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House of Representatives

The House met at 1 p.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal Father of all, You teach by touching human hearts, which is far beyond simply changing minds or forming new language.

By converting deepest desires, You shape priorities of true concern and focus attention on lasting ideas that have penetrating consequences.

Your presence in our midst is manifested by marvelous deeds which consume debatable words.

Send now Your spirit upon the Members of the House of Representatives, that they may see beyond present dilemmas and know in their hearts what is the right course for our future as a Nation in this world community. Remove the clouds of fear and confusion. Instead, by Your spirit guide all to right judgment.

And may Your people discover an inner freedom which confirms their decisions and provides a joy in serving You, now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. SHIMKUS) come forward and lead the House in the Pledge of Allegiance.

Mr. SHIMKUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER. One-minute requests will be at the end of business today.

HUMAN CLONING PROHIBITION ACT OF 2003

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 105 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 105

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 534) to amend title 18, United States Code, to prohibit human cloning. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SWEENEY). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

On Wednesday, the Committee on Rules met and granted a structured rule for H.R. 534, the Human Cloning Prohibition Act. As an original cosponsor of this legislation, I am very pleased to see it is one of the first top priorities of the House of Representatives.

Mr. Speaker, this is a fair rule which will permit a thorough discussion of all of the relevant issues. The first of these issues is the Greenwood substitute which allows human cloning for medical purposes.

I personally oppose the Greenwood amendment because it is wrong to create human embryo farms, even for scientific research.

Research cloning would contradict the most fundamental principle of medical ethics, that no human life should be exploited or extinguished for the benefit of another. Anything other than a total ban on human cloning would be virtually impossible to enforce.

I understand there is no way to control actual implementation of these fetuses into a woman's uterus, so cloning of children could still happen.

The Justice Department submitted testimony explaining that once countless human embryos are created by

cloning, there would be no practical way to enforce the prohibition on transferring such embryos into wombs.

The Committee on Rules, though, recognizes that the gentleman from Pennsylvania's proposal is the leading alternative to the ban on cloning. And because we are aiming for a fair and thorough debate, we should make it in order on the House floor.

Human cloning is a deeply troubling issue to me and to most Americans. Life is a creation, not a commodity.

I also agreed with President Bush when he said that science has set before us decisions of immense consequence. We can pursue medical research with a clear sense of moral purpose, or we can travel without an ethical compass into a world we could live to regret.

Science now presses forward with this issue of human cloning. How we answer the issue of human cloning will place us on one path or the other.

I spent a lot of time considering this issue because it is so complex, and I have decided to once again vote to ban human cloning. It is simply wrong to clone human beings.

It is wrong to create fully-grown, tailor-made cloned babies, and it is wrong to clone human embryos to experiment on and destroy them. Anything other than a ban on human cloning would license the most ghoulish and dangerous enterprise in human history. Some of us can still remember how the world was repulsed during and after World War II by the experiments conducted by the Nazis during the war. How is this different?

Congress must act now. We can no longer wait for another biotech company to claim that they have produced cloned children, despite the fact that laboratory cloning of animals has led to spontaneous abortions and terrible, terrible abnormalities.

Congress will not face a weightier issue than the ethics of human cloning, and Congress should not run away from this problem. It is our job to address such pressing moral dilemmas, and it is our job to do so in a deliberative way. That is what we will do today.

To that end, I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentlewoman from North Carolina for yielding me this time, and I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, let me begin by making clear that I believe human cloning is morally and ethically wrong. Every Member of this body is opposed to cloning a human being, and the American people are unified in their opposition to human cloning. Unfortunately, this debate is not about making it illegal to clone a human being; rather, it is about outlawing cutting-edge research that could one day save and improve lives.

The bill we are considering today, the so-called Human Cloning Prohibition Act of 2003, will jail scientists for conducting therapeutic research. This bill, if enacted, will close the door to important research that one day could result in treatments or cures for such diseases as Parkinson's, Alzheimer's, and diabetes. If a drug or treatment for diseases like Alzheimer's or Parkinson's is developed in another country using therapeutic cloning, that treatment will not be available to patients in the United States. Think about it. This bill would actually deny Americans treatments for debilitating diseases. That strikes me as not only wrong, but cruel.

It is important to make clear that we are not debating whether or not Federal funds can be used for stem cell research. The President made that decision in 2001. Based on that decision, a private company can conduct stem cell research if it uses its own funds, or companies can conduct stem cell research with Federal funds if they follow very strict guidelines. While this bill does not deal with this issue, it is important to note that stem cells are at the heart of the therapeutic cloning debate.

Stem cells were only discovered in 1998. The promises for treatments and cures from stem cell research may not be realized for 15 to 20 years, but the gains will be enormous. The research of today will result in the cures of tomorrow.

Now, today, scientists say therapeutic cloning is the best way to produce the stem cells that could lead to breakthrough discoveries. Through stem cell research, scientists might one day help a person with a spinal cord injury walk again. How can this body ban this promising endeavor to end human suffering?

Scientists are so important to this debate. They are the experts, and this body should listen when they speak.

In 1863, President Abraham Lincoln created the National Academy of Sciences so that a group of scientists could advise Congress and the administration on the complex scientific issues facing our country. Mr. Speaker, 140 years later, the party of Lincoln brings before this body legislation that ignores the findings or recommendations of this respected group of scientists.

The academy, in a February 2002 report, declared that therapeutic cloning has scientific potential and should be allowed to continue. Additionally, the National Institutes of Health and 40 Nobel Laureates attest the value of this important research.

Former President Gerald Ford, a Republican, and former President Jimmy Carter, a Democrat, also publicly support this research.

So does former First Lady Nancy Reagan. Her husband, former President Ronald Reagan, suffers from Alzheimer's disease. This research may hold the key to treating or even curing that disease. But if this bill is endorsed today, it would deny the Reagans and millions of other families any benefit from this research. Mrs. Reagan's views should be heard by this body, and I will read her letter of support into the RECORD, a letter she sent to the other Chamber. I want to read it so that my colleagues can hear her eloquent words.

□ 1315

She writes, ''As you may know, Ronnie will observe his 92nd birthday soon. In earlier times, we would have been able to celebrate that day with great joy and wonderful memories of our life together. Now, while I can draw strength from these memories, I do it alone, as Ronnie struggles in a world unknown to me or the scientists who devote their life to Alzheimer's research. Because of this, I am determined to do what I can to save other families from this pain. I am writing, therefore, to offer my support for stem cell research and to tell you I'm in favor of new legislation to allow the ethical use of therapeutic cloning.

''Like you, I support a complete ban on reproductive cloning. However, I believe that embryonic stem cell research under appropriate guidelines may provide our scientists with many answers that are now beyond our grasp. There are so many diseases that can be cured, or at least helped, that we cannot turn our back on this. We have lost so much time already. I cannot bear to lose any more. Sincerely, Nancy.''

Mr. Speaker, I could not have said it better than Mrs. Reagan. Mrs. Reagan makes a powerful moral argument that we should not put up a roadblock to close this promising avenue of research.

We talk a lot about morality in this body. For the life of me, I cannot see how it is moral to look into the eyes of someone suffering from Alzheimer's or Parkinson's and say, we are going to stand in the way of something that has the potential to save your life, or to tell them that even if a breakthrough treatment is available in Europe or elsewhere, they are not allowed to have it.

This debate is about improving and saving millions of lives in this country. It is about whether we should jail scientists who are trying to save the lives of people who suffer from such debilitating diseases as Alzheimer's, Parkinson's, diabetes, and so many other diseases.

Let us do the right thing: Vote for the Greenwood substitute, and if that fails, vote against the Weldon bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield 2¼ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today in strong support of H.R. 534 and the rule for the Human Cloning Prohibition Act of 2003. I thank the gentleman

from Florida for his principled leadership on this issue.

The history of cloning is replete with defects, deformity, and death. Dolly the sheep was the 277th try. By now, everyone knows of the euthanized death of Dolly. She died on Valentine's Day a couple of weeks ago at the age of 6, half the normal life expectancy for sheep.

Alan Coleman, a Singapore-based scientist who helped clone Dolly, said, ''I think it highlights more than ever the foolishness of those who want to legalize human cloning. In the case of humans, it would be scandalous to go ahead, given our knowledge about the long-term effects of cloning.''

If cloning is not safe for animals, how can it be good for humans? President Reagan said in 1983 that every legislator, every doctor, every citizen, needs to recognize that the real issue is whether to affirm and protect the sanctity of all human life or whether to embrace an ethic where some human lives are valued and others are not. As a Nation we must choose between the sanctity-of-life ethic and the quality-of-life ethic.

If we allow the therapeutic cloning of human embryos for experimentation, we will devalue the entire system of ethics of this country. We will have endorsed the idea that it is okay to treat human life like a commodity.

I am not willing to make that choice. I am not willing to say that we should create a class of human beings to be used as human guinea pigs and laboratory rats. We have seen that happen before in Nazi Germany with experiments on concentration camp victims, and in Tuskegee, Alabama, where our own U.S. Government experimented on African Americans, infecting them with syphilis in search of a cure.

We find these stories morally abhorrent. But what will history say about us if we fail to learn the lessons of the past and if we knowingly do the same thing to tiny little humans again?

The Greenwood substitute would allow the creation of cloned human embryos as long as the embryo is destroyed within 14 days and never implanted in the womb. Even that phony restriction is lifted within 10 years of enactment. It will result in the creation of a human embryo.

We need to stop playing word games and admit that serious issues are at stake here. This vote will determine whether we as a Nation will affirm the dignity of human life or reject it. Support the Weldon-Stupak bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this bill is part of a broader, tragic political agenda to stymie good science with scare tactics. It fails totally to distinguish between cloning or reproducing human beings—a frightful prospect that all of us reject—and therapeutic cloning, which someday could save the lives of millions.

