OBAMA'S EXECUTIVE ORDER TO LIFT
19 RESTRICTIONS ON FEDERAL FUNDING FOR HUMAN EMBRYONIC
20 STEM CELL RESEARCH PROVIDED THAT ETHICAL
21 REQUIREMENTS ARE SATISFIED. IT WOULD ALSO PROHIBIT
22 HUMAN REPRODUCTIVE CLONING.

23 THE SPECTER BILL IS SUBSTANTIALLY SIMILAR,
24 BUT IT GOES ONE STEP FURTHER BY EXPRESSLY AMENDING
25 THE DICKEY-WICKER AMENDMENT TO CLARIFY THAT

BARRISTERS' REPORTING SERVICE

1 DICKEY-WICKER DOES NOT PROHIBIT FEDERAL FUNDING FOR
2 RESEARCH ON HUMAN EMBRYONIC STEM CELL LINES. THE
3 BILLS HAVE BEEN INTRODUCED, BUT NO ACTION HAS BEEN
4 TAKEN ON THEM AS YET.

5 SENATOR TORRES ALSO ASKED ME TO COMMENT
6 BRIEFLY ON THE LITIGATION THAT IS PENDING IN THE DC
7 CIRCUIT AND AT THE DISTRICT COURT THERE. AS YOU ALL
8 KNOW, THE DISTRICT COURT IN THE SHIRLEY VS. SEBELIUS
9 CASE ISSUED A PRELIMINARY INJUNCTION EARLY THIS FALL
10 PROHIBITING FEDERAL FUNDING ON HESC LINES. THE
11 DEPARTMENT OF JUSTICE IMMEDIATELY APPEALED THE
12 DISTRICT COURT'S ISSUANCE OF THE PRELIMINARY
13 INJUNCTION AND REQUESTED AN IMMEDIATE STAY. THE
14 COURT OF APPEAL RESPONDED BY ISSUING THE STAY AND
15 EXPEDITING ITS CONSIDERATION OF THE APPEAL.

16 ALL BRIEFING IS NOW COMPLETE, AND THE
17 COURT OF APPEALS HAS SCHEDULED ORAL ARGUMENT FOR
18 DECEMBER 6TH. SO WE CAN EXPECT THAT THE COURT OF
19 APPEAL WILL ISSUE A DECISION MOST LIKELY EARLY IN
20 2011.

21 MEANWHILE AT THE DISTRICT COURT THE
22 PARTIES HAVE FILED COMPETING SUMMARY JUDGMENT
23 MOTIONS. THOSE ARE PENDING, BUT THE DISTRICT COURT
24 HAS NOT YET SCHEDULED A HEARING DATE. IT'S LIKELY
25 THAT THE OF DISTRICT COURT IS WAITING FOR THE COURT

BARRISTERS' REPORTING SERVICE

1 OF APPEAL FIRST TO RULE ON THE APPEAL FROM THE
2 PRELIMINARY INJUNCTION.

3 THE OUTCOME OF THE COURT OF APPEALS
4 DECISION WOULD BE SUBJECT TO A PETITION FOR CERTIORI
5 FILED BY EITHER PARTY TO THE U.S. SUPREME COURT. SO
6 IT'S LIKELY WE WILL NOT HAVE A FINAL DECISION IN
7 THIS MATTER FOR SOME TIME AS IT MAKES ITS WAY
8 THROUGH THE COURTS. SO THAT'S A BRIEF OVERVIEW.

9 CHAIRMAN TORRES: THANK YOU, MR. HARRISON.
10 AND CONGRATULATIONS AGAIN.

11 CHAIRMAN KLEIN: SENATOR TORRES, COULD I
12 ASK A QUESTION OF MR. HARRISON?

13 CHAIRMAN TORRES: YES, PLEASE, MR. KLEIN.

14 CHAIRMAN KLEIN: SO MY UNDERSTANDING,
15 JAMES, IS THAT THE DEGETTE BILL CITES AS ONE OF THE
16 HISTORICAL BACKGROUNDS THE JULY 7, 2009, INSTITUTE
17 OF HEALTH ETHICAL STANDARDS FOR HUMAN STEM CELL
18 RESEARCH AND DOES NOT OVERRIDE THOSE STANDARDS. SO
19 IF THIS BILL WERE ENACTED, EMBRYONIC STEM CELL
20 RESEARCH WOULD BE CARRIED ON AT THE NIH WITHIN THE
21 PARAMETERS OF THE NIH GUIDELINES THAT OBAMA HAS
22 SUPPORTED; IS THAT CORRECT?

23 MR. HARRISON: YES, THAT'S A CORRECT
24 STATEMENT.

25 CHAIRMAN KLEIN: I RAISE THAT ISSUE

BARRISTERS' REPORTING SERVICE

1 BECAUSE, WITH GREAT RESPECT FOR JEANNIE FONTANA, WHO
2 WROTE A GREAT MEMO ABOUT POTENTIALLY EXPANDING TO
3 SCNT AND PARTHENOGENESIS, I THINK DUANE HAS
4 PREVIOUSLY MADE A GOOD POINT, WHICH IS FOR THE
5 AMERICAN PUBLIC IN A TIME WHICH IS POLITICALLY VERY
6 VOLATILE, OUR HIGHEST CHANCES OF SUCCESS WOULD BE TO
7 SUPPORT SOMETHING THAT'S WITHIN THE ETHICAL CONTEXT
8 AND PUBLICLY VETTED AND APPROVED TO DATE.

9 DR. FONTANA: I'D LIKE TO POINT OUT
10 SOME --

11 CHAIRMAN TORRES: HOLD ON A SECOND. IS
12 THAT IT, BOB?

13 CHAIRMAN KLEIN: THAT'S IT. THANK YOU.

14 CHAIRMAN TORRES: YOU DON'T HAVE A MOTION?

15 CHAIRMAN KLEIN: I'D LIKE TO HEAR THE
16 DISCUSSION.

17 CHAIRMAN TORRES: ALL RIGHT. MICHAEL
18 GOLDBERG, AND THEN WE'RE GOING TO GO TO DR. FONTANA.

19 MR. GOLDBERG: I HAVE A QUESTION FOR
20 JAMES. AFTER THE APPELLATE DECISION COMES DOWN,
21 PRESUMABLY ONE PARTY WILL FILE FOR CERT IMMEDIATELY.
22 AND WHEN IS IT THAT THE SUPREME COURT WILL MAKE THE
23 DECISION, OR WILL WE KNOW WHETHER THE SUPREME COURT
24 WILL DECIDE WHETHER TO HEAR THE CASE? CAN THAT ALL
25 HAPPEN IN THE SPRING OF 2011?

