

# The New York Times

January 3, 2009

## Democrats Debate Methods to End Stem Cell Ban

By: *CARL HULSE*

WASHINGTON — Thwarted by President Bush in their efforts to expand federal spending on embryonic stem cell research, Democrats are now debating whether to overturn federal restrictions through executive order or by legislation when they assume full control of the government this month.

Both President-elect Barack Obama and Democratic Congressional leaders have made repealing Bush administration restrictions announced in 2001 a top priority. But they have yet to determine if Mr. Obama should quickly put his stamp on the issue by way of presidential directive, or if Congress should write a permanent policy into statute.

The debate is not academic. Democrats who oppose abortion say such a legislative fight holds the potential to get the year off to a difficult beginning, even though the outcome is certain given solid majorities in both the House and the Senate for expanded embryonic stem cell research.

“It is a very divisive issue, and it is a tough way to start,” said Senator Ben Nelson, a moderate Democrat from Nebraska. “You don’t want to stumble out of the box.”

In addition, many of the Democratic gains in Congress, particularly in the House, have come in more conservative areas, with strategists estimating that up to 70 Democrats could find themselves in competitive races in 2010. Those potentially vulnerable lawmakers provide another consideration for leaders weighing whether to set an early test vote on what for some is a politically sensitive subject back home.

At the same time, officials note that increasing federal spending on stem cell research is widely popular and has been a signature issue for Congressional Democrats in the last two elections, helping them defeat Republicans opposed to the concept. Many lawmakers would like to see it through to its legislative conclusion.

“I myself would favor legislation, so it is the law,” Speaker Nancy Pelosi, Democrat of California, said this week.

In the end, Ms. Pelosi and representatives of the incoming Obama administration say it is likely that Mr. Obama will move quickly to roll back the Bush policy, with Congress following with a

comprehensive initiative that addresses a more far-reaching federal provision limiting the scientific work.

That result would be welcomed by Representative Diana DeGette, Democrat of Colorado and an author of the stem cell measure twice vetoed by Mr. Bush — once in 2006 when Republicans still controlled Congress and again in 2007 after Democrats took over.

Ms. DeGette said her view was that Mr. Obama should act to hasten any new research rather than see a bill get tied up in the early days of the session. Congress can then draft its own, more detailed version providing money for new research and dealing with ethical issues surrounding the stem cell question.

“I think we can do this in a win-win situation,” she said.

Democrats also say they hope to reduce the divisiveness of the debate by framing the stem cell policy as more of a health care issue with the potential to provide new treatments, and less of a fight that spills over into the abortion arena.

But anti-abortion leaders in Congress say that they are determined to resist changes in the stem cell policy and that their opponents will be held accountable at home, even if the political climate in Washington has shifted.

“Pro-life members in both caucuses will fight strongly to preserve sanctity of life ethics,” said Representative Joe Pitts, Republican of Pennsylvania. “If they force it by legislation, those will be the votes the pro-life community will score to educate the voters as to where members stand on these issues.”

Last year, it seemed that the human embryo dispute was about to become moot. Two groups of researchers, followed shortly by a third, independently reported that they could convert human skin cells into embryonic stem cells, bypassing embryos altogether. And immediately, the field of embryonic stem cell research began to explode.

Laboratories that had steered clear of the field because of the sheer difficulty of working within the constraints of the ban on federal financing realized they could simply make their own stem cells from skin cells and study them, with no impediments.

But stem cells from human embryos are still very much needed, researchers say. The federal ban has meant that only a small group of researchers has worked with those cells, but if the ban were lifted, it is likely that more laboratories would get involved and science would move forward faster.

“At this point, adult cell reprogramming is still new enough that it is conceivable that there will be a fly in the ointment,” said Sean J. Morrison, director of the Center for Stem Cell Biology at the University of Michigan.

In the meantime, those who have the facilities to work with both types of stem cells are doing so.

Stem cells from human embryos, “are the gold standard,” said Dr. George Q. Daley, a stem cell researcher at Children’s Hospital in Boston and the Harvard Stem Cell Institute. Before they can be replaced by cells derived from skin cells, researchers have to know, at a detailed molecular level, how similar the two types of stem cells are, and how different.

“There are still so many unknowns,” Dr. Daley said. “I am going to continue to have my lab use both at the same time.” What is certain, Democrats say, is that they will, at minimum, reverse Mr. Bush’s policy and open the way to more federal aid to such research.