The therapeutic form, the transplanting of a patient's DNA into an unfertilized egg in order to grow stem cells, could cure devastating diseases. The promise of this technology would be that the patient's body accepts the cells from transplantation without immuno-suppressant drugs. These cells are not transplanted into a woman's womb. In what is deliberate overreaching, this bill bans somatic cell nuclear transfer, which produces only stem cells, not babies.

First, we Americans were told to use duct tape to seal up our rooms. Now, with this bill, the Republican leadership places duct tape over the microscopes of dedicated medical scientists who are leading the effort to find the cures for diabetes, Alzheimer's, ALS, Parkinson's, cancer, spinal cord injuries and cystic fibrosis.

At a time when we are alarmed daily by the possibility of biological attacks from afar, this bill represents a very real and present biological attack on the victims of these tragic diseases, diseases that strike Americans down in a nonpartisan manner. They deserve a nonpartisan solution.

For most parents, it is traumatic enough to take a child to the hospital for a tonsillectomy or a broken bone. How cruel that for lingering diseases that can slowly drain the happiness, the energy, and the life from a child, one of the best hopes for treatment that we have would be completely denied by this bill.

I think of the Austin mother who wrote to me about her diabetic five-year-old. She told of her baby who suffered through 4 to 8 insulin shots a day. Now, as a toddler, she undergoes 10 to 15 pricks a day to test her blood sugar. Her mom wrote: ''Our daughter is a lively girl who is optimistic by nature. We would like to see this horrible disease cured before her optimism fades.''

Let us not put politics over life-saving science. The restrictions in this bill are truly unprecedented. It bans private as well as public research. It says even to the victim of disease, ''if you go abroad,'' where medical science will certainly move if this tragic bill is adopted, ''you are not only getting treatment, you are getting a jail term, because you are a criminal under this bill for seeking a cure or treatment for your disease.''

Restrictive federal regulations already deny sufficient stem cell lines to conduct essential research. This bill does more than tie the hands of our best scientists; it steals precious time that victims do not have; it robs them of hope; it is, for too many, a death sentence.

Those innocent victims are not criminals; this bill is. Do not make Americans choose between health and their homeland. Vote to end suffering. Vote for hope. Vote ''no.''

Mrs. MYRICK. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise today in support of the Human Cloning Prohibition Act of 2003, H.R. 534, reintroduced by the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK). The issue here is human cloning. The issue has to do with us playing God and allowing human embryos to be produced.

Make no mistake about it, we are compassionate Americans. We care about pain and suffering, we care about curing diseases; but at the cost of creating human life, human embryos?

There is a claim that cancer, diabetes, and other diseases will be cured. I would go as far as to say in the medical community, with safeguards against terrorists, we can identify biological weapons. In my district sits one of the finest anthrax labs in the world that can already identify these types of dangerous pathogens. We do not need human cloning to identify those signatures that exist within those pathogens.

As researchers develop artificial wombs, if you are voting for the Greenwood substitute, after 10 years it would allow scientists the legal protection to harvest embryos and to grow human fetuses. It is essential that, whether for research or reproduction, we not allow people to create human life.

Join me in voting in favor of final passage of the Weldon-Stupak bill.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in opposition to the rule and to the underlying bill. No one in Congress supports cloning a human being, but we cannot afford to block research into important scientific areas that may have critical medical benefits to American citizens.

The millions who are currently suffering from diseases that have no cures, Parkinson's, cancer, Alzheimer's, diabetes, spinal cord injuries, and their families, these millions are desperately hoping that new medical research can provide them relief.

The best hope for many of these people may lie with research into somatic cell nuclear transfer or therapeutic cloning. This process may allow doctors and scientists to duplicate human stem cells to create medical therapies for diseases, therapies that will not be rejected by patients' bodies. This research and these therapies do not require or result in a cloned human being; but the bill before us would ban that research and take away hope for millions of Americans, just because of fear of the unknown.

We can increase understanding of the science involved here and at the same time provide protections against its untoward use. Congress should take its time and consider these issues. We should ban human cloning, as we have, and allow research to go forward. We should set the ethical parameters for scientific research. That is our job, set these parameters which will lead to saving lives and restoring health.

On behalf of those millions who suffer and wait and hope, I urge my colleagues to vote against the Weldon bill and to vote for the Greenwood amendment.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of the rule. In doing so, I would like to bring to light one of the most dangerous consequences of voting for human cloning, both reproductive and therapeutic. That is the exploitation of women.

Women of lower economic means are particular targets for exploitation. Advanced Cell Technologies paid $3,500 to $4,000 to each woman who donated their eggs for the failed human cloning experiments. Because of the many risks associated with this procedure, it will mostly be women of little means who will volunteer to sell their eggs.

In order to generate enough cloned embryos to carry out this research, thousands of eggs will need to be solicited from numerous women. It takes about 50 eggs to get one viable cloned embryo. Just to treat the 16 million Parkinson's patients, it is estimated that 800 million human eggs would be needed from a minimum of 80 million women of childbearing age.

I implore my colleagues to vote for the health and well-being of women. Please vote for the rule and for the Weldon-Stupak bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BELL).

Mr. BELL. Mr. Speaker, I rise today in opposition to H.R. 534 and in support of the bipartisan substitute.

I lost my mother in 1999, but really I lost her twice. The first time was when she was suffering from a cruel, mind-altering disease that has afflicted millions of American families, a disease known as Parkinson's. For my mom, each of the 10 years she spent fighting Parkinson's disease was a little more difficult than the one before, until finally her body just could not fight anymore.

After losing my mother that way, I will do all I can to help find a cure for diseases like Parkinson's. There are tens of millions of Americans that feel the same way because of someone they have lost in their lives, because fighting for a cure is the right thing to do.

I do not know how I am going to explain to my constituents that my colleagues in the House decided not to allow scientists to use the vast technology at our disposal to cure their mother's Parkinson's disease or their grandmother's Alzheimer's or their husband's diabetes, because that is exactly what stem cell research and therapeutic cloning are going to do: cure disease and save lives.

□ 1330

Stem cell research is no different than the discovery of penicillin or the invention of the Hart pump or the vaccine for polio. It is simply the next step in modern medicine. When it comes down to it, American families will be the victims of H.R. 534. The price of this bill will be the lives of children, grandchildren, the mothers and fathers that each of us cherishes, all who we were able, but not willing, to save. And why?

We all oppose human cloning. That is not the issue. That is not what I am talking about. Let us be perfectly clear. Therapeutic cloning is in no way, shape or form the same as human cloning. I oppose human cloning as do most Members of this House. But we are not talking about simply a ban on human cloning, but a ban on therapeutic cloning as well, a process where there is no fertilization, no implantation, no pregnancy and no chance for a child to be produced whatsoever.

Under the proposed bill, therapeutic cloning would be banned and a research process that takes place in a petri dish would be criminalized. A process that provides hope, and someday a cure for millions of Americans, would be criminalized.

So for the millions of us who are all too familiar with the pain and suffering brought on by diseases like Parkinson's, Alzheimer's, and diabetes, for those of us who pray every night that a cure can be found, my distinguished colleagues on both sides of the aisle should vote against H.R. 534 and support the bipartisan substitute.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

(Mrs. MUSGRAVE asked and was given permission to revise and extend her remarks.)

Mrs. MUSGRAVE. Mr. Speaker, I rise today to express my strong support for the Weldon-Stupak Human Cloning Prohibition Act. The passage of this bill is of utmost urgency as scientists in this country and around the world are making dangerous advances towards the creation of a cloned human being.

The science of human cloning may be difficult to explain and to understand to those of us who are not scientists, but its immorality is not without question. You do not have to be a scientist to know this is wrong. Whether produced for the intention of human reproduction or for the purpose of medical research, the fact remains the same: human cloning is simply wrong. It invariably requires the creation and killing of numerous human lives in the effort to produce either cloned cells for the purpose of research or cloned human beings.

Numerous ethical questions arise. Who, for example, would be the parents of a cloned human being? What rights would they have? And what about the potential to create human-animal hybrids through the transferring of human nuclear material into animal eggs? If we open the door to human cloning, these ethical problems will be unavoidable. Additionally, cloning cheapens all human life by making it a commodity, an object to tinker with, to alter, to change to a scientist's preset specifications. Manipulating the genetic outcomes of human reproduction render certain people desirable and others not. How then will society view these people determined less desirable? Are they of less human value?

In fact, if we do not enact a ban on human cloning, these situations I have described are just a few of the scenarios we will face in the near future. As one of the Nation's leading bioethicists, Dr. Leon Kass, has said, ''We are compelled to decide nothing less than whether human procreation is going to remain human, whether children are going to be made to order rather than begotten, and whether we wish to say yes in principle to the road that leads to the dehumanized hell of 'Brave New World.'''

The American people have spoken loud and clear on their view on this issue, as has the scientific community, our President, and this body of Congress last year. The national consensus is evident. Human cloning for any reason, whether for research or reproduction, should be prohibited.

Please join me in voting ''yes'' on the Weldon-Stupak bill and ''no'' on the Greenwood substitute.

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.,
February 10, 2003.

Congress Resumes Action on Human Cloning Legislation this Week, As Supporters of Cloning Human Embryos Try to Fool Lawmakers, Journalists, and the Public with Deceptive ''Egg-Speak''

INTRODUCTION

Congress is renewing consideration of whether to ban all human cloning, as a number of other major nations have already done. On Wednesday, February 12, the House Judiciary Committee will act on the Weldon-Stupak bill (H.R. 534). This bill, which is backed by President Bush, would ban the creation of human embryos by cloning. In the Senate, the same policy is embodied in the Brownback-Landrieu bill (S. 245).

