



Options:

1. Replace the stem cell EO and instead delegate the stem cell line funding decisions and programs decision-making to Dir. of NIH. This would accomplish removing the ban and placing the decision back in the hands of NIH (where Obama alludes it should be in his statements after Bush's veto and creation of the stem cell EO).
2. Replace the stem cell EO and make the EO more directive towards what to do with the banking and registry that already exists. This could include instructing Dir of NIH to create competitive programs for the registry and banking along with more available funds for both to be strengthened as new lines become used in research.
3. Not replacing the stem cell EO after revoking the previous one. If this option is a preferable path, then its easy to actually just slip in the revocation of the stem cell EO into the new Bioethics council EO at the end and accompany the EO with a POTUS statement about stem cells and laying out his vision for stem cell policy.
4. Give Congress a piece of the pie and revoke the Stem Cell EO outright and encourage the appearance on POTUS desk of the legislation he backed (that Bush vetoed).

Analysis

1. This option would be in line with previous statements by President-Elect Obama while an Illinois Senator. Specifically, his public statement after President Bush vetoed the stem cell bill he co-sponsored. This Bush veto was also accompanied by the stem cell EO that is in need of being revoked.
 - a. PROS: Depoliticizing the issue and putting the decision-making back in the hands of those most capable of doing this - Director of NIH; keeping true to his campaign promises; following through on an issue taken up while in the Senate (which got enough support to get passed by both houses of Congress).
 - b. CONS: would still leave in place the Dickey-Wicker amendment in the appropriations bill; could make the NIH Director position more political than desired; might create a cycle where every new President says something about stem cells and makes science more political.
2. This option would aid in trying to head off the practical problems created by current and past Federal stem cell policy. The banks and registries both have their uses and changing the availability of funds for different lines would impact them. Therefore, good public policy would promote addressing this regardless.
 - a. PROS: Good public management decision for continuity; would create a niche within NIH to strengthen this process and the competitive process for it would improve the quality; could consider a cost-share approach with states that already have passed bonds or other referendums for funding stem cell research; shows a continued commitment to monitoring and carefully looking after stem cell research to demonstrate due diligence to Americans who are skeptical.
 - b. CONS: could be expensive in the short and long-term; if not implemented correctly could become a hindrance to research rather than a means by which to promote research; if subject to appropriations it could get blocked (ie Dickey-Wicker).
3. Not replacing the stem cell E.O. after revoking represents prudent public policy to consider. All revocations of an E.O. should consider whether the original should have been put together and ordered to begin with. In this case, many would argue that the Bush stem cell E.O. never should have come to pass in the first place.
 - a. PROS: Demonstrates Obama willingness to calm the waters and not make this a big political battle to be fought over and over again; would allow Congress to put



- back on the desk of a President Obama the same legislation he co-sponsored that Bush vetoed which would show a strong willingness to work with Congress and please some members who are interested in this issue; gets a science issue out of a political battle by removing the only E.O. that dictates science regardless of the evidence.
- b. CONS: Does not get the big firm win of authority that usually accompanies an E.O.; could mean that a piece of legislation that is not what Obama wants to see will show up; requires much more effort and time to work with Congress making it not as fast of a win for the Obama Administration;
4. Encouraging Congress to pass the Stem Cell legislation that he co-sponsored as a Senator with a clear signal that he will sign it into law will most assuredly need to occur.
 - a. PROS: Congress gets to be a proactive partner with the President in collectively solving the problems inherent to limiting stem cell research in the manner that Bush has; shows Obama ability to follow through on something he started as a Senator; clear foiling of Bush by getting what Bush vetoed signed by Obama's own pen.
 - b. CONS: Subject to waiting on Congress which may take time; could get blocked or changed by Sen. Coburn.