BARRISTERS' REPORTING SERVICE

1 MR. HARRISON: IT'S HIGHLY UNLIKELY IT
2 WOULD ALL HAPPEN IN THE SPRING OF 2011. IF THE
3 SUPREME COURT WERE TO TAKE THAT CASE, IT WOULD
4 LIKELY COME UP FOR ARGUMENT IN THE COURT'S NEXT
5 SESSION; IN OTHER WORDS, THE SESSION BEGINNING IN
6 OCTOBER OF 2011.

7 MR. GOLDBERG: RIGHT. BUT THEY WOULD MAKE
8 A DECISION.

9 MR. HARRISON: THEY WOULD MAKE A DECISION
10 WHETHER OR NOT TO HEAR THE CASE.

11 MR. GOLDBERG: AND THE VAST MAJORITY OF
12 CASES THEY DON'T TAKE.

13 MR. HARRISON: CORRECT. RIGHT.

14 MR. GOLDBERG: SO WE'LL KNOW THAT.

15 MR. HARRISON: WE SHOULD KNOW THAT IN THE
16 SPRING OF 2001.

17 CHAIRMAN TORRES: DR. FONTANA.

18 DR. FONTANA: I HAVE SOMEBODY FROM THE
19 PUBLIC COMING IN RIGHT NOW. BUT, JAMES, COULD YOU
20 HELP CLARIFY BECAUSE I AM BY NO MEANS AN ATTORNEY,
21 BUT HAVE SPENT QUITE A BIT OF TIME TRYING TO
22 UNDERSTAND BOTH THE LITIGATION AND THE LEGISLATION
23 ON THIS. SO, JAMES, MY UNDERSTANDING IS THAT BOTH
24 THE DEGETTE AND THE SPECTER BILLS ARE FRAUGHT WITH
25 INCONSISTENCIES WITH BOTH THE CURRENT NIH GUIDELINES

BARRISTERS' REPORTING SERVICE

1 AND EVEN CODIFYING OBAMA'S EXECUTIVE ORDER.

2 COULD YOU HELP CLARIFY FOR EVERYBODY WHERE
3 THE FAULTS ARE THAT WOULD OPEN UP TO PERHAPS FUTURE
4 LITIGATION IF EITHER OF THESE BILLS GO THROUGH?

5 MR. HARRISON: WELL, LET ME TAKE A STAB AT
6 THAT. FIRST OF ALL, THE BILLS EXPRESSLY PROHIBIT
7 HUMAN REPRODUCTIVE CLONING. THAT EXPRESS
8 PROHIBITION DOES NOT EXTEND TO SCNT OR
9 PARTHENOGENESIS. BUT AS MR. KLEIN POINTED OUT, THE
10 BILLS ALSO REFERENCE AND INCORPORATE THE GUIDELINES
11 THAT PRESIDENT OBAMA ADOPTED PURSUANT TO HIS
12 EXECUTIVE ORDER IN 2009.

13 SO IN OTHER WORDS, THE NIH WOULD CONTINUE
14 TO OPERATE UNDER THE PRESIDENT'S EXISTING GUIDELINES
15 IF THE DEGETTE BILL WERE TO BE ENACTED.

16 I ALSO UNDERSTAND THAT A QUESTION HAS BEEN
17 RAISED ABOUT WHETHER THE DEGETTE BILL WOULD PERMIT
18 THE DERIVATION OF STEM CELL LINES. AS I READ IT, I
19 BELIEVE THAT IT WOULD NOT BE CONSTRUED TO PERMIT THE
20 DERIVATION OF STEM CELL LINES BECAUSE IT REFERS
21 SPECIFICALLY TO UTILIZING HUMAN STEM CELLS. SO AS I
22 UNDERSTAND IT, IT WAS NOT INTENDED TO GO BEYOND WHAT
23 THE NIH CURRENTLY PERMITS, WHICH IS RESEARCH ON
24 LINES THAT HAVE PREVIOUSLY BEEN DERIVED, BUT THAT'S
25 ONE QUESTION THAT I KNOW HAS COME UP.

BARRISTERS' REPORTING SERVICE

1 DR. FONTANA: AND THEN, OF COURSE, THE
2 SPECTER BILL, WHICH SPECIFICALLY TRIES TO AMEND THE
3 DICKEY-WICKER AMENDMENT, AGAIN, CAN YOU TALK ABOUT
4 THE --

5 MR. HARRISON: SURE. SO THE DEGETTE
6 BILL -- WELL, LET ME START WITH THE SPECTER BILL.
7 THE SPECTER BILL EXPRESSLY AMENDS THE DICKEY-WICKER
8 AMENDMENT. AS YOU ALL KNOW, THE DICKEY-WICKER
9 AMENDMENT IS A RIDER ATTACHED TO THE ANNUAL
10 APPROPRIATIONS BILL. SO THE SPECTER BILL AMENDS THE
11 2010 APPROPRIATIONS BILL TO CLARIFY THAT
12 DICKEY-WICKER DOES NOT PROHIBIT THE RESEARCH THAT
13 NIH IS CURRENTLY SUPPORTING.

14 THAT AMENDMENT, IF IT WERE ATTACHED TO
15 FUTURE APPROPRIATIONS BILLS, WOULD CLARIFY THINGS
16 GREATLY. HOWEVER, IF IN THE FUTURE DICKEY-WICKER
17 READ AS IT CURRENTLY DOES, THEN THE QUESTION WOULD
18 REMAIN OPEN, THE VERY QUESTION THAT IS NOW PENDING
19 IN THE COURT OF APPEALS, AS TO WHETHER DICKEY-WICKER
20 REACHES RESEARCH ON LINES THAT HAVE PREVIOUSLY BEEN
21 DERIVED.

22 SO PART OF THE CHALLENGE IS THAT, ONE,
23 CONGRESS CAN'T TIE THE HANDS OF A FUTURE CONGRESS.
24 SO ATTEMPTS TO PROHIBIT FUTURE LEGISLATION BY SAYING
25 NOTWITHSTANDING SUBSEQUENT LEGISLATION GENERALLY

BARRISTERS' REPORTING SERVICE

1 AREN'T EFFECTIVE. CONGRESS WOULD HAVE TO EITHER
2 INCLUDE THE SPECTER LANGUAGE IN FUTURE
3 APPROPRIATIONS BILL'S BILL RIDERS OR THIS QUESTION
4 COULD COME UP AGAIN.

5 THE DEGETTE BILL DOES NOT TAKE ON
6 DICKEY-WICKER DIRECTLY. IT DOES ARGUABLY IMPLICITLY
7 ADDRESS IT BECAUSE IT HAS A NOTWITHSTANDING CLAUSE.
8 SO IF DICKEY-WICKER WERE CONSTRUED TO PROHIBIT SUCH
9 RESEARCH, THE DEGETTE BILL, I THINK, WOULD BE FOUND
10 TO BE AN IMPLICIT REPEAL OF THAT LIMITATION.