Those who favor cloning human embryos are proposing competing legislation that would allow the mass cloning of human embryos to be killed in research, but attempt to ban implantation of such an embryo in a womb. In the House, we expect that this ''clone and kill'' approach will be advanced by Rep. Jim Greeenwood (R–Pa.), who offered such a proposal in 2001. In the Senate, a cloning-embryos-for-research bill has been introduced by Senator Orrin Hatch (R–Utah), Dianne Feinstein (D–Ca.), and others as S. 303.

In recent days, a number of news outlets have transmitted inaccurate reports about what these competing bills would each allow and forbid—reports that obscure what the argument is really about. These points of confusion are discussed in more detail below.

PRESIDENT BUSH'S POSITION

President Bush has repeatedly called on Congress to ban all human cloning (i.e., to ban the cloning of human embryos). In remarks on January 22, the President said, ''I also urge the Congress to ban all human cloning. We must not create life to destroy life. Human beings are not research material to be used in a cruel and reckless experiment.'' In his January 28 State of the Union

speech, the President said, ''Because no human life should be started or ended as the object of an experiment, I ask you to set a high standard for humanity, and pass a law against all human cloning.'' In a speech on human cloning last year, President Bush warned that unless such legislation is enacted, human ''embryo farms'' will be established in the United States. (See www.whitehouse.gov/news/releases/2002/04/print/2002410–4.html)

THE SITUATION IN CONGRESS

The House Judiciary Committee is scheduled to mark up the Weldon-Stupak bill (H.R. 534) on Wednesday, February 12, at 10:15 a.m., at 2141 Rayburn House Office Building. Once the committee completes its work, the full House could take up the bill at any time. H.R. 534 is nearly identical to the measure that passed the House on July 31, 2001, by lopsided bipartisan vote of 265–162 (roll call no. 304). When the House considered the issue on that occasion, it decisively rejected (249–178) a substitute amendment, the Greenwood-Deutsch Amendment, that would have allowed the cloning of human embryos for research (roll call no. 302)

The Senate companion to the Weldon-Stupak bill, the Brownback-Landrieu bill (S. 245), currently has 26 cosponsors. A radically different measure, the Hatch-Feinstein bill (S. 303), has only eight cosponsors, but it has considerable additional support, mostly among Senate Democrats.

The Brownback-Landrieu bill has been referred to the Committee on Health, Education, Labor, and Pensions (HELP), which is chaired by Senator Judd Gregg (R–NH), who was a cosponsor of the bill in the 107th Congress. The Hatch-Feinstein bill has been referred to the Senate Judiciary Committee, which Hatch chairs. Whatever happens in these committees, the full Senate ultimately will vote on both of these diametrically conflicting approaches.

The recently selected Senate Majority Leader, Bill Frist (R–Tn.), said in a January 12 interview on Fox News Sunday, ''I am opposed to any time that you create an embryo itself with the purpose being destruction, and that would include the so-called research cloning. And remember, research cloning is just that, it's experimental. There's been no demonstrated benefit of that to date, so I don't think you ought to destroy life. . .''

The key differences between the two bills are discussed below. In many recent news media reports on human cloning issues, the differences have been mischaracterized, and the specific activities that each bill would allow and prohibit have been widely misunderstood.

MISCONCEPTIONS AND FACTS

Misconception: The Brownback-Landrieu/Weldon-Stupak legislation prohibits cloning of human ''cells,'' while the Hatch-Feinstein bill would allow cloning of ''cells.''

Reality: The Brownback-Landrieu bill (S. 245) and the Weldon-Stupak bill (H.R. 534)—like their predecessors in the 107th Congress—explicitly allow ''the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.'' [Sec. 2 of the bill, at (d) in H.R. 534 and at (e) in S. 245; boldface added for emphasis] Thus, the methods currently used to ''clone'' new skin, for example, or to ''clone'' DNA, are perfectly okay under the Brownback-Landrieu bill. Moreover, any cloning method that would produce stem cells without first producing and killing a human embryo—as some researchers have claimed that they eventually will be able to do—is explicitly permitted by this language. In addition, the Brownback-Landrieu and Weldon-Stupak bills place no restrictions on research of any kind on human ova (''eggs'').

In short, the Brownback/Weldon legislation and the Hatch-Feinstein legislation are alike in that they would both permit cloning involving merely eggs, cells, or tissues, but they differ on one profound issue: The Hatch-Feinstein/Greenwood proposals would allow the use of the somatic cell nuclear transfer (SCNT) process to clone human embryos, and the Brownback/Weldon legislation would forbid the use of SCNT to clone human embryos.

Verbiage by supporters of ''research cloning'' about ''eggs'' and ''cells'' is intended to conceal what the argument is really about: whether it should be permitted to clone human embryos.

Misconception: So-called ''therapeutic cloning'' does not involve creating human embryos.

Fact: That SCNT using human genetic material will create a developing embryo of the species Homo sapiens is something that authorities on all sides agreed on until sometime in 2001, when some of the pro-cloning forces decided to try to obscure this fact for political purposes. Among those who clearly affirmed that SCNT will create human embryos were the bioethics panels of both Presidents Clinton and Bush, the embryo research panel at NIH, and the chief cloning researchers at Advanced Cell Technology in Massachusetts. Some samples of such statements, which pre-date the current disinformation campaign, are posted here: www.nrlc.org/Killing_Embryos/factsheetembryo.html.

The cite just one example here, a group of scientists, ethicists, and biotechnology executives advocating so-called ''therapeutic cloning'' and use of human embryos for research—Arthur Caplan of the University of Pennsylvania, Lee Silver of Princeton University, Ronald Green of Dartmouth University, and Michael West, Robert Lanza, and Jose Cibelli of Advanced Cell Technology—wrote in the December 27, 2000 issue of the Journal of the American Medical Association, ''CRNT [cell replacement through nuclear transfer, another term for ''therapeutic cloning''] requires the deliberate creation and disaggregation of a human embryo.'' They also wrote, ''. . . because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions.''

In its 2002 report on human cloning, the President's Council on Bioethics, although divided on policy recommendations, provided without dissent recommendations regarding the use of honest terminology in this crucial public policy debate, including acknowledging that successful SCNT will create human embryos. The Council said, ''The product of 'SCNT' is not only an embryo; it is also a clone, genetically virtually identical to the individual that was the source of the transferred nucleus, hence an embryonic clone of the donor.''

The Council recommended use of the terms ''cloning for biomedical research'' and ''cloning to produce children'' to distinguish between two of the purposes for which human embryos might be cloned. (''Cloning for research'' and ''cloning for birth'' convey pretty much the same thing.) The Council's discussion on accurate and neutral terminology is here: www.bioethics.gov/cloningreport/terminology.html.

The phrase ''reproductive cloning'' is misleading, because whenever somatic cell nuclear transfer produces a developing embryo, ''reproduction'' has occurred. The term ''therapeutic cloning'' is misleading, because no therapies have been demonstrated using cloned embryos (even in animals, as discussed below), and the process is certainly not ''therapeutic'' for the human embryo who is dissected—which is what the argument is about.

Misconception: The Hatch-Feinstein bill would allow research only on ''unfertilized eggs up to 14 days.''

Reality: As can be confirmed by reference to any biology text or even any decent dictionary, a human ovum or ''egg'' is, by definition, a single cell. Moreover, it is a very unusual cell—a gamete cell, which means it has only 23 chromosomes. An ovum has no sex.

As discussed above, once one has a complete nucleus from any species that is activated (whether by sexual fertilization or by asexual somatic cell nuclear transfer, SCNT) and developing, then one has a developing embryo of that species (sheep, cow, Homo sapiens, etc). There is no such thing in biology or in any dictionary as a human ''egg'' or ''egg cell'' that has 46 chromosomes, is either male or female, and is five days old (consisting of several hundred cells) or even 14 days old (consisting of thousands of cells). In short, calling a five-day-old or a two-week-old human embryo an ''egg'' is an attempt to deceive the public regarding what the policy argument is really about. We submit that this is not an effort in which responsible journalists should enlist.

The actual text of the Hatch-Feinstein bill coins the term ''unfertilized blastocyst.'' But ''blastocyst'' is simply a technical term for an embryo at an early stage of development. As for ''unfertilized,'' this is just another word trick aimed at the gullible. Of course human embryos produced by cloning will be ''unfertilized,'' because that is what cloning is: asexual reproduction—no sperm. Every cloned mammal in the world was unfertilized from the one-celled embryo stage, and every one of them will be unfertilized on the day they die. If a human embryo created by cloning instead of fertilization is implanted in a womb, is born, and lives to be eighty, she will still be unfertilized.

Misconception: The Hatch-Feinstein bill is a compromise that would accomplish what almost everyone agrees on, banning ''reproductive cloning.''

Reality: Far from representing ''common ground,'' the Hatch-Feinstein bill represents a policy disfavored by most Americans and strongly opposed by the Bush Administration. It will not become law. But that does not bother many of its backers, such as the biotechnology industry lobby, because the primary purpose of the Hatch-Feinstein bill is to impede enactment of the real ban on human cloning, by providing political cover for lawmakers who favor allowing the creation of human embryos for research.

Notwithstanding the marketing efforts of the biotechnology industry lobby and its allies, the Hatch-Feinstein bill or the Greenwood amendment would enact a policy that is far from a consensus position—indeed, a policy that the substantial majority of Americans oppose. A Gallup poll in May 2002 found that 61 percent of the American people opposed ''cloning of human embryos for use in medical research'' (34 percent approved), which is precisely what the Hatch-Feinstein bill is crafted to allow and indeed encourage. In other polls, substantially higher numbers are opposed when it is explained that the human embryos will die in the research.

