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Stem Cell Bill Easily Clears Senate But Lacks Votes to Override a Veto

By Rick Weiss

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For the second time in nine months, the Senate yesterday passed a bill that would loosen President Bush's restrictions on human embryonic stem cell research -- but once again fell short of the two-thirds majority needed to override a promised veto.

Nineteen Republicans joined 44 Democrats and independents to pass, 63 to 34, the Stem Cell Research Enhancement Act, which would allow federally funded studies of stem cells isolated from embryos slated for disposal at fertility clinics.

The vote followed 20 hours of often passionate debate, with proponents focusing on the stem cells' potential to help treat a wide range of diseases and with opponents decrying the fact that human embryos must be destroyed to retrieve the cells.

With the House having passed a similar bill in January, the two chambers are now set to work out compromise wording and send the legislation to Bush. But their victory promises to be short-lived. Yesterday, the president voiced his intention to veto the bill -- just as he had last July when nearly identical language passed the Senate, 63 to 37.

"This bill crosses a moral line that I and many others find troubling," Bush said in a statement issued after the vote. "If it advances all the way through Congress to my desk, I will veto it."

That means that despite a mammoth mobilizing effort by proponents of the research, the situation will remain as it has since Aug. 9, 2001. That is when Bush, in his first major televised address to the nation, declared that federal money can be used to study stem cells derived only from embryos already destroyed by that date.

Supporters of the research nonetheless promised yesterday that they would continue their efforts until they succeed.

"The overwhelming majority of Americans -- and their members of Congress -- want to take the shackles off of federal researchers," said Sen. Tom Harkin (D-Iowa), who led the effort with Sen. Arlen Specter (R-Pa.). "If the president does veto this bill . . . then we will be back. Momentum is building. One way or another, we are going to lift these arbitrary restrictions this year."

Also yesterday, the Senate voted 70 to 28 to pass the Hope Act, a bill that opponents of embryonic stem cell research had positioned as a compromise. The measure encourages the Department of Health and Human Services to fund efforts to get stem cells from "naturally dead embryos," an approach that the bill's supporters say has proven utility but that other scientists have ridiculed as an impractical alternative with little or no hope of producing cures.

The intensity of that debate, however, paled in comparison with that surrounding the Research Enhancement Act. Throughout, senators on both sides of the issue quoted Scripture while hewing less than fastidiously to the scientific and legislative facts.

Opponents, for example, said that if the bill passed, women would be harmed by exploitative scientists seeking to harvest their eggs; embryos would be destroyed at taxpayers' expense; and human clones would be produced. None of those things are sanctioned by the measure.

Several repeatedly warned that embryonic stem cells are potentially deadly -- Sen. Sam Brownback (R-Kan.) at one point waved a bundle of research papers that showed, he said, that "embryonic stem cells are forming tumors."

That ignored the fact that no scientist today talks of putting embryonic stem cells directly into patients. Rather, they are growing the cells into more stable cells that do not form tumors but retain their therapeutic potential.

Opponents also repeatedly inflated the medical successes attained so far with "adult stem cells," which can be obtained without harm to embryos, saying that they have cured more than 70 diseases. In fact, only a small fraction of such treatments have been approved by the Food and Drug Administration, and virtually all the diseases that can be treated with such cells are blood diseases, while diseases of virtually every other organ remain unresponsive to adult stem cells.

Proponents, too, reached beyond the facts. Some intimated loftily that millions of patients are suffering today because of the Bush policy, when in fact experts acknowledge that even with full funding it could be a decade before therapies emerge.

Some said with more certainty than scientists say is justified that adult stem cells will never have the same biological potential as embryonic stem cells. Others seeded fears that the United States is becoming a nation of second-class science -- "Our country is in grave danger of falling behind in one of the most promising fields of biomedical research," said Sen. Orrin G. Hatch (R-Utah) -- even though by virtually every measure the United States remains a leader in the field.

Still others said that because the few stem cell colonies they are allowed to work on under the Bush policy have been growing in dishes alongside mouse cells, those stem cells are too contaminated to be of medical value. In fact, it is precisely one of those colonies that has made its way through several layers of FDA review and may well be the first embryonic stem cell therapy tested in humans -- part of a treatment for spinal cord injuries that Geron, of Menlo Park, Calif., hopes to begin by the end of this year.

Asked how he would fight a Bush ban, Specter called upon the public to demand change. "With enough public pressure," he said, "we could override a veto this year."