

Congress of the United States
Washington, DC 20515

May 26, 2009

Dr. Raynard Kington
Acting NIH Director
NIH Stem Cell Guidelines, MSC 7997
9000 Rockville Pike
Bethesda, Maryland, 20892-7997

Comment on Stem Cell Guidelines for Human Stem Cell Research

Dear Dr. Kington:

As Members of Congress who support human dignity, the advancement of science, including ethical stem cell research, and the alleviation of disease, we submit the following comment in response to the draft Guidelines for Human Stem Cell Research published by the National Institutes of Health in the Federal Register on April 23, 2009.

We appreciate the stated purpose of the guidelines, which read in part, "*The purpose of these draft Guidelines is...to help ensure that NIH-funded research in this area is ethically responsible, scientifically worthy, and conducted in accordance with applicable law.*" However, we believe that the kind of research permitted by these guidelines fails on all three counts, allowing research that is not ethically responsible, scientifically justified, or in keeping with current law.

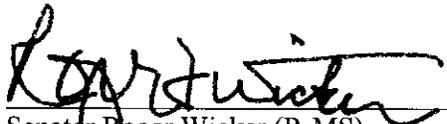
With regard to ethical responsibility, it is not possible to permit, let alone promote, research that incentivizes the intentional destruction of human life. Yet the current draft guidelines, if implemented, will create a federally-subsidized incentive for the creation and destruction of additional human embryos. In fact, the new policy is even more expansive than previous proposals. For example, the current guidelines ask parents to decide about the destruction of their embryo without even the benefit of any kind of waiting period as suggested in the Clinton guidelines of 2000 or having made a prior decision to "discard" them as in legislation passed by the Congress. Incentivizing the death of any member of the human species is not ethically responsible.

Scientifically, embryo-destructive research has failed to show clinical benefit to patients, yet there are ethical stem cell therapies that are currently being used to treat thousands of patients for various diseases and conditions. We strongly encourage you to focus NIH funding on clinical research using stem cells derived from ethical sources, like adult stem cells, that have been showing increasing treatment possibilities and have helped many patients already. For basic research, we further urge the NIH to focus funding on induced Pluripotent Stem (iPS) cells. These cells are highly desired, easy to create and use, and thought by many scientists to likely replace both embryonic and cloning research as a superior kind of stem cell research. If we are to truly follow the science, it would be prudent to devote our limited federal resources toward stem cell research that makes sense both scientifically and ethically.

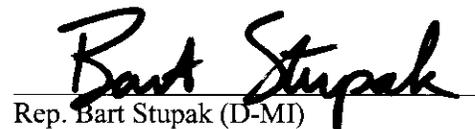
Finally, we have concerns about the current interpretation of the Dickey-Wicker amendment. As you know, this provision of law prohibits federal funding for “(1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death....” In establishing this law, the intent of Congress was to prohibit federal funding for any kind of research that directly or indirectly created, destroyed, or harmed a human embryo. We strenuously object to federal funding for embryo-destructive stem cell research and its expansion. The NIH should take stronger measures to prohibit the creation of human embryos for destruction. The guidelines, as currently drafted, have left the door open for revisions as well as the possibility of separate guidelines permitting research involving human cloning (SCNT) or creating animal-human hybrids. We urge the Administration and the NIH to take an unequivocal stance against these clearly unethical and de-humanizing practices.

In conclusion, we strongly encourage you to take a closer look at the moral status of and respect due to the human embryo. Specifically, we ask you to consider the conclusion of President Clinton’s National Bioethics Advisory Commission which said, “*In our judgment, the derivation of stem cells from embryos remaining following infertility treatments is justifiable only if no less morally problematic alternatives are available for advancing the research.*” (Sept. 1999) Given the reality of adult stem cells and the positive outcomes of that research as well as the very exciting possibilities of induced pluripotent stem cell research, there *are* less ethically problematic alternatives that show embryonic stem cell research to be unnecessary as well as immoral. We urge you to redraft the guidance for human stem cell research in a way that reflects the moral complexity of dealing with the human embryo and treats each embryo with the dignity required for any member of the human species.

Sincerely,



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U.S. Senate



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U.S. House of Representatives