The Hatch-Feinstein bill is not a partial solution or a middle ground. Rather, it is a step in the wrong direction. The Hatch-Feinstein bill would give a green light to the establishment of human embryo farms.

The ''clone and kill'' approach has already been emphatically rejected by the Bush Administration and by the House of Representatives (in 2001). Secretary of Health and

Human Services Tommy Thompson last year sent a letter to Senator Brownback warning that such a bill would face a presidential veto. Thompson wrote, ''The President does not believe that 'reproductive' and 'research cloning should be treated differently, given that they both require the creation, exploitation, and destruction of human embryos . . . the Administration could not support any measure that purported to ban 'reproductive' cloning while authorizing research cloning, and I would recommend to the President that he veto such a bill.'' (See www.nrlc.org/Killing__Embryos/ ThompsontoBrownback.pdf).

The Hatch-Feinstein bill would give federal law enforcement agencies responsibility for trying to enforce a ban on implanting a cloned embryo in a womb—an approach that the Justice Department in 2002 rejected as unworkable. The Department explained that once large numbers of cloned human embryos are created, there is no practical way to prevent some of them from being implanted in wombs, and no remedy to apply after that occurs. The testimony is posted here: www.nrlc,org/killing__embryos/Justice__Dept__on__cloning.pdf.

Misconception: The Hatch-Feinstein bill would ''ban human cloning'' or ''ban the cloning of human beings.''

Reality: The Hatch-Feinstein bill does not ban ''human cloning.'' It bans implanting a cloned human embryo ''into a uterus or the functional equivalent of a uterus'' (the latter term is not defined), an act to which criminal penalties are attached. It also attempts to impose a rule against allowing a cloned human embryo (a so-called ''unfertilized blastocyst'') to develop past 14 days of age (not counting time frozen). Violations of this ''14-day rule'' are subject to a civil fine of up to $250,000, and there is nothing in the bill to prevent the threat of such a fine from being applied even against a woman who carries an unborn cloned human in utero, perhaps in an attempt to compel her to procure an abortion.

It other words, the bill bans not ''human cloning,'' but the survival of human clones, which is a very different thing.

Any bill that permits cloning (somatic cell nuclear transfer) with human nuclei does not ''ban human cloning,'' because such a bill allows the cloning of embryos of the species Homo sapiens, and an embryo of the species Homo sapiens is human (just as the cloned embryo that was later born as Dolly the sheep, the first cloned mammal, was always a member of the species Ovis aries).

As to whether a cloned human embryo is to be regarded as a ''human being,'' we would think that journalists would want to avoid blatantly taking sides on that question. A statement that the Hatch-Feinstein bill ''bans the cloning of human beings'' is certainly taking sides on the issue, because it amounts to a declaration that a two-week-old embryo of the species Homo sapiens is not a ''human being.'' (if not, what species of being is it?)

It appears that President Bush is among those who recognize cloned human embryos as human beings: in his January 22 statement, the President said, ''I also urge the Congress to ban all human cloning. We must not create life to destroy life. Human beings are not research material to be used in a cruel and reckless experiment.'' [emphasis added]

The National Right to Life Committee believes that if a cloned human being is born, she should have the same status as other humans—but Senator Hatch and some others apparently are not so sure. In a press release dated February 5, 2002, Senator Hatch said, ''No doubt somewhere, some—such as the Raelians—are trying to make a name for themselves and are busy trying to apply the techniques that gave us Dolly the Sheep to human beings. Frankly, I am not sure that human being would even be the correct term for such an individual heretofore unknown in nature.''

As Slate.com columnist Will Saletan commented (''Killing Eve,'' December 31, 2002, http://slate.msn.com/id/2076199/), ''The first cloned baby—Eve or whoever comes after her—won't be fertilized. If fertilization is a prerequisite to humanity, as Hatch and Feinstein suggest, that baby will never be human. You can press the pillow over her face and walk away.'' (See also: www.nrlc.org/killing__embryos/ arecloneshuman.html).

Misconception: Those who favor cloning for research would never allow clones to develop past two weeks of age.

Reality: While the Hatch-Feinstein bill purports to establish a two-week ''deadline'' for killing human clones, there are substantial reasons to doubt that the biotechnology industry would support such a limitation in a bill it actually expected to become law. Already, some policymakers are opening the door to ''fetus farming'' with human clones.

For example, the New Jersey legislature appears close to giving final approval to a bill that would permit cloned humans to be grown through any stage of fetal development, even to birth, to obtain tissues for transplantation, as long as they are not kept alive past the ''newborn'' stage. (SB 1909, as amended) Four members of the President's Council on Bioethics wrote to Gov. James McGreevey to warn about the bill's radical implications. (See www.nationalreview.com/ document/document020303c.asp).

Last year, researchers reported harvesting tissue from cloned cows at six and eight weeks of fetal development, and from cloned mice at the newborn stage. Both studies were widely reported by the news media as breakthroughs for so-called ''therapeutic cloning.'' Indeed, so far these are the only two animal studies that have claimed to show ''therapeutic'' results from cloning.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of the rule and H.R. 534, the Weldon-Stupak Human Cloning Prohibition Act.

Mr. Speaker, it has been 2 years since we had the Raelian cult before my committee, the Committee on Energy and Commerce. We warned people back then it was not a question of if cloning would take place. It was a question of when. The Raelians have proven us right.

Whether or not they can actually clone a human is besides the point. The point is under current Federal law they can clone a human. We need to stop this manipulation of human life, and we need to stop it now. We cannot allow the Greenwood substitute that does allow the cloning of embryos, yet merely outlaws the implantation. We need to send the strongest possible message that cloning in any form is unacceptable.

The Weldon-Stupak bill is the only bill that does this. We cannot afford to treat the issue of human embryo cloning lightly, nor can we treat it without serious debate and deliberation.

The need for action is clear. Research firms, Advance Cell Technology of Massachusetts for one, have already begun cloning embryos for research purposes. Whatever your belief is, pro-life or pro-choice, the fact is embryos are either the building block of life or human life itself. We must ask ourselves what will our message be? What makes up human beings? What is the human spirit? What moves us? What separates us from animals? That is what is being debated here today.

What message will the United States Congress send? Will it be a cynical signal that human embryo cloning and destruction is okay, acceptable, even to be encouraged all in the name of science, or will it be a message urging caution and care? If we allow this research to go forward unchecked, what will be next? Allowing parents to choose what color hair and eyes their baby will have?

We need to consider all aspects of cloning and not just what the researchers tell us is good. Opposition to our bill has based its objections on arguments that we will stifle research, discourage free thinking, put science back in the dark ages. The Weldon-Stupak bill does nothing of the sort. It allows animal cloning. It allows tissue cloning. It allows current stem cell research being done on existing embryos. It allows DNA cloning. How is this stifling research? The fact is, there is no research being done on cloned human embryos, so how can we stifle it?

And do you know why there is no research being done? Because the scientists, the same ones that are coming to our offices, banging on our doors, begging to be allowed to experiment with human embryos, they do not even know how. They have experimented for years with cloned animal embryos with very limited success. These scientists who are pushing so hard to be allowed a free pass for research on what constitutes the very essence of what it is to be human do not know what goes wrong with cloned animal embryos. And the horror stories are too many to mention here of deformed mice and deformed sheep developing from cloned embryos.

A prominent researcher working for the bioresearch companies has admitted scientists do not know how or what happens in cloned embryos allowing these deformities. In fact, he calls the procedure when an egg reprograms DNA ''magic.''

Magic? That is hardly a comforting, hard-hitting scientific term, but it is accurate. It is magic. Opponents of the bill have said embryonic research is the Holy Grail of science and holds the key to untold medical wonders. I say to these opponents, show me your miracles. Show me the wondrous advances done on animal embryonic cloning. But these opponents cannot show me these advances because they do not exist.

Our ability to delve into the mysteries of life grows exponentially. All fields of science fuse to enhance our

ability to go where we have never gone before.

The question is simply: Just because we can do something, does that mean we should do it? What is a better path to take, one of haste and a rush to benefits that are at best years away into the future, entrusting cloned human embryos to scientists who do not know what they are doing with cloned animal embryos? Or is it one urging caution, urging a step back, further deliberation?

The human race is not open to experimentation at any level, even the molecular level. Has the 20th century not shown us of this folly?

Holy Grail? Magic? How about the human soul? Scientists and medical researchers cannot find it, cannot medically explain it, but writers write about it. Songwriters sing about it. We believe in it. From the depths of our souls we know we should ban human cloning. For the sake of our souls, let us reject the Greenwood substitute and support the Weldon-Stupak bill.

Mr. Speaker, I thank the gentleman for yielding me time.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

(Mr. TERRY asked and was given permission to revise and extend his remarks.)

Mr. TERRY. Mr. Speaker, I rise in strong support of the rule and the bill.

The consequence of allowing human cloning would be dire. Human embryos would be created for the sole purpose of being experimented on and killed. Cloned humans would likely have serious defects such as premature aging which may have led to premature death of Dolly, the cloned sheep. Women could be exploited through the buying and selling of their eggs for medical research, and children could be manufactured with specific genetic traits, making them commodities rather than precious gifts from God.

This bill would prevent those horrifying scenarios from reality. This legislation would ban reproductive cloning and research cloning, which both involve creation of human life.

As elected leaders, we have a responsibility to safeguard the future of humanity by placing clear, ethical limits on medical research. Our scientists should concentrate on promising avenues which raise no moral concerns such as adult stem cell research. Allowing human cloning would only devalue human life and permit women and children to be exploited.