11 AGAIN, IN THE FUTURE WHAT WOULD HAPPEN
12 WOULD DEPEND UPON CONGRESSIONAL ACTION.

13 DR. PRIETO: DO EITHER OF THESE BILLS HAVE
14 ANY OF THE REPUBLICAN COSPONSORS THAT THEY HAD WHEN
15 THEY WERE ORIGINALLY INTRODUCED OR WHEN THE ORIGINAL
16 VERSIONS WERE INTRODUCED?

17 MR. HARRISON: THE DEGETTE BILL HAS
18 CONGRESSMEN CASTLE AS A COSPONSOR AND SEVERAL OTHER
19 COSPONSORS. I DON'T KNOW HOW MANY OF THEM ARE
20 REPUBLICANS.

21 DR. PRIETO: AND THE SPECTER BILL?

22 CHAIRMAN TORRES: MRS. BOXER, MRS.
23 FEINSTEIN ARE THE ONLY TWO THAT I HAVE LISTED IN
24 FRONT OF ME.

25 DR. PRIETO: OKAY. IT JUST SEEMS THAT

BARRISTERS' REPORTING SERVICE

1 THERE WOULD BE SOME POTENTIAL LIKE SENATOR HATCH WHO
2 MIGHT SIGN ON.

3 CHAIRMAN TORRES: AGAIN, THIS DISCUSSION
4 IS ALL SPECULATIVE BECAUSE THIS SESSION WILL NOT
5 RECONVENE UNTIL NOVEMBER 15TH, AND IT'S CLEAR FROM
6 THE DISCUSSIONS THAT I'VE HAD WITH A NUMBER OF U.S.
7 SENATORS AND MEMBERS OF CONGRESS THAT THIS ISSUE
8 MAY NOT EVEN COME UP IN THE LAME DUCK SESSION. THAT
9 DOESN'T PRECLUDE US FROM TAKING A POSITION IN AN
10 AREA WHICH WE THINK IS APPROPRIATE MUCH IN THE SAME
11 WAY THAT ON NOVEMBER 5TH, THIS FRIDAY, DEANS OF
12 MEDICAL SCHOOLS, ALL OF WHOM ARE ON OUR BOARD, AS
13 WELL AS OTHER SCIENTISTS SENT A LETTER OF SUPPORT
14 FOR THE DEGETTE LEGISLATION AND SPECTER LEGISLATION
15 TO LEADERSHIP IN BOTH HOUSES.

16 CHAIRMAN KLEIN: SENATOR TORRES, COULD I
17 MAKE A COMMENT ABOUT THAT?

18 CHAIRMAN TORRES: YES.

19 CHAIRMAN KLEIN: THIS IS BOB KLEIN. AND I
20 THINK IT IS EXTREMELY MATERIAL THAT DEANS OF MEDICAL
21 SCHOOLS AND HEADS OF RESEARCH INSTITUTES ACROSS THIS
22 COUNTRY HAVE STOOD UP PUBLICLY AND USED THEIR
23 TITLES, EVIDENTLY WITH THE BACKING OF THEIR
24 INSTITUTIONS, TO SUPPORT STEM CELL RESEARCH. THAT
25 IS AN EXTREMELY IMPORTANT NATIONAL EVENT FOR US.

BARRISTERS' REPORTING SERVICE

1 AND I BELIEVE IT WOULD BE VERY IMPORTANT FOR US TO
2 SHOW SOLIDARITY WITH THEM AT THIS TIME EVEN IF THESE
3 BILLS DO NOT COME UP IN THE CONGRESSIONAL SESSION.
4 BECAUSE WE'VE ASKED FOR THE SCIENTIFIC LEADERSHIP IN
5 THIS COUNTRY TO STAND UP AND DEFEND THE SCIENCE ON
6 PRINCIPLE FOR WHAT IS THE BROADEST INVESTIGATION
7 ACROSS THE STEM CELL AREA TO ENHANCE THE POTENTIAL
8 TO FIND NEW THERAPIES, THEY'RE DOING THIS. AND IT
9 CRIES OUT FOR OUR SUPPORT OF THEIR EFFORT.

10 DR. FONTANA: I'D LIKE TO MAKE A COMMENT
11 TOO ON THAT.

12 CHAIRMAN KLEIN: AND I WOULD SUGGEST THAT
13 WHILE IN THE SENATE IT MAY BE DIFFICULT TO BRING
14 THIS UP, IN THE HOUSE FOR THE MOMENT THE INDIVIDUALS
15 ARE STILL THERE WHO PREVIOUSLY VOTED TO PASS
16 LEGISLATION FOR EMBRYONIC STEM CELL RESEARCH TWICE
17 DURING THE BUSH ADMINISTRATION. SO I WOULD THINK
18 THERE MAY BE A REASONABLE OPPORTUNITY THAT THE HOUSE
19 WILL, EVEN THOUGH THEY HAVE AN EXTRAORDINARILY
20 JAMMED SESSION, BE ABLE TO BRING IT UP.

21 CHAIRMAN TORRES: DR. FONTANA HAD A
22 COMMENT.

23 DR. FONTANA: I DID. AND THANK YOU, BOB,
24 BECAUSE YOU REALLY ARE THE ICON OF THE PATIENT
25 ADVOCACY MOVEMENT. AND ALTHOUGH YOU REFERRED

BARRISTERS' REPORTING SERVICE

1 SPECIFICALLY TO THE DEANS OF OUR ACADEMIC
2 INSTITUTIONS ACROSS OUR COUNTRY, I THINK IT REFLECTS
3 ON THIS GROUNDSWELL, THIS GRASS ROOTS MOVEMENT OF
4 MANY GROUPS THAT I HAVE SPOKEN TO THAT THEY
5 DESPERATELY WANT TO DO SOMETHING. AND THEY ARE
6 LOOKING TO CIRM TO BE THE LEADERS, AND THAT WE
7 HAVEN'T MADE A POSITION STATEMENT YET IS ALMOST LIKE
8 THE TRAIN HAS LEFT THE STATION AND WHERE ARE WE.
9 THEY'RE LOOKING FOR US. I THINK WE OWE THE COUNTRY
10 A LEADERSHIP ROLE.

