AN ACT To amend the Public Health Service Act to provide for human embryonic stem cell research.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the 'Stem Cell Research Enhancement Act of 2007'.

SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH. Part H of title IV of the Public Health Service Act (42 U. S. C. 289 et seq.) is amended by inserting after section 498C the following:

'SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.

'(a) In General- Notwithstanding any other provision of law (including any regulation or guidance), the Secretary shall conduct and support research that utilizes human embryonic stem cells in accordance with this section (regardless of the date on which the stem cells were derived from a human embryo).

'(b) Ethical Requirements- Human embryonic stem cells shall be eligible for use in any research conducted or supported by the Secretary if the cells meet each of the following:

'(1) The stem cells were derived from human embryos that have been donated from in vitro fertilization clinics, were created for the purposes of fertility treatment, and were in excess of the clinical need of the individuals seeking such treatment.

'(2) Prior to the consideration of embryo donation and through consultation with the individuals seeking fertility treatment, it was determined that the embryos would never be implanted in a woman and would otherwise be discarded.

'(3) The individuals seeking fertility treatment donated the embryos with written informed consent and without receiving any financial or other inducements to make the donation.

'(c) Guidelines- Not later than 60 days after the date of the enactment of this section, the Secretary, in consultation with the Director of NIH, shall issue final guidelines to carry out this section.

'(d) Reporting Requirements- The Secretary shall annually prepare and submit to the appropriate committees of the Congress a report describing the activities carried out under this section during the preceding fiscal year, and including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.'.

WASHINGTON (AP) -- The House voted to expand government-financed embryonic stem cell research Thursday, but for the second time in two years lawmakers were unable to muster enough votes to overcome a promised presidential veto.

Still, the 253-174 vote was a high watermark in the stem cell debate, drawing advocates closer to the two-thirds vote threshold needed to override President Bush's objections.

With stem cells offering hope for major health care cures, lawmakers on both sides of the issue punctuated the debate with poignant personal stories and clashed over the ethics of the science.

Addressing "those who do not have the will to stand up against a presidential veto," freshman Rep. Zach Space, D-Ohio, described his 16-year-old son's battle against juvenile diabetes and wondered aloud what awaited him as an adult.

"This research represents the only meaningful hope for a cure in my son's lifetime," Space said.

Embryonic stem cells hold the promise of medical breakthroughs because they have the ability to become any tissue in the body. But the research typically involves the destruction of frozen embryos created for in vitro fertilization, a step that stirs passions over the beginning of life.

Rep. Virginia Foxx, R-N.C., blind in one eye, said she would benefit from stem cell science to replace a detached retina. But she said the federal government should emphasize research into adult stem cells, not those derived from embryos.

"Killing human life does not have to be accomplished to create efficacious treatment for people and diseases," she said.

The legislation would lift Bush's 2001 ban on the use of federal dollars spent on deriving new stem cells from fertilized embryos.

Bush vetoed similar legislation last year and actor Michael J. Fox elevated the issue into prominence with political ads during last fall's congressional elections. Democrats credit that issue, among others, for helping them drive Republicans from power in Congress.
Thursday's vote set another milestone in the new Democratic leadership's march toward passing a string of campaign promises in the early days of the new congressional session.

In the Senate, however, Democratic efforts to pass a wide-ranging ethics rule ran aground when Republicans, aided by nine Democrats, supported a more restrictive rule governing pet projects that lawmakers tuck into major legislation.

The setback slowed down the Senate's legislative pace and illustrated the brittleness of the Democratic majority. Senate Democratic leader Harry Reid of Nevada planned to work through amendments to the ethics rules through next week.

The floor debates in both houses occurred against the overwhelming presence of the Iraq war, coming a day after Bush told the nation he would send 21,500 more troops to Iraq. On and off the floor, lawmakers debated Bush's plan, drawn to what was clearly the top issue of the day.

More and more rank-and-file Republicans voiced skepticism about Bush's plan, but GOP leaders prepared to put up obstacles to Democratic efforts to express their opposition with a recorded vote.

Rep. Ric Keller, R-Fla., one of Bush's most ardent supporters, said Thursday he would have agreed three years ago with the president's call for more troops, but not now.

"At this late stage, interjecting more young American troops into the crossfire of an Iraqi civil war is simply not the right approach," Keller told the House. "We are not going to solve an Iraqi political problem with an American military solution."

The House on Friday turns to yet another item on its list of legislative priorities -- requiring the administration to negotiate with drug companies for lower prices for Medicare. But that legislation, like the embryonic stem cell bill, also faces a presidential veto.

In a statement Thursday, the administration said, "Government interference impedes competition, limits access to lifesaving drugs, reduces convenience for beneficiaries and ultimately increases costs to taxpayers, beneficiaries and all American citizens alike."

Bush has only exercised his veto power once, when he rejected the last embryonic stem cell bill. The new Democratic majority is likely to elicit more threats in the next two years than he issued in the first six years of his administration.
The embryonic stem cell bill has bipartisan support in the Senate. But the Senate bill, which is not likely to come up for some time, could undergo amendments during floor debate that would require it to be reconciled with the House version.

"You take it one step at a time," said Lawrence Soler, vice president of government relations for the Juvenile Diabetes Research Foundation, which supports expanded federally funded research. "The bipartisan support for the overall issue is going to stand firm. That process will open up opportunities to have discussions with the administration."

Douglas Johnson, the legislative director of the National Right to Life Committee, an anti-abortion group, predicted the congressional debate would be overrun by advances in adult stem cell research, including new reported research that stem cells extracted harmlessly from amniotic fluid have properties similar to embryonic stem cells.

"We expect when the dust settles, the president's policy will be preserved and the science will continue to demonstrate that the stem cells obtained from other sources have far more potential and are far more easy to control," he said.

The bill is H.R. 3.