Mr. Speaker, I urge my colleagues to vote in favor of the rule and H.R. 534.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for his leadership and his kindness for yielding me time.

Mr. Speaker, I have it right here in my hands, this legislation that we intend to pass today criminalizes physicians, hospitals, innocent patients, sick people all over the world who are in need of the relief from the intellect and the ability that our scientists have to provide hope over death, life over death, better health over no health at all.

Mr. Speaker, I think it is extremely important as we confront the amazing opportunities of science and technology, as we look to secure the homeland with advances in science and technology that we call today's legislation what it is: a condemnation, an outrage on the outstanding research and abilities of our research scientists and medical professionals.

Mr. Speaker, if this was legislation to ban human cloning, you would have a unanimous green light from the Members of this Congress. But now what we are saying to those who are working in the venues of research of life and hope, we are suggesting to them that they must be condemned.

Mr. Speaker, I have heard of no such thing as women selling their eggs being intimidated to do so, but I do know those who have Parkinson's disease and other diseases who are suffering and who have spinal injuries who are suffering now who want us to be able to do the kind of research that stem cell research allows.

Mr. Speaker, H.R. 534 does nothing but criminalize those individuals who are now in research labs, innocent bright and brilliant Americans who are trying to find hope for those who are ill. Particularly the stem cells that the President has allowed some 64 lines does not take into account the diversity and the different ethnic groups in this Nation, the diseases that afflict African Americans, Hispanic Americans, Jewish Americans, where research is needed on particular stem cell research.

The gentleman from New York (Mr. NADLER) and myself offered an amendment in the Committee on Rules, and I opposed this rule that would have provided specifically with the growing of those unique stem cells that would allow research on all Americans so that we could in fact provide the hope and life that is necessary. But yet the Committee on Rules decided in their wisdom to deny such an amendment, so we could not even debate it on the floor of the House.

It is very interesting to note that a recent Institute of Medicine study explains that, because the cells lines to researchers are limited, they do not represent the genetic diversity of the general population; nor do they represent the diversity of our population. Diseases that plague minority populations are almost certainly not represented in the 64 approved stem cells. On the uses of stem cells, the National Institutes of Health described the medical potential as enormous.

This legislation, Mr. Speaker, is to give a death sentence to millions and millions of Americans waiting by their bedsides hoping beyond hope. We realize that we have been able to give hope to the aging. We have been able to give hope to those who are suffering from diseases of which heretofore we could not even imagine a solution, that we could not have imagined some 50, 70, or 100 years ago to cure.

□ 1345

We know in the early ages of this, of the history of this Nation, that individuals did not live to see 45 or 50 years old. Now we are very gratified to know that our population, our mothers and fathers, our relatives, are living to 75 and 80 and 85 and 90 years old. What a joy for families across this Nation and around the world.

Mr. Speaker, would we take this legislation that we have today and to be able to void all of the wonderful research that generated an extended life so that people might enjoy their families and enjoy the wonderment of the world, the outstanding new discoveries every day? Now we want to criminalize our doctors, criminalize our hospitals, criminalize the sick, criminalize researchers with the passage of H.R. 534.

I oppose very much the legislation, the rule, and I do support the substitute.

The SPEAKER pro tempore (Mr. SWEENEY). The Chair would inform Members that the gentleman from Massachusetts (Mr. MCGOVERN) has 8 minutes remaining, and the gentlewoman from North Carolina (Mrs. MYRICK) has 18½ minutes remaining.

The gentlewoman from North Carolina (Mrs. MYRICK) is recognized.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I rise in strong support for this rule, and as a cosponsor and strong supporter of H.R. 534, and I urge my colleagues to vote against the substitute amendment.

As the President stated just a few weeks ago, ''Because no human life should be started or ended as the object of an experiment, I ask you to set a high standard for humanity, and pass a law against all human cloning.''

I am certainly very sympathetic to all those who suffer from incurable or chronic afflictions, and we are all committed to helping find cures. I understand the good intentions of those who advocate human cloning in the hope that research on these clones might yield cures for major illnesses. But for a variety of reasons, both technical and ethical, I believe it is wrong to pursue this approach.

On the technical level, the evidence suggests that cloned human embryos are not likely to yield cures for major illnesses. Hopes to the contrary are just not well founded and they provide false hopes for the afflicted.

Supporters of human cloning for research purposes have proposed limitations which they claim will prevent a cloned baby from being born, but they

would allow cloned embryos to develop indefinitely, as long as they are outside of a woman's womb. Where will this end?

The process of transferring a somatic cell nucleus into an enucleated egg produces a human embryo that has the potential to be implanted in utero and developed to term. In others words, the embryo produced for the purpose of therapeutic cloning, as some call it, is biologically indistinguishable from an embryo intended for reproduction. It is a human life, at a very early stage of development, of course, but entirely human nevertheless. Thus, creating cloned human embryos for research purposes means creating human life for the purpose of research and with the intent of destroying it.

This commodification and exploitation strikes me as a profound undermining of our society's sense of human dignity, and in doing so, it undermines our very humanity.

Again, I urge a vote in favor of the rule, against the substitute amendment, and in favor of H.R. 534.

Mr. MCGOVERN. Mr. Speaker, may I inquire from the gentlewoman from North Carolina (Mrs. MYRICK) how many more speakers she has.

Mrs. MYRICK. At this point, I only have two that are here. I have some others signed up, but they are not here yet. I only have two more.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, I think it is important to note that much of what has been said today in support of this bill has nothing to do with protecting the country from the ills outlined.

What is somatic cell nuclear transfer? A woman donates an egg, a patient donates a skin cell. Perhaps the nucleus is removed from the egg. The DNA from the skin cell is inserted into the egg. The egg is stimulated to divide into eight cells, and those are the stem cells.

What has been talked about in terms of embryo experimentation is certainly legal if this bill were to pass and instead of a skin cell there was a sperm that began that cell division, if we had in vitro fertilization, we could experiment all we wanted.

So I think where we are going with this proposal is apparently a plan to outlaw in vitro fertilization in the United States. I think we ought to be clear about that.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. AKIN).

(Mr. AKIN asked and was given permission to revise and extend his remarks.)

Mr. AKIN. Mr. Speaker, I, in earlier days in my life, used to go out to junkyards sometimes to find parts for my sports car, go out with some wrenches, and we would take off a transmission or an alternator or something like that. And of course, there is nothing wrong with finding spare parts in a junkyard.

But what we have before us in this debate is the serious possibility that if we do not direct science properly, that we could end up in some sort of a brave new world which none of us want to find ourselves in, a world in which parts of human beings are like parts in a junkyard. And that may sound a little bit like a science fiction novel or something like that, but the Human Cloning Prohibition Act of 2003 will ensure that human beings are not treated like old junk cars in some parking lot.

Therapeutic cloning pledges unique cures for hundreds of illnesses; yet, this is an empty promise. It has never produced a single cure in animal models nor has it produced any cures in human clinical trials. In fact, James Thompson, the scientist who discovered embryonic stem cells, said in reference to therapeutic cloning, ''The poor availability of human oocytes, the low efficiency of the nuclear transfer procedure and the long population-doubling time of human embryonic stem cells make it difficult to envision this becoming a routine clinical procedure.''

Opening the door to therapeutic cloning will only result in a slippery slope of unscrupulous science and unenforceable law.

On the other hand, adult stem cells have produced promising medical results. These stem cells do not require the cloning or destruction of human embryos and have been successful in many human applications without the growth of tumors, which is a key defect in the use of cloned embryos.

Last year, in fact, researchers at the University of Minnesota announced that they had made a discovery involving an adult human stem cell that has the potential to develop into many different types of cells in the human body. What that means is it now seems entirely possible and reasonable that cells from one of our own, our own body, can then be coaxed into replacement of organs or tissues that exactly match our own body that it was taken from.

Using adult stem cells, for example, a man named Dean Grimm of Charlotte, Iowa, regained his sight after having been blind due to a chemical accident in 1983. His physician implanted adult stem cells and also three new corneas. Now after being blind so many years he can see, and his sons say that since his dad has regained his sight, he and his siblings cannot get away with a lot of stuff.

A ban on therapeutic cloning will not restrict science, but it will deter the perversion of scientific research. I urge my colleagues to vote in favor of the rule for H.R. 534.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for his leadership, and I thank him for yielding me the time, and I rise in opposition to the rule and in opposition to the underlying bill, H.R. 534.

I am against human reproductive cloning, but I am concerned that the Weldon bill could exert a devastating impact on future life-saving research, and I fear that it will bring current research that offers great promise to cure a whole host of diseases to a grinding halt.

I represent a district that includes many premier medical research institutions. Top scientists have told me that therapeutic cloning could lead to cures and new treatments for cancer, heart disease, diabetes, Parkinson's, Alzheimer's, ALS, and other chronic or fatal illnesses, and they say that it could alleviate tremendous human suffering.

In a recent Newsweek article by Dr. Gerald Fischbach, Dean of the Faculty of Medicine at Columbia University Medical School and former head of NIH's National Institute of Neurological Disorders and Strokes, he wrote the following about this issue: ''A less obvious, but real, cost is the damage to the fabric of America's extraordinary culture of inquiry and technical development in biomedical research. If revolutionary new therapies are delayed or outlawed, we could be set back for years, if not decades.''

It is appropriate that policymakers scrutinize cutting-edge science. We must ensure that research is conducted in a legal and ethical manner, but the underlying bill goes too far.

A more appropriate approach is the Greenwood-Deutsch substitute, and that bill will allow potentially life-saving research to proceed while banning human reproductive cloning.