11 AND I'D LIKE TO TAKE IT ONE STEP FURTHER
12 AND SAY I THINK THAT BOTH BILLS ARE FRAUGHT WITH
13 SOME INCONSISTENCIES. AND ALTHOUGH THEY HAVE BEEN
14 PASSED IN BOTH CONGRESSES BEFORE, I THINK THE REAL
15 ELEPHANT IN THE ROOM IS THE DICKEY-WICKER AMENDMENT.
16 I THINK IT'S TIME TO CHANGE THE TERMS OF THE DEBATE
17 AND THAT WE SHOULD ADDRESS THE DICKEY-WICKER
18 AMENDMENT. AND I DON'T THINK THAT THERE'S ANY
19 REASON WHY WE SHOULDN'T BECAUSE BY RESTATING OUR
20 MISSION STATEMENT WHERE WE SUPPORT HUMAN EMBRYONIC
21 STEM CELL RESEARCH THROUGH THE DERIVATION OF CELL
22 LINES FROM IVF EMBRYO DISCARD THAT WOULD OTHERWISE
23 BE DISCARDED, SCNT, PARTHENOGENESIS, THAT WE SUPPORT
24 THIS KIND OF RESEARCH AND WE SUPPORT THE LEGISLATION
25 THAT REFLECTS THIS. BECAUSE WE DON'T KNOW WHICH

BARRISTERS' REPORTING SERVICE

1 BILL IS GOING TO MAKE IT THROUGH THE HOUSE OR THE
2 SENATE OR EVEN THESE TWO BILLS THAT ARE THERE, IT
3 MIGHT BE SOMETHING DIFFERENT. BUT I THINK IT SETS A
4 STANDARD, A REFERENCE FROM WHICH THE ADVOCATES AND
5 THE ACADEMIC COMMUNITY CAN GET BEHIND.

6 MS. SAMUELSON: ISN'T THAT IN PROP 71? IF
7 THAT'S IN PROP 71, THEN WE ALSO HAVE PEOPLE IN THE
8 STATE OF CALIFORNIA.

9 DR. FONTANA: ABSOLUTELY.

10 CHAIRMAN KLEIN: WHAT'S IN PROP 71?

11 MS. SAMUELSON: THAT'S WHAT I WAS ASKING,
12 IF THAT LANGUAGE WAS IN THE INITIATIVE BECAUSE IT'S
13 MORE THAN JUST US. IT'S THE PEOPLE.

14 CHAIRMAN TORRES: RIGHT.

15 MR. ROTH: SO I'M OBVIOUSLY VERY
16 SUPPORTIVE OF US WEIGHING IN ON SOMETHING, BUT I DO
17 WANT TO CAUTION EVERYONE THAT THE DEANS LETTER, THE
18 BIGGEST PROBLEM WITH THE DEANS LETTER IS THAT THEY
19 WANT TO DO IT IN LAME DUCK SESSION. AND TO EVERYONE
20 ON THE REPUBLICAN SIDE, THAT'S GOING TO SOUND LIKE,
21 HEY, LOOK. WE WANT TO QUICK PASS THIS BEFORE THE
22 REPUBLICANS COME IN AND DERAIL IT. AND IF YOU TAKE
23 THAT APPROACH, I'M ALMOST POSITIVE YOU'RE NOT GOING
24 TO GET ANY REPUBLICAN SUPPORT.

25 IF, ON THE OTHER HAND, YOU DECIDE THAT YOU

BARRISTERS' REPORTING SERVICE

1 ALREADY HAD A LOT OF REPUBLICAN SUPPORT ON THE TWO
2 BILLS THAT BUSH VETOED AND YOU BUILD YOUR COALITION
3 FOR THE NEW CONGRESS AND GET THEM TO COME FORWARD
4 WITH THEIR AMENDMENT, WHATEVER IT IS, IN A WAY THAT
5 EVERYBODY HAS HAD A CHANCE TO SEE THE LIGHT OF DAY
6 ON, YOU HAVE A MUCH BETTER CHANCE OF FIXING THIS
7 DOWN THE ROAD. BUT I THINK IF YOU TRY TO RUSH IT
8 THROUGH LIKE, OKAY, THE BAD GUYS ARE COMING IN, AND
9 WE GOT TO QUICK PASS THIS, THAT'S NOT GOING TO WORK.
10 THEY'LL DELAY IT, AND THEN YOU RUN THE RISK OF
11 SOMETHING I DON'T THINK IS VERY CONTROVERSIAL RIGHT
12 NOW OF MAKING IT CONTROVERSIAL. AND THAT'S -- SO I
13 JUST CAUTION. THIS IS ABOUT STRATEGY.

14 IT'S NOT REALLY ABOUT WHETHER WE NEED TO
15 WEIGH IN ON ANYTHING TO DO WITH WHOSE BILL WE'RE
16 GOING TO SUPPORT, BUT, IN FACT, START BUILDING A
17 COALITION OF REPUBLICANS WHO WILL SIGN ON BECAUSE
18 THEY BELIEVE WHAT WE'RE DOING IS THE RIGHT THING. I
19 JUST DON'T WANT TO THROW DOWN A PROBLEM IN FRONT OF
20 THEM THAT'S NOT A REAL PROBLEM. I'M GOING TO GO
21 BACK ON MUTE.

22 CHAIRMAN KLEIN: SO, DUANE, I'D LIKE TO
23 HEAR FROM ART, BUT I'D LIKE TO REALLY EMPHASIZE IT.
24 THE WAY I LOOK AT THE VOTE COUNT AND THE POSITIONS
25 OF THOSE PEOPLE THAT GOT ELECTED FROM THE TEA PARTY

BARRISTERS' REPORTING SERVICE

1 MOVEMENT IN THE REPUBLICAN PARTY, ALTHOUGH THERE ARE
2 SUPPORTIVE MEMBERS OF THE REPUBLICAN PARTY, I DON'T
3 SEE THEM BEING ABLE IN CAUCUS TO BE ABLE TO BRING
4 THIS TO THE HOUSE IN THE NEXT TWO YEARS WITH A BILL
5 THAT WOULD SUPPORT EMBRYONIC STEM CELL RESEARCH.
6 THE NUMBERS JUST AREN'T THERE.

7 SO WHILE I APPLAUD THOSE PEOPLE IN THE
8 REPUBLICAN PARTY THAT HAVE STOOD UP FOR THE RIGHT
9 SOLUTION FOR MEDICAL RESEARCH AND SCIENTIFIC
10 RESEARCH IN GENERAL OF NOT HAVING IDEOLOGY DICTATE
11 THE OUTCOME, I DON'T THINK THE VOTES ARE IN THE
12 CAUCUS TO BRING IT THE FLOOR. SO SUPPORTING THE
13 BILL FOR THE PEOPLE WHO HAVE CHAMPIONED THIS IN THE
14 LAST FEW YEARS AND SUPPORTING THE SCIENTIFIC
15 LEADERSHIP ACROSS THE COUNTRY THAT'S COME FORWARD AT
16 THIS POINT I THINK IS VERY IMPORTANT.

