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Opinion

Embryonic stem cell research must continue

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By Milton B. Wallack

CHIEF Judge Royce C. Lamberth of the U.S. District Court in Washington recently issued a preliminary injunction that blocks federal funding for research on stem cell lines derived from any of the more than 400,000 stored, surplus embryos, the majority of which would otherwise be discarded. This action has inflicted a crippling blow to the critically important field of embryonic stem cell research, and it has the possibility of denying needed therapies to a multitude of individuals who suffer from devastating maladies.

The irony is that about a year ago, Lamberth denied a similar request from the same plaintiffs, Dr. James Sherley and Dr. Theresa Deisher, on the basis that they did not have standing in the lawsuit they had brought that challenged President Barack Obama's executive order of March 9, 2009 that expanded federal funding for stem cell research. The two doctors had argued that increased funding requests by scientists doing embryonic stem cell research would diminish their ability to attract funding for their adult stem cell research.

Their lawsuit's claim ignored the concept of funding for the best possible research that should be obtained through open competition. It also ignored the reality of very generous funding being available for deserving adult stem research. Despite this, Sherley and Deisher appealed Lamberth's ruling. Lamberth has now ruled in favor of Sherley and Deisher.

This ruling is, unfortunately, even more restrictive than the limitations on embryonic stem cell research imposed by the Bush administration.

If not overturned, the judge's ruling will actually create irreparable harm, not to the plaintiffs, but rather to the many hundreds of scientists who "in good faith" have begun to do embryonic stem cell research and will now have their projects jeopardized. It will also adversely influence the scores of young researchers who have recently been attracted to this field. There is the real possibility that they could be forced to move to other countries where this work is supported.

It would, in addition, cause irreparable harm to all of those afflicted by medical problems and who are holding out hope for solutions which embryonic stem cell research could provide.

Lamberth based his decision on the Dickey-Wicker Amendment. This amendment basically calls for the elimination of funding for research on stem cell lines derived from human embryos. It prohibits the injury or death of embryos for such research. The Dickey-Wicker Amendment was first attached to the 1996 federal budget authorization bill and has been inexplicably renewed by Congress every year since.

It is critical that we find a resolution to this entire ill-conceived dilemma. If Lamberth's injunction stands, it will also have a crippling effect not only on research, but to the economy since it will lead to the loss of a very significant number of jobs.

It will, in addition, discourage investment in emerging companies devoted to biomedical research and specifically to embryonic stem cell research.

An example of the potential impact can be seen in the Canadian Stem Cell Network's estimate that the support of merely 37 scientists and their teams could, in Canada, lead to an estimated return of \$8 billion in the area of regenerative medicine by 2011. At Yale University alone, there are more than 60 stem cell laboratories. There is a combined comparable number at the University of Connecticut Health Center and the university's Storrs campus. There are also a number of labs at Wesleyan University.

The majority of the work is being done in Connecticut with state research aid. So far the state has invested \$50 million to support this research.

We must pursue a number of corrective measures to reverse Lamberth's injunction. The ultimate goal, however, must be to remove the restrictive and ill-conceived Dickey-Wicker Amendment. This means working closely with our federally elected legislators to create a national solution.

We also must continue and further strengthen our excellent state of Connecticut embryonic stem cell research initiative. It will enhance our economy as well as create hope for all of those individuals with medical problems which could be eliminated by discoveries derived from this research.

Milton B. Wallack of Branford is a member of the Connecticut Stem Cell Research Advisory Committee and founder of the Connecticut Stem Cell Coalition. Readers may write him in care of the Register, 40 Sargent Drive, New Haven 06511. His e-mail address is mbwallack@snet.net.

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