I know something about the suffering of millions of American families as their loved ones struggle against disease for which research cloning may one day offer a treatment or cure. My own father battled against Parkinson's until he passed away this year, and I cannot in good conscience tell those families that our society will benefit from an outright ban on this vital research.

I urge my colleagues to oppose H.R. 534 and to support the substitute.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise in strong and grateful support for the Human Cloning Prohibition Act and for the extraordinary efforts of my colleague, the gentleman from Florida (Mr. WELDON), in conceiving of and promoting this bill over the last several years.

I also urge opposition to the substitute, despite the fact that I know it is well intended, and my colleagues on the Committee on the Judiciary, with whom I serve, I know bring great passion and compassion to these issues.

I rise today, Mr. Speaker, not to demagogue an issue and not to vilify those who would differ with me but to offer a gentle but firm endorsement of a clean ban of human cloning in all of its permutations.

Like virtually everyone in this institution and everyone, as the previous speaker just said, opposed the idea of reproductive human cloning. We see it as deeply, morally offensive and objectionable, and so it is. But I would also offer, in a spirit of humility, Mr. Speaker, that even that which is called therapeutic cloning or the cloning only of nascent human life for the purpose of experimentation is also deeply, morally problematic and that we derive this from two basic principles from an understanding of the history of Western civilization.

That first principle is that which has distinguished Western civilization, with very few exceptions, has been our belief in the sanctity of human life, in the uniqueness and the preciousness of each and every individual human being. That has been something characteristic of Western civilization, and it has caused the laws of this Nation and the laws of every nation of Western civilization since its genesis 3,000 years ago to ever back slowly and respectfully away where human life is in question and where the depriving of human life is involved.

Against that backdrop, not only does history teach us to back away from the awesome power of human life, but it also teaches us not to trust government power; and, in fact, an undeniable truth of history has been that time and time again, each time government had the power to intrude itself on human life, that it abused that power and often trampled on human beings and classes of human beings and races of human beings.

It is against that spirit and against putting us on that slippery slope that I believe that the gentleman from Florida (Mr. WELDON) has the right prescription here, Mr. Speaker, and we should draw a strong line in the sand, a moral line that says, as we look at human life or even nascent human life, wherever one determines that life begins, that we would back slowly and humbly away, ban human cloning for all of its purposes, ban all development of human life for experimentation and destruction.

□ 1400

As the Good Book says, ''I set before you today life and blessings, death and destruction. Now choose life.'' And it is my hope and confidence we will do so today.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, last May, the Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on human cloning. The subcommittee was informed that research cloning of humans was unnecessary due to the exciting medical breakthroughs utilizing adult stem cells and other ethical avenues of research. We were told that scientists agree that cloning is dangerous and clones suffer from countless severe genetic disorders.

The Department of Justice informed us that it would be impossible to enforce a bill that allowed human cloning for the purpose of research and not reproduction. And we were warned by Dr. Zavos of Kentucky that unless a ban on human cloning was enacted, he and other rogue scientists would soon successfully clone humans.

Despite these warnings, researchers seeking to clone humans for research make hollow promises and offer false hope that such research will result in cures for numerous human ailments. The fact is human cloning is never necessary regardless of its intent, and better ethical research alternatives do exist.

Nearly every week, for example, new scientific breakthroughs utilizing adult stem cells are announced. Researchers report that they have grown an entire organ from adult stem cells. And just this week, scientists have announced that a type of cell found in blood can be turned into nearly any cell in the body.

These findings and others like them suggest that every one of us may carry our own ''repair kit'' that can be used to treat countless medical disorders and genetic diseases by allowing doctors to regrow organs and tissues from our own cells. And unlike destructive human cloning research that remains entirely speculative, adult stem cell therapies are already currently being used to treat a host of medical conditions.

There are no guarantees that allowing human cloning for research will produce cures or that cloned embryos will not be misused for other purposes. If we now permit the manufacturing of human embryos for human research, where do we draw the line? Do we only allow cloned embryos to grow for 5 days before they are destroyed in the process of extracting their stem cells? What about removing tissue from 5-week-old embryos? Should we consider harvesting the organs from 5-month-old fetuses? What will those who support destructive research claim is necessary next to advance science?

We must finally draw the line and stop the exploitation of all forms of human life. The science is clear. So is the moral issue. In my favorite movie, ''Rudy,'' a great scene has the priest telling Rudy there are two things in life he knows for sure, one is that there is a God, and, secondly, that he is not God.

Mr. Speaker, I would urge my colleagues to vote for the Weldon-Stupak bill.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Florida (Mr. WELDON), the author of this legislation.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I think this is a good, fair rule. It allows an honest debate of the issues. As many of my colleagues know, I am a physician. I still see patients once a month at the veterans clinic in my congressional district, and I practiced medicine for 15 years before I was elected to the House of Representatives. I took care of a lot of patients with paralysis, Parkinson's disease, diabetes, and Alzheimer's disease. I saw firsthand on a daily basis the hardship those people and their families went through.

Indeed, I wanted to share with all my colleagues that my father died of complications of diabetes disease. I had six uncles. When I was growing up as a kid, one of my favorite uncles was my Uncle John. He died of complications of Parkinson's disease. So if there were evidence to support the position being held by some people in this body and some people in the scientific community that there was great potential from therapeutic cloning, I would be the first to admit it. I would be the first person to acknowledge it. I could not deny it because it would be evident in the medical literature. But the fact of the matter is, the evidence is not there.

What we are debating today is the ethical parameters on the whole issue of regenerative medicine. For decades, doctors have had at their disposal surgical techniques to help people and make them well. They have had medications, drugs that they could use to make people well. And in the past 20 years, they have been making use of something called regenerative medicine using what is called stem cells. This bill, contrary to what some people say, does not ban stem cell research. It does not ban embryo stem cell research. It specifically bans the creation of cloned human embryos.

We voted on this very issue. We debated this issue on the floor of this House a year and a half ago. It was July of 2001. The progression of science is something that we need to include in this debate. I went through the medical literature just about the last 12 months; and I have about 88 studies showing adult stem cells in humans and that they have tremendous potential, that they are actually finding application in the treatment of 45 different diseases.

Mr. Speaker, I wish I could produce a study that shows that therapeutic cloning in humans has potential, but there is not even one study. Indeed, I wish I could introduce a study that shows that therapeutic cloning in animals has potential; but, likewise, there is not a single study even in animals. It has been tried in mice, and it has not worked. Therapeutic cloning has never been done.

We are debating here on the floor of the House therapeutic cloning as though therapeutic cloning exists, as though it is around the corner. Let us get realistic here. People are going to come to the floor, and they are going to suggest that we have to hold out therapeutic cloning because it is the only hope for these people. We are funding NIH $27 billion a year. We have thousands of researchers all over the Nation doing all kinds of research using all kinds of modalities, surgeries, therapies, medications; and this regenerative medicine issue is one little slice of what researchers are exploring to help these people with these conditions. We are essentially debating a subsegment of that. And some people will come down here and hold that up as though it is the only thing out there.

Let us get realistic. It has never been done. They tried it in mice, and it was published in ''Cell.'' For those who do not read the scientific literature, this is one of the most prestigious journals that cell biologists read. I will quote from the study. It says: ''Our results raise the provocative possibility that even genetically matched cells derived by therapeutic cloning may still face barriers to effective transplantation for some disorders.'' They tried therapeutic cloning in a mouse model of disease and it failed dismally. So not only can we not produce a study that shows that it works, we can produce studies that show that it does not work.

I think the time has arrived for us to do the right thing. This is a moral and ethical decision. We are talking about scientists creating human embryos for the purpose of exploiting them and destroying them, and there is no scientific evidence today that this is justifiable.

Mr. Speaker, I will include for the RECORD the studies I referred to above.

PARLIAMENTARY INQUIRY

Mr. MCGOVERN. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman will state his parliamentary inquiry.

Mr. MCGOVERN. Mr. Speaker, I wonder if the Chair can inform me how much it will cost the American taxpayer to reprint the several months of studies that have just been submitted for the RECORD?

The SPEAKER pro tempore. The Chair would inform the gentleman that that is not a parliamentary inquiry.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time. I very much want to rise and join my colleagues in opposition to this rule and to the underlying bill.

Mr. Speaker, why would Members of Congress want to turn doctors into criminals and treat medical researchers like outlaws? With all the grave issues facing America that continue to go unaddressed by this body, our broken health care system, a lack of education funding, fears of Social Security insolvency and a soaring economy, why are we spending time criminalizing promising medical research and threatening to send doctors to jail for 10 years?

This bill does not regulate the way that Federal funds are spent on medical research. It makes medical research or treatments using therapeutic cloning a Federal crime. The role of our government is to provide research achievements and to provide incubators for medical and scientific breakthroughs. It is not our job to criminalize good doctors or to force leaders in medical research to abandon promising techniques.

According to the National Institutes of Health, which advises us on a daily basis, therapeutic cloning could provide treatments for Parkinson's disease, chronic heart failure, in-stage kidney disease, liver failure, rheumatoid arthritis, osteoporosis, severe burns, spinal cord injuries, multiple sclerosis, Alzheimer's disease, diabetes, lupus, heart damage, cancer, paralyzed limbs, and Lou Gehrig's disease. There is even the hope this research could lead to entire transplantable organs.

Forty Nobel laureates, millions of patients, former First Lady Nancy Reagan, and former President Gerald Ford advocate human cloning. In fact, just last month, Mrs. Reagan wrote to Senator HATCH, the Chair of the Senate Committee on the Judiciary, supporting therapeutic cloning.

Despite the arrogant amendment that only this Committee on Rules would ever give to anyone, because it is the height of arrogance, this bill tells us that they want to ban cloning, therapeutic cloning, not just here but all over the world. My, what a reach we do have.