17 BUT, ART, WHAT IS -- SENATOR TORRES, WHAT
18 IS YOUR VIEW?

19 CHAIRMAN TORRES: MY VIEW IS TWOFOLD. NO.
20 1, AND THIS IS NOT A POLITICAL STATEMENT, BUT I
21 AGREE WITH BOTH OF THE STATEMENTS THAT HAVE BEEN
22 MADE, BOTH DUANE AND YOUR COMMENTS. I THINK THAT AT
23 THE END OF THE DAY, WE CAN PUT FORWARD A RESOLUTION
24 FROM CIRM THAT IS NOT ADVERSARIAL TO THE
25 REPUBLICANS, BUT MERELY STATES OUR SUPPORT FOR A

BARRISTERS' REPORTING SERVICE

1 CONCEPT WHICH IS INHERENT IN OUR INITIATIVE, WHICH
2 THE VOTERS OF THIS STATE CAPITULATED AND SUPPORTED.

3 ON THE OTHER HAND, IT DOESN'T PRECLUDE US
4 FROM FORMING A COALITION IN THE NEW CONGRESS, IF
5 THAT'S POSSIBLE, ON THIS ISSUE. TAKING THE FIRST
6 ELEMENT, WHICH IS WHAT'S IN FRONT OF US TODAY ARE
7 THESE TWO PIECES OF LEGISLATION, WE DON'T KNOW
8 WHETHER THEY'LL BE BROUGHT UP AT ALL OR IF IN THE
9 HOUSE WHETHER THEY'LL BE BROUGHT UP AT ALL. THAT
10 REMAINS TO BE SEEN.

11 I DO THINK THAT, AS DR. FONTANA SAID AND
12 OTHERS HAVE SAID, AND, AGAIN, I WANT TO THANK DR.
13 LOMAX FOR HIS HELP IN THIS PROCESS AS WELL AS ELONA
14 AND ALAN TROUNSON AND IAN SWEEDLER IN THEIR INPUT AS
15 WELL, THAT WE HAVE AN OPPORTUNITY HERE TO SHOW THE
16 PATIENT ADVOCACY GROUPS THAT WE ARE A LEADER ON THIS
17 ISSUE AND WE DO NEED TO EMBRACE WHATEVER IS BEFORE
18 THE CONGRESS TODAY BUT ALSO TOMORROW. SO I THINK IF
19 THERE'S ANY MOTION THAT COMES OUT OF THIS
20 SUBCOMMITTEE, IT OUGHT TO BE A MOTION TO SUPPORT
21 S 3766 AND HR 4808, BUT ALSO, IN ADDITION THERETO,
22 COME UP WITH A STATEMENT THAT WE HAD TALKED ABOUT
23 PREVIOUSLY WHICH GOES TO DUANE'S POINT.

24 AND THAT IS, AND JOAN'S AS WELL, THAT
25 IS -- WELL, THESE ARE TWO PIECES OF LEGISLATION, BUT

BARRISTERS' REPORTING SERVICE

1 WE WANT TO REITERATE WHERE WE AS AN INSTITUTION
2 STAND ON THIS VERY IMPORTANT PRINCIPLE WHICH
3 TRANSCENDS WHATEVER LEGISLATION YOU MIGHT HAVE IN
4 YOUR POCKET BECAUSE NO ONE IS GOING TO COME CLOSE TO
5 WHAT WE HAVE HERE IN CALIFORNIA, BUT THAT IS THE BAR
6 THAT WE SET FOR OURSELVES OR THE VOTERS FOR US THAT
7 MANDATE THAT HAS TO BE IMPLEMENTED. SO I THINK
8 WE'RE READY FOR A MOTION.

9 DR. FONTANA: WELL SAID, ART. WELL SAID.

10 CHAIRMAN KLEIN: I WOULD LIKE TO MAKE A
11 MOTION THAT WE SUPPORT BOTH BILLS BECAUSE WE DON'T
12 KNOW WHICH ONE WILL MOVE. BUT SPECIFICALLY WE'RE
13 SUPPORTING THEM WITHIN THE CONTEXT OF THE NIH
14 GUIDELINES ADOPTED JULY 7, 2009, STATED IN THE BILL
15 SO THAT THE PUBLIC, WHICH RIGHT NOW WILL HAVE A
16 NARROW ABILITY TO UNDERSTAND A COMPLEX MESSAGE,
17 UNDERSTAND IT'S ON THE ETHICAL STANDARDS THAT HAVE
18 BEEN PUBLICLY DEBATED, PUBLICLY VETTED, AND PUBLICLY
19 PUT IN PLACE.

20 CHAIRMAN TORRES: AND YOUR MOTION INCLUDES
21 THAT WE COME UP WITH A STATEMENT OF PRINCIPLES; IS
22 THAT CORRECT?

23 CHAIRMAN KLEIN: MY MOTION WOULD INCLUDE
24 THAT WE COME UP WITH A STATEMENT OF PRINCIPLES AND
25 MAYBE A CALL, A SPECIFIC CALL, FOR BIPARTISAN

BARRISTERS' REPORTING SERVICE

1 SUPPORT BEYOND THESE BILLS TO MOVE THIS BEYOND WHAT
2 IS ENACTED HERE INTO THE NEXT CONGRESS. UNLESS WE
3 GET APPROPRIATIONS IN THE NEXT CONGRESS, WE CAN PASS
4 A LOT OF THINGS, BUT THE APPROPRIATIONS PROCESS CAN
5 BE USED TO STRANGLE THE NIH'S ABILITY TO REALLY
6 CARRY OUT THE FUNDING.

7 CHAIRMAN TORRES: IS THERE A SECOND?

8 DR. FONTANA: I SECOND.

9 CHAIRMAN TORRES: SECOND BY DR. FONTANA.
10 AGAIN, JEANNIE, THANK YOU FOR ALL THE WORK YOU'VE
11 PUT IN OVER THE LAST FEW WEEKS. I KNOW IT'S BEEN
12 QUITE BURDENSOME, BUT IT'S A MISSION YOU UNDERTOOK
13 SO ELEGANTLY.

14 CHAIRMAN KLEIN: I'M SORRY, JEANNIE, THAT
15 I HAVEN'T BEEN ABLE TO CALL YOU AND TALK TO YOU
16 ABOUT WHAT YOU'VE DONE BECAUSE YOU'VE PUT A LOT OF
17 WORK INTO TO.

