

The Dicky-Wicker Amendment

- In 2009 a lawsuit was brought to the Supreme Court – the case is *Sherley v. Sebelius*. This plaintiff James Sherley (a professor at MIT whose research focuses on adult stem cells) contended that the NIH guidelines violated the Dicky-Wicker Amendment. The main arguments are outlined in the attached article. Briefly Sherley felt that by funding hESC research the government was in essence funding the creation of hESCs during which the embryo is destroyed. This week I'd like you to weigh in on how you interpret the Dicky-Wicker Amendment. This is perhaps the most critical piece of legislation with regards to stem cell research in the US, and something that all tissue engineers should be familiar with.
- Begin by reading the assigned JAMA article by Glenn Cohen. Please comment on whether you think the NIH guidelines, which allow for federal funding of hECS research (we outlined these guidelines in lecture) violate the Dicky-Wicker Amendment. As always, please be respectful of the opinions and thoughts of your peers as we discuss this sensitive subject. We are not discussing whether or not human embryos should be used for the creation of hESCs.
- Respond to at least two of your classmates.

The Dicky-Wicker amendment prohibits federally funded research for creating, or destroying "human embryos or embryos" which includes fertilization, parthenogenesis, or cloning. At the time it was passed as a bill, the amendment was ambiguous, leaving room for interpretation regarding the research on hESC not leading to embryos destruction, or research on non-embryonic stem cells. President Clinton, Bush and Obama orders addressed a series of gaps in the amendment. In their current shape, I think, NIH guidelines comply to the Dicky-Wicker amendment by restricting the funding on research to embryos created through IVF only and subject to be discarded with consent by donors not motivated by financial profits.

People going through IVF, control the fate of the embryos deciding which ones to keep and the ones to discard. Allowing them to give away to research their embryos for research, is an option they can decide for themselves similar to people who decide to donate organs when they die to save other people life. In addition, by enforcing the hESC lines to be registered, NIH can verify if any line is eligible and does not infringe the terms of the amendment and their own guidelines.