The promising research that we are trying to stop today will be driven overseas where therapeutic cloning is not only legal but is government funded. Other countries will become the world leaders in these treatments.

As a scientist, and I am, I am profoundly concerned about what I hear as very bad science on this floor. Sick Americans would not benefit from the American miracles if they occurred in another country because the legislation prohibits improving lifesaving medical technology if the treatment is developed by therapeutic cloning. If scientists overseas develop a cure for Parkinson's disease using stem cells from therapeutic cloning, suffering Americans would be banned by their government from taking advantage of that cure here in the United States. Imagine that. We want to criminalize almost everybody.

Once again, Mr. Speaker, the majority weakens this noble institution and the deliberative process. It is a shame and a blight on Congress that we would even bring a bill of this magnitude, affecting the life and health of millions of Americans, without this bill even going through the committee procedure.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise today in support of this rule and I urge its passage.

Mr. Speaker, we are doing the right thing here today. It is my belief, as an OB-GYN physician for over 28 years, with over 5,000 deliveries, that human cloning is not only morally wrong but it is also a very dangerous practice.

Human cloning for reproduction poses serious risks of producing children who are stillborn, severely malformed, or disabled. We can make this assertion because most cloned animals have demonstrated serious genetic defects. The most high-profile example, of course, is Dolly the sheep, with the premature aging situation.

□ 1415

With this knowledge, would we wish to create these hardships for even one child?

I also oppose cloning embryos for research because it is a very short bridge to implantation and, thus, reproductive cloning. If we allow human embryo farms for research, it will become impossible to enforce a ban on reproductive cloning.

Although I fully support this rule and H.R. 534, I do have concerns about the bill. The creation and destruction of human life is the most serious issue that we can face. Therefore, if it is unacceptable to participate in human cloning within the United States, then we should extend this ban and prohibit United States researchers from participating in human cloning outside of the United States as well. U.S. law when enacted is assumed not to apply to citizens when they are outside of the United States borders. In other words, there is an ''assumptive nonapplication.'' However, the courts have held when Congress acts to explicitly apply United States law to citizens acting outside of our borders, the justice system can prosecute these actions.

H.R. 534 is a good bill, but in the future we should seek to extend the ban to prohibit United States citizens from performing human cloning outside of our borders.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the cloning of a human being is wrong, and this body and the American public should not stand for it. But that is not what this debate is about. The Weldon bill is misguided, it is unnecessary, and it is just plain bad policy and it should be defeated. It is misguided because it will stifle and end research that will undoubtedly improve and save human lives. Should scientists have given up on finding a cure for polio merely because they had already developed the iron lung? Of course not. With all due respect to the

author of this legislation, there are other physicians, many, and there are scientists, many, who believe in the promise of therapeutic cloning. The National Academy of Sciences sees the value in therapeutic cloning. Forty Nobel laureates all support going forward with therapeutic cloning.

The Weldon bill is unnecessary because the Food and Drug Administration has already declared reproductive cloning illegal and subject to prosecution under current law. Dr. Kathryn Zoon, the director of the Center for Biologics Evaluation and Research at the FDA, wrote in a March 28, 2001, letter that, quote, clinical research using cloning technology to clone a human being may not proceed without an investigational new drug application and that, given unresolved safety questions, the FDA would not permit any such investigation to proceed.

The letter works. No individual and no group has tried to clone a human being in the United States for fear of prosecution by the FDA.

But having said that, if this bill were only about banning human cloning, I would be for it. I think it would pass almost unanimously, if not unanimously, in this House. But this bill goes much farther than that. The Weldon bill is bad policy because in my opinion it is cruel. Remember the words of Nancy Reagan. She wrote, there are so many diseases that can be cured or at least helped that we can't turn our back on this. We have lost so much time already. I can't bear to lose any more.

It is cruel to deny potential cures to people who suffer from Alzheimer's or Parkinson's disease. It is cruel to legislate that a cure for diabetes developed in Great Britain may not be used to cure diabetes in this country if therapeutic cloning were used to find a cure to that problem. But that is just what the Weldon bill does.

I would urge my colleagues to support the Greenwood-Deutsch substitute. If that fails, please defeat the Weldon bill.

Mr. Speaker, I include Dr. Zoon's letter for the RECORD.

The text of the letter is as follows:

DEPARTMENT OF HEALTH AND HUMAN SERVICES, PUBLIC HEALTH SERVICE, FOOD AND DRUG ADMINISTRATION,

Rockville, MD, March 28, 2001.

DEAR: The purpose of this letter is to remind your organization and its members that the Food and Drug Administration (FDA) has jurisdiction over clinical research using cloning technology to clone a human being, and to inform you of the FDA regulatory process that is required. You are receiving this letter because of a number of recent reports in the media describing the use of cloning technology to clone human beings. As described more fully below, the appropriate mechanism to pursue such clinical investigation using cloning technology is the submission of an investigational new drug application (IND) to FDA's Center for Biologics Evaluation and Research (CBER). Please inform the members of your organization of the information provided below.

Clinical research using cloning technology to clone a human being is subject to FDA regulation under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act. Under these statutes and FDA's implementing regulations, before such research may begin, the sponsor of the research is required to: submit to FDA an IND describing the proposed research plan; obtain authorization from a properly constituted institutional review board (IRB); and obtain a commitment from the investigators to obtain informed consent from all human subjects of the research. Such research may proceed only when an IND is in effect. Since the FDA believes that there are major unresolved safety questions pertaining to the use of cloning technology to clone a human being, until those questions are appropriately addressed in an IND, FDA would not permit any such investigation to proceed.

FDA may prohibit a sponsor from conducting a study proposed in an IND application (often referred to as placing the study on ''clinical hold'') for a variety of reasons. If the Agency finds that ''human subjects are or would be exposed to an unreasonable and significant risk of illness or injury,'' that would be sufficient reason to put a study on clinical hold. Other reasons listed in the regulations include ''the IND does not contain sufficient information required to assess the risks to subjects of the proposed studies,'' or ''the clinical investigators are not qualified by reason of their scientific training and experience to conduct the investigation.''

The procedures and requirements governing the use of investigational new drugs, including those for the submission and review of INDs, are set forth in Title 21 of the Code of Federal Regulations (CFR), Part 312. Additional responsibilities of the sponsor of an IND include: selecting qualified investigators and overseeing the conduct of the investigators; ensuring that the investigations are performed in accordance with the protocols of the IND; submitting adverse experience reports and annual reports; and other duties as outlined in the regulations. The responsibilities of an investigator include: ensuring that the study is conducted in accordance with the protocols; obtaining informed consent from study participants; and ensuring that an IRB that complies with the requirements of 21 CFR Part 56 reviews and approves the proposed clinical study and the informed consent form and procedures for obtaining informed consent, among other requirements specified in the regulations.

Clinical investigators are encouraged to obtain a copy of the current ''Information Sheets for IRBs and Clinical Investigators'' (which contains useful information regarding clinical investigations) from CBER's Manufacturers Assistance and Technical Training Branch at 1–800–835–4709. This document is also available at http://www.fda.gov/oc/oha/irb/toc.html.

Additional information on how to submit an IND can be found on CBER's website at: http://www.fda/gov/cber/ind/ind.htm. Copies of the relevant sections of 21 CFR, including Parts 50 (Protection of Human Subjects), 56 (Institutional Review Boards), and 312 (Investigational New Drug Application) can be found at: http://www.gpo.gov/nara/cfr. Information on ways to communicate with CBER is available for you or members of the association at: http://www.fda.gov/cber/pubinquire.htm.

We encourage your members to meet with the Agency prior to submitting any IND application. Such a meeting would be arranged through the Office of Therapeutics Research and Review of FDA's Center for Biologics Evaluation and Research.

Sincerely yours,

KATHRYN C. ZOON,
Director,
Center for Biologics Evaluation and Research.

Mr. Speaker, I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mrs. MYRICK). Pursuant to House Resolution 105 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 534.

□ 1420

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 534) to amend title 18, United States Code, to prohibit human cloning, with Mr. SWEENEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. LOFGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 534, the Human Cloning Prohibition Act of 2003. This bill criminalizes the act of cloning humans, importing cloned humans and importing products derived from cloned humans. It is what is needed, and it is what President Bush has asked for, a comprehensive ban against cloning people. It has bipartisan cosponsorship and was reported favorably by the Committee on the Judiciary on February 12.

Today we are considering more than the moral and ethical issues raised by human cloning. This vote is about providing moral leadership for a watching world. We have the largest and most powerful research community on the face of the earth and we devote more money to research and development than any other nation in the world. Although many other nations have already taken steps to ban human cloning, the world is waiting for the United States to set the moral tone against this experimentation.

Currently in the United States there are no clear rules or regulations over privately funded human cloning. Although the FDA has announced it has the authority to regulate human cloning through the Public Health Service Act and the Food, Drug and

Cosmetic Act, this authority is unclear and has not been tested. The fact of the matter is that the FDA cannot stop human cloning, it can only begin to regulate it. This will be a day late and a dollar short for a clone that is used for research, harvesting organs, or born grotesquely deformed.

In November 2001, researchers at Advanced Cell Technology in Worcester, Massachusetts announced that they had cloned the first human embryo. Others have indicated that they are prepared to utilize existing technology to clone a human baby. On December 26, 2002, Clonaid announced the birth of the first cloned human baby. Although the Clonaid announcement appears to have been a hoax, there are a growing number of individuals who claim that they can and will clone a human being. In light of these announcements, it has become imperative that the Congress act immediately to prevent the cloning of human embryos from continuing.