18 CHAIRMAN TORRES: WE HAVE A MOTION AND A
19 SECOND. NOW WE'RE READY FOR DISCUSSION. MEMBERS?

20 MS. SAMUELSON: QUICK COMMENT BY JOAN. I
21 THINK IT'S IMPORTANT THAT WE DO THIS, AND I AGREE
22 WITH EVERYTHING THAT'S BEEN SAID ABOUT WHY. I ALSO
23 THINK THAT THIS GIVES US A GREAT OPPORTUNITY TO MAKE
24 A POINT THAT I THINK WE MAKE BEST OF ANYBODY, WHICH
25 IS THE IMPACT ON PATIENTS OF THIS SLOWING DOWN AGAIN

BARRISTERS' REPORTING SERVICE

1 OF THIS AREA OF RESEARCH AND TO MAKE THE POINT THAT
2 WE WILL NOW AGAIN BE THE ONLY GAME IN TOWN, WHICH IS
3 GREAT. THANK YOU, CALIFORNIA. BUT WE CAN'T
4 POSSIBLY MAKE THE STRIDES WE COULD IF WE WERE
5 COLLABORATING WITH THE PEOPLE ALL OVER THE COUNTRY
6 AND BEYOND THAT WE WOULD HAVE AT OUR SIDES IF WE HAD
7 NIH FUNDING.

8 PEOPLE NEED TO UNDERSTAND THAT SOMEHOW
9 THINGS AREN'T JUST BRIGHT AND HAPPY IN CALIFORNIA
10 AND WHAT THIS IS DOING TO PEOPLE, TO SICK AMERICANS.

11 CHAIRMAN TORRES: THANK YOU, JOAN.

12 MR. ROTH: I JUST WANT TO CLARIFY --
13 UNDERSTAND THE MOTION AND THE SECOND. WE'RE NOT
14 GOING TO BE PUSHING FOR THE LAME DUCK ACTION; IS
15 THAT CORRECT?

16 DR. FONTANA: I THINK WE'RE SUPPORTING IT.

17 CHAIRMAN KLEIN: WE'RE SUPPORTING BOTH
18 THESE BILLS. IF THEY CAN GET THROUGH IN THE LAME
19 DUCK SESSION, FINE; BUT WE'RE ALSO ASKING FOR A
20 SEPARATE STATEMENT THAT CALLS UPON THE CONGRESS TO
21 CREATE A BIPARTISAN LEADERSHIP FOR THIS IN THE NEXT
22 CONGRESS WITH FUNDING THAT CAN REALLY MAKE THIS
23 RESEARCH -- GIVE THIS RESEARCH LIFE TO REACH THESE
24 PATIENTS, AS JOAN SAYS, WHO DESPERATELY NEED THESE
25 THERAPIES AND WITHOUT --

BARRISTERS' REPORTING SERVICE

1 MR. ROTH: I UNDERSTAND ALL THAT. BUT MY
2 VERY SPECIFIC QUESTION IS HOW HARD ARE WE GOING TO
3 PUT IN THE LETTER OR WHATEVER THE RECOMMENDATION IS
4 ABOUT LAME DUCK SESSION BECAUSE I THINK THAT'S WHERE
5 WE CAN END UP HURTING OURSELVES BADLY. ART SAID IT
6 RIGHT. I THINK THE CHANCES OF IT BEING ENACTED IN
7 LAME DUCK ARE VERY SMALL; AND IF WE MAKE TOO BIG A
8 DEAL OUT OF IT, WE'RE GOING TO END UP REALLY MAKING
9 OUR JOB MUCH HARDER IN THE NEW CONGRESS. SO I JUST
10 WANT TO MAKE SURE WE DON'T DO THAT IF AT ALL
11 POSSIBLE.

12 CHAIRMAN KLEIN: DUANE, IF WE SUPPORT BOTH
13 OF THESE BILLS, WE DON'T HAVE TO MENTION THE LAME
14 DUCK SESSION.

15 MR. ROTH: GOOD. THAT'S THE POINT I WANT
16 TO MAKE, THAT WHILE WE CAN DO THAT, IF YOU THINK
17 IT'S IMPORTANT, WE CAN DO THAT BEHIND THE SCENES TO
18 TRY AND CONVINCED PEOPLE TO GET IT ON THE FLOOR, BUT
19 LET'S NOT MAKE OUR JOB REALLY HARD BECAUSE WE TRY TO
20 RAILROAD SOMETHING THROUGH AND THEN IT GETS STALLED
21 AND EVERYBODY GOES, WHY IN THE HELL ARE YOU GUYS
22 DOING THIS. AND IT WILL BE A LONG TIME BEFORE WE
23 CAN TAKE IT UP IN THE NEW CONGRESS. THAT'S ALL. I
24 JUST WANTED TO MAKE SURE THAT WE DON'T PUSH TOO
25 HARD, THAT WE'RE TRYING TO --

BARRISTERS' REPORTING SERVICE

1 CHAIRMAN KLEIN: DUANE, JUST TO BE CLEAR,
2 IF, IN FACT, THEY DO BRING IT UP IN THE LAME DUCK
3 SESSION, WE'RE GOING TO BE SUPPORTIVE OF IT.

4 MR. ROTH: ABSOLUTELY. I'LL HELP, BUT WE
5 NEED REPUBLICAN VOTES TO GET THAT DONE, BUT THEY'LL
6 USE MANEUVERING AND OTHER THINGS TO DELAY IT.
7 THAT'S THE PROBLEM IS DON'T CUT OFF OUR OPPORTUNITY
8 TO BRING SOME REPUBLICANS IN.

9 CHAIRMAN KLEIN: OKAY.

10 CHAIRMAN TORRES: WE DEFINITELY NEED THEM
11 IN THE NEW CONGRESS, THAT'S FOR SURE. ARE THERE ANY
12 PUBLIC MEMBERS THAT WISH TO MAKE A STATEMENT AT THE
13 KLEIN FINANCIAL CORPORATION?

14 CHAIRMAN KLEIN: NO.

15 CHAIRMAN TORRES: ANYBODY IN DR. FONTANA'S
16 OPERATION?

17 DR. BRYANT: I LOGGED IN LATE. I JUST
18 WANTED TO LET YOU KNOW I'M HERE.

19 CHAIRMAN TORRES: ARE YOU WITH JEANNIE?
20 DID YOU HAVE A COMMENT, DR. BRYANT?

21 DR. BRYANT: I COMPLETELY AGREE WITH
22 EVERYTHING THAT PEOPLE HAVE BEEN SAYING. I THINK
23 IT'S VERY IMPORTANT FOR CIRM TO SPEAK OUT NOW, BUT I
24 THINK THE POLITICAL CONSIDERATIONS THAT DUANE
25 MENTIONED ARE VERY IMPORTANT. AND WE DON'T WANT TO

BARRISTERS' REPORTING SERVICE

1 BE OVERENTHUSIASTIC AND RUIN OUR CHANCES IN THE LONG
2 RUN IN GETTING THESE PASSED.

3 CHAIRMAN TORRES: DR. FONTANA, IS THERE A
4 PUBLIC COMMENT AT YOUR LOCATION?

5 DR. FONTANA: YES, THERE IS.

6 MS. KING: THE GENTLEMAN'S NAME IS GRANT
7 ALBRECHT. I BELIEVE YOU'VE MET HIM BEFORE. FIRST
8 NAME G-R-A-N-T, LAST NAME A-L-B-R-E-C-H-T; IS THAT
9 CORRECT?