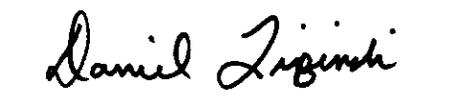
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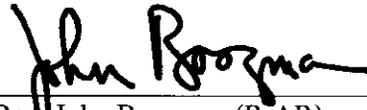
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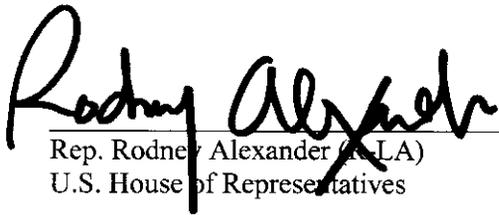
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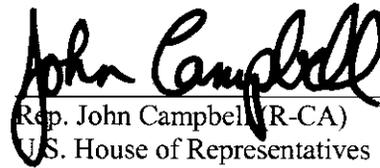
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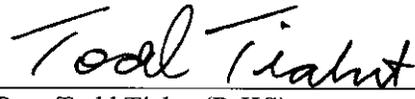
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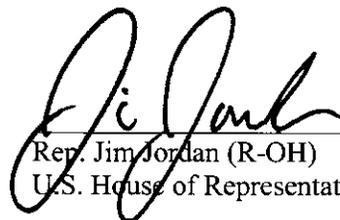
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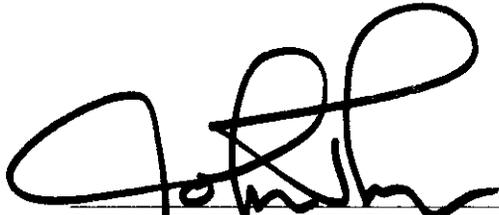
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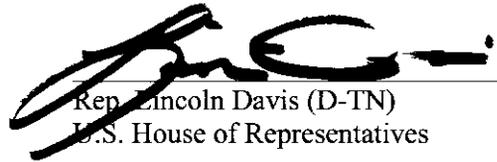
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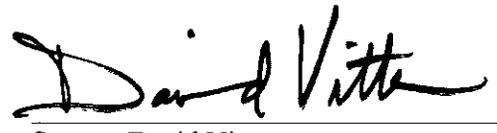
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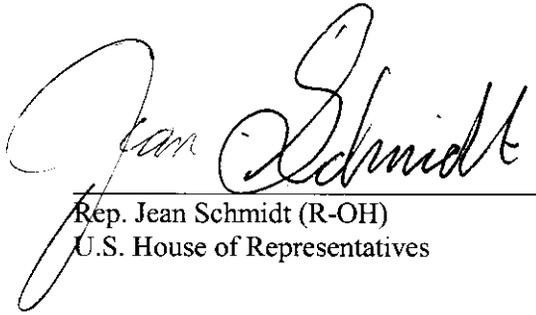
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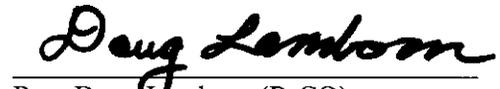
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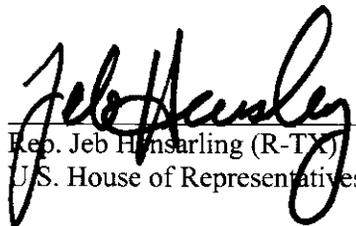
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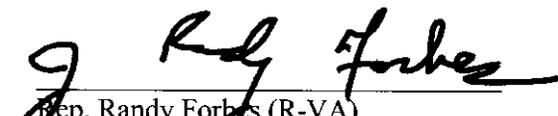
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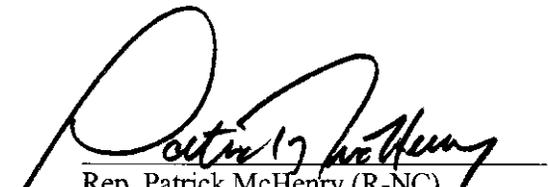
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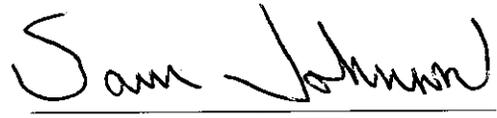
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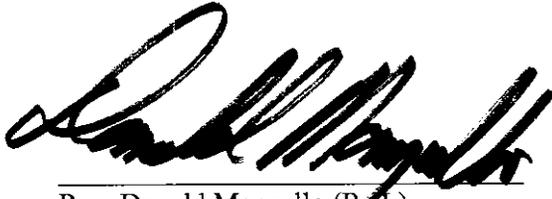
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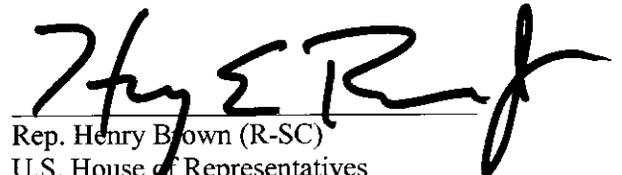
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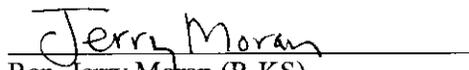
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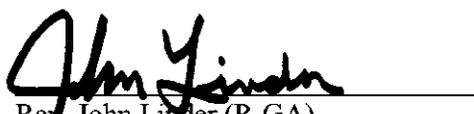
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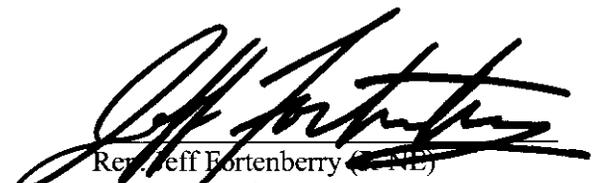
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