Others argue that cloned humans are the key that will unlock the door to medical achievements in the 21st century. Nothing could be further from the truth. These miraculous achievements may be found through stem cell research but not from cloning. Let me be perfectly clear. H.R. 534 does not in any way impede or prohibit stem cell research that does not require cloned human embryos. This debate is whether or not it should be legal in the United States to clone human beings. Nothing more and nothing less.

While H.R. 534 does not prohibit the use of cloning techniques to produce molecules, tissues, organs, plants, DNA cells other than human embryos, and animals other than humans, it does prohibit the creation of cloned embryos. This is absolutely necessary to prevent human cloning because, as we all know, embryos become people. If scientists were permitted to clone embryos, they would eventually be stockpiled and mass marketed. In addition, it would be impossible to enforce a ban on human reproductive cloning. Let me repeat that. It would be impossible to enforce a ban on human reproductive cloning because once a cloned human embryo is implanted into a woman's uterus, it can grow and become a baby. Therefore, any legislative attempt to ban human cloning must include embryos.

Should human cloning ever prove successful, its potential applications and expected demands would undoubtedly and ultimately lead to a worldwide mass market for human clones. Human clones would be used for medical experimentation, leading to human exploitation under the good name of medicine. Parents would want the best genes for their children, creating a market for human designer genes. Again, governments would have to weigh in and decide questions such as what rights do human clones hold, who is responsible for them, who will ensure their health, and what interaction will clones have with their genealogical parent.

As most people know, Dolly the sheep was cloned in 1996. Since that time, scientists from around the globe have experimentally cloned a number of monkeys, mice, cows, goats, lambs, bulls and pigs. It took 277 attempts to clone Dolly; 276 failures before success. These later experiments also produced a very low rate of success, a dismal 3 percent. Now some of the same scientists would like to add people, human beings, to this experimental list. As it turns out, Dolly the sheep was also a failure. It just took 6 years to realize it. On February 14, Dolly the sheep was euthanized as a result of complications linked to what some geneticists are speculating were signs of premature aging.

Human cloning is both ethically and morally offensive. It diminishes the careful balance of humanity that nature has installed in each of us. I believe we need to send a clear and distinct message to the watching world that America will not permit human cloning and that it does not support scientific research into cloning human embryos. This bill sends this message, by permitting cloning research on human DNA molecules, cells, tissues, organs, or animals but preventing the creation of cloned human embryos.

Mr. Chairman, I urge all Members to unequivocally say no to human cloning by supporting H.R. 534. Stop human cloning and preserve the integrity of mankind and allow legitimate scientific research to continue.

Mr. Chairman, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I, like the authors of H.R. 534, believe that we should outlaw human cloning. If we wanted to pass a bill that only prohibits human cloning, it would sail through Congress on a voice vote. But this bill goes too far. It halts the progress of medical research by banning somatic cell nuclear transfer for research and medical treatments. This research has promise for diseases like Alzheimer's, Parkinson's, diabetes and others. This bill criminalizes a scientific research process that takes place in a petri dish, regardless of the intent of the researcher or the inability of this process to result in the birth of a cloned child. The penalty for violating these provisions includes sanctions of a criminal fine and/or imprisonment for up to 10 years and a civil penalty of at least $1 million. This would represent an unprecedented intrusion of the criminal law into the scientific process.

I think the science teachers of America may be pretty appalled at what they hear and see on this floor today. I think much that has been said and will be said reflects a profound ignorance about the science, about the current role of the FDA in their regulatory practices, but also Americans need to ask themselves why the proponents of this bill want to ban this research, and I think the answer is simple: They want to impose their religious beliefs on the entire country.

□ 1430

This country reflects the diverse religious beliefs found all over the world. Some, like the authors of this bill, believe that all cloning is wrong. Others believe that research cloning should be allowed. These are all legitimate views, but I think it is wrong to use the political power of one group to criminalize the beliefs of another.

To better understand the real issue involved in this debate, it is important to understand what research cloning is. Somatic cell nuclear transfer has six steps: a woman donates an egg; a patient donates a somatic cell, like a skin cell; the nucleus is removed from the egg; the nucleus from the patient's skin cell is inserted into the egg; the egg is then stimulated to induce it to divide; the egg begins to divide, creating stem cells that are identical to the patient's own cells.

So we are talking about the creation of cells in a petri dish, not bringing a child into this world. That is why research cloning is supported by some of the most ardent pro-life conservatives like Senator ORRIN HATCH and former Senator Connie Mack, who said, ''Anyone who would ban research on embryonic stem cells will be responsible for harm done to real live postnatal sentient beings who might be helped by this research.''

Why is this process important? Scientists believe that these stem cells are less likely to be rejected after transplant since they have the same genetic properties as the recipient. They could also help scientists learn why diseases occur. They also have important advantages over adult stem cells which cannot develop into as many cell types and which cannot be generated in the same quantities in the lab. That is why this bill is opposed by almost every organization representing patients and researchers, including Juvenile Diabetes Research Foundation, the Cancer Research and Prevention Foundation, the Biotechnology Industry Association, the Society for Women's Health Research, the Coalition for the Advancement of Medical Research, and the Alliance for Aging Research.

I have heard the words that we are going down a ''slippery slope'' used by the proponents of this bill, but in fact the slippery slope is that being suggested by those who call six cells in a petri dish the equivalent of me or my mother. If it is murder to use somatic cell transfer and to create six cells for research purposes, then it must also be mass murder to have in vitro fertilization and discard the cells that are not later utilized by the couple using IVF. So the slippery slope is to eliminate in vitro fertilization in this country.

This debate really boils down to one question: Should an embryonic stem cell with no central nervous system, no chance of developing into a fetus have the same rights as a child suffering

from juvenile diabetes? I do not think so. I urge you not to rob sick Americans of their hope for a cure.

Mr. Chairman, I reserve the balance of my time.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair reminds the Members that it is not in order to cite the views of sitting Senators.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER), our chairman, for yielding me this time.

Mr. Chairman, the manufacture of cloned human beings alarms an overwhelming majority of Americans. The theoretical discussion surrounding the cloning of humans has raised profound ethical and legal issues. Currently, no clear regulations exist in the United States that would prevent a private group from attempting to create a human clone. H.R. 534 would prevent experimental procedures that the National Bioethics Advisory Commission, the NBAC, called scientifically and ethically objectionable. The NBAC unanimously concluded that given the state of science, ''any attempt to create a child using somatic cell nuclear transfer, whether in the public or private sector, is uncertain in its outcome, is unacceptably dangerous to the fetus and, therefore, morally unacceptable.'' In fact, virtually every widely known and respected organization that has taken a position on reproductive human cloning flatly opposes the notion because of the extreme ethical and moral concerns.

Cloning of human beings carries massive risks of producing unhealthy, abnormal, malformed children. The only way to prevent this from happening is to adopt the restrictions on human cloning set forth in H.R. 534. As Professor Bradley of the Notre Dame School of Law testified last Congress, ''The only effective way to prohibit human reproductive cloning is to prohibit all human cloning.'' Any other approach would allow for stockpiles of cloned human embryos to be produced, bought, and sold without restrictions. Implantation of cloned embryos, a relatively simple procedure, would inevitably occur. Attempts to enforce a cloning ban would prove virtually impossible to monitor. The last time Congress dealt with the issue of human cloning, an editorial in the Washington Post stated: ''It is unnecessary to be against abortion rights or to believe human life literally begins at conception to be deeply alarmed by the notion of scientists purposely causing conceptions in a context entirely divorced from even the potential of reproduction.'' The editorial went on to characterize the creation of embryos solely for research as unconscionable.

It is important to note that research currently being done using adult stem cells, which I support, is showing great progress. I believe this relatively new area of research, Mr. Chairman, deserves appropriate funding and necessary scientific resources to discover its complete potential. To divert resources from this promising research to controversial procedures, such as therapeutic cloning, may inadvertently push an effective cure farther out of reach.

I urge my colleagues to support H.R. 534, Mr. Chairman.

Ms. LOFGREN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. NADLER), my colleague on the Committee on the Judiciary.

Mr. NADLER. Mr. Chairman, I rise in opposition to this dangerous and ill considered legislation. Rather than protecting the sanctity of human life, this legislation will needlessly sentence untold generations of innocent human beings to premature death and lifetimes of suffering. There is no disagreement that it is immoral to use cloning to create human beings and that that ought to be prohibited. The evidence from research involving cloned animals is that such efforts can result in severe deformities, premature aging and death. It is wrong to willfully inflict this kind of suffering on people and it should not be permitted. If this bill prohibited only that kind of activity, we would have no disagreement and no debate.

It is precisely because we abhor the suffering that would result from using cloning techniques for human reproduction that it is also clearly immoral to criminalize using so-called therapeutic cloning, which scientists call somatic cell nuclear transfer, for medical research and medical treatment. The fruits of this research promise cures for Parkinson's disease, chronic heart disease, rheumatoid arthritis, spinal cord injuries, Alzheimer's disease, Huntington's disease, brain damage, lupus, combined immunodeficiency, Tay-Sachs, and sickle cell disease, to name just a few.

We will hear that we must make criminal the creation of human life in order to destroy that human life to produce stem cells. But that assumes that a one-celled organism or a several-celled embryo is a human being. If it is, then therapeutic cloning is immoral. If a several-celled embryo is not a human being, then therapeutic cloning is not only not immoral but is profoundly moral, as it will be used to save and prolong human lives.

So what is this bill really about? It would write into our criminal law a particular religious view that holds that a few cells in a petri dish are moral equivalents to a fully developed human being or in fact a human being, and that no benefit to those suffering and dying from terrible diseases would justify such research, would justify the destruction of a several-celled embryo.

People are certainly entitled to their religious beliefs, but they are