10 MR. ALBRECHT: YES. AND FIRST OF ALL,
11 THANK YOU ALL FOR YOUR EFFORTS AND DILIGENCE ON
12 THIS. IT SEEMS TO ME THAT THE TIME TO ACT IS
13 DEFINITELY NOW WHETHER OR NOT WE CAN MAKE THE LAME
14 DUCK SESSION QUACK OR NOT. BECAUSE OF THE
15 LITIGATION, THE LEGISLATION IS CLEARLY SOMETHING WE
16 NEED TO TAKE -- CIRM NEEDS TO TAKE A POSITION ON,
17 BUT THE LITIGATION IS DEFINITELY COMING UP RATHER
18 IMMEDIATELY. AND AS IT MAY MAKE IT ALL THE WAY TO
19 THE SUPREME COURT, IT SEEMS TO ME THAT THE STATEMENT
20 OF PRINCIPLE THAT WE MAKE NEEDS TO BE ENOUGH THAT IT
21 CAN THEREBY BE A REFERENCE POINT FOR WHATEVER
22 LITIGATION COMES UP SO THAT WE CAN MAKE -- IT SEEMS
23 TO ME WE'RE THE LEADERS, AND WE NEED TO MAKE -- WE
24 NEED TO BE REFERENCE FOR BOTH LITIGATION AND
25 LEGISLATION THAT MAY COME UP SOONER OR LATER.

BARRISTERS' REPORTING SERVICE

1 CHAIRMAN TORRES: THANK YOU VERY MUCH.

2 ANYONE ELSE THERE AT DR. FONTANA'S OFFICE?

3 DR. FONTANA: NO.

4 CHAIRMAN TORRES: ALL RIGHT. WE MOVE TO
5 HEALDSBURG.

6 MS. SAMUELSON: NO PUBLIC COMMENT HERE.

7 CHAIRMAN TORRES: NO PUBLIC COMMENT, NO
8 WINE TASTING, NOTHING.

9 MS. SAMUELSON: THAT'S THE PROBLEM. WE
10 COULD CHANGE THAT.

11 CHAIRMAN TORRES: ELK GROVE.

12 DR. PRIETO: NONE HERE.

13 CHAIRMAN TORRES: NONE THERE. UC IRVINE,
14 ANYONE THERE?

15 DR. BRYANT: NO.

16 CHAIRMAN TORRES: DUANE, DO YOU HAVE
17 ANYBODY AT CONNECT?

18 MR. ROTH: NO.

19 CHAIRMAN TORRES: HERE IN SAN FRANCISCO WE
20 HAVE THE VENERABLE HONORABLE DON REED.

21 MR. REED: I'VE BEEN SPENDING A LOT OF
22 TIME WITH PATIENT ADVOCATES GROUPS. I THINK THIS IS
23 VERY IMPORTANT WHAT YOU ARE AGREEING TO DO. WE NEED
24 A RINGING ENDORSEMENT, A REMINDER OF WHY WE FIGHT.
25 THIS IS A LONG AND DIFFICULT BATTLE, AND WE NEED

BARRISTERS' REPORTING SERVICE

1 SOMETHING SHINING TO SHOOT FOR. CALIFORNIA DID
2 EVERYTHING RIGHT, AND WE NEED TO REMIND AMERICA OF
3 WHAT'S AT STAKE.

4 ALSO, I THINK IT'S IMPORTANT THAT WE
5 MENTION THE IMPORTANCE OF JOBS, MENTION THAT
6 CALIFORNIA ACTUALLY HAD TO PASS A LAW TO ENSURE THAT
7 THERE WOULD BE WORKERS TO MEET THE DEMAND FOR THIS
8 NEW ENTERPRISE. THIS KIND OF HOPEFULNESS FOR JOBS
9 IS NOT COMMON IN THE COUNTRY AND THEY NEED TO BE
10 REMINDED HOW IMPORTANT THIS IS. I THINK THE
11 NATIONAL DEFICIT HAS TO BE MENTIONED BECAUSE EVEN
12 THE MOST DIFFERENT INDIVIDUALS THAT ARE COMING TO
13 FACE -- THEY'RE INEXPERIENCED. THEY ALL WANT THE
14 NATIONAL DEBT MET. AND WITH 1.65 TRILLION LAST
15 YEAR'S COST FOR INCURABLE DISEASES OUTSTRIPPING THE
16 ACTUAL NATIONAL DEFICIT OF 1.6 TRILLION AND FAR
17 EXCEEDING THE TOTAL FEDERAL INCOME TAX AT 1.2
18 TRILLION, WE HAVE A TREMENDOUS CONTRIBUTION TO BRING
19 THAT DEFICIT DOWN, AND THAT NEEDS TO BE PART OF THE
20 PACKAGE. THOSE ARE MY THOUGHTS.

21 CHAIRMAN TORRES: THANK YOU, MR. REED.
22 ANY OTHER COMMENTS HERE IN SAN FRANCISCO? ANY OTHER
23 COMMENTS AT ANY OTHER LOCATION?

24 CHAIRMAN KLEIN: JUST, SENATOR TORRES, I
25 THINK GRANT'S COMMENT IS IMPORTANT HERE THAT IN

BARRISTERS' REPORTING SERVICE

1 TERMS OF OUR STATEMENT, I WOULD ASK YOU AS CHAIR
2 PERHAPS IN WORKING WITH OUR OUTSIDE COUNSEL, WHEN WE
3 MAKE OUR STATEMENT, IF WE COULD REFERENCE BACK EVEN
4 TO THE BUSH ADMINISTRATION'S BELIEF THAT THEY COULD
5 FUND CONSISTENT WITH DICKEY-WICKER AS WELL AS THE
6 OBAMA ADMINISTRATION FOLLOWING THAT TEMPLATE SO THAT
7 WE REALLY POSITION THE HISTORY IN ALLOWING THIS
8 CURRENT FUNDING TO GO FORWARD AS PART OF OUR
9 STATEMENT IN A BIPARTISAN HISTORY WITH A SIMILAR OR
10 NEARLY IDENTICAL INTERPRETATION OF DICKEY-WICKER.

11 CHAIRMAN TORRES: ALL RIGHT. I'M GOING TO
12 ASK OUR COUNSEL TO RESTATE THE MOTION.

13 MR. HARRISON: THE MOTION, AS I UNDERSTAND
14 IT, IS TO SUPPORT BOTH BILLS WITHIN THE CONTEXT OF
15 THE NIH GUIDELINES ADOPTED JULY 7, 2009, AND TO
16 DEVELOP A STATEMENT OF PRINCIPLES, INCLUDING A
17 SPECIFIC CALL FOR BIPARTISAN SUPPORT TO ADVANCE STEM
18 CELL RESEARCH IN THE NEXT CONGRESS.

19 CHAIRMAN TORRES: ALL RIGHT. THE MOTION
20 IS BEFORE US. PLEASE CALL THE ROLL.

21 DR. FONTANA: I WANT TO MAKE A
22 CLARIFICATION ABOUT THAT. THE SECOND PART OF THAT
23 MOTION, I JUST WANT TO MAKE SURE, SINCE WE'RE BEING
24 SPECIFIC, THAT WE CLARIFY WITHIN THAT OUR MISSION
25 STATEMENT THAT SPECIFICALLY SUPPORTS HUMAN EMBRYONIC

BARRISTERS' REPORTING SERVICE

1 STEM CELL RESEARCH AND ALL FORMS OF IT.

2 CHAIRMAN TORRES: SO NOTED. CALL THE
3 ROLL, PLEASE.

4 MS. KING: SUSAN BRYANT.

5 DR. BRYANT: YES.

6 MS. KING: MICHAEL GOLDBERG.

7 MR. GOLDBERG: YES.

8 MS. KING: BOB KLEIN.

9 CHAIRMAN KLEIN: YES.

10 MS. KING: FRANCISCO PRIETO.

11 DR. PRIETO: AYE.

12 MS. KING: JEANNIE FONTANA.

13 DR. FONTANA: YES.

14 MS. KING: DUANE ROTH.

15 MR. ROTH: YES.

16 MS. KING: JOAN SAMUELSON.

17 MS. SAMUELSON: YES.

18 MS. KING: JEFF SHEEHY.

19 MR. SHEEHY: YES.

20 MS. KING: ART TORRES.

21 CHAIRMAN TORRES: AYE.

22 MS. KING: FOR THE RECORD THE MOTION
23 CARRIES.

24 CHAIRMAN TORRES: THE MOTION CARRIES. ANY
25 OTHER BUSINESS BEFORE THE SUBCOMMITTEE?

BARRISTERS' REPORTING SERVICE

1 MS. SAMUELSON: JUST A THOUGHT I'D LIKE US
2 TO THINK ABOUT LATER. THE HUNTINGTON'S COMMUNITY
3 MAKE SUCH AN INCREDIBLE IMPACT ON US AS A BOARD WHEN
4 THEY COME TO THE MIC. IF THEY COULD BE ENCOURAGED
5 TO BE ACTIVE IN AN EFFORT ON THE HILL, I THINK
6 THEY'D HAVE A HUGE IMPACT. I'M JUST IMAGINING THEM
7 AND MR. -- WHAT'S HIS NAME, THE FUTURE SPEAKER? --
8 BOEHNER AND OTHERS AND THOSE WHO HAVE BEEN OUR
9 FRIENDS AT TIMES AND WHO ARE UNDER TERRIBLE PRESSURE
10 ON THIS LIKE FRED UPTON WHO IS, I GUESS, GOING TO BE
11 THE CHAIRMAN OF THE ENERGY, I CAN'T THINK OF THE
12 NAME, BUT HE WILL HAVE ENORMOUS POWER. HE'S RIGHT
13 ON THE FENCE AND HE'S BEEN THERE A FAIR AMOUNT AND
14 IT'S DIFFICULT FOR HIM. WHEN THEY GET ADVOCATES IN
15 THEIR OFFICES AND THEY CAN USE THAT TO SAY, LOOK, I
16 HAD NO CHOICE. AND THOSE FOLKS COULD BE EXTREMELY
17 EFFECTIVE.

18 CHAIRMAN TORRES: RIGHT. ANY OTHER
19 COMMENTS?

20 DR. FONTANA: I JUST WANTED TO INFORM YOU
21 THAT I'VE BEEN WORKING CLOSELY WITH BERNIE SIEGEL
22 WHO IS PLANNING TO ANNOUNCE AT THE END OF THIS WEEK
23 A STEM CELL ACTION NETWORK. HE IS NOW REPRESENTING
24 A LARGE NUMBER OF PATIENT ADVOCATES GROUPS. AND ON
25 HIS WEB SITE HE IS GOING TO SUPPORT SORT OF THE

BARRISTERS' REPORTING SERVICE

1 REPEALING OF THE DICKEY-WICKER AMENDMENT, AND HE'S
2 GOT QUITE A FEW GROUPS SIGNING ONTO THAT. THERE IS
3 A GROUNDSWELL, YOU MUST APPRECIATE THE GROUNDSWELL
4 AMONGST THE PATIENT COMMUNITIES TO WANT TO PUSH THIS
5 RESEARCH FORWARD. AND HOW THEY'RE DIRECTED, I
6 THINK, IS IMPORTANT, AS JOAN IS POINTING OUT. SO
7 I'D LIKE TO KEEP THAT IN OUR FOREFRONT AS WE
8 CONSTRUCT THIS MEMO.

9 CHAIRMAN TORRES: ALL RIGHT. THANK YOU
10 ALL FOR YOUR HELP AND YOUR PARTICIPATION TODAY. THE
11 SUBCOMMITTEE IS ADJOURNED.

12 (THE MEETING WAS THEN ADJOURNED AT
13 01:36 P.M.)

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BARRISTERS' REPORTING SERVICE

REPORTER'S CERTIFICATE

I, BETH C. DRAIN, A CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT OF THE TELEPHONIC PROCEEDINGS BEFORE THE LEGISLATIVE SUBCOMMITTEE OF THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE OF THE CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE IN THE MATTER OF ITS REGULAR MEETING HELD ON MONDAY, NOVEMBER 8, 2010, WAS HELD AS HEREIN APPEARS AND THAT THIS IS THE ORIGINAL TRANSCRIPT THEREOF AND THAT THE STATEMENTS THAT APPEAR IN THIS TRANSCRIPT WERE REPORTED STENOGRAPHICALLY BY ME AND TRANSCRIBED BY ME. I ALSO CERTIFY THAT THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD OF THE PROCEEDING.

BETH C. DRAIN, CSR 7152
BARRISTER'S REPORTING SERVICE
1072 BRISTOL STREET
SUITE 100
COSTA MESA, CALIFORNIA
(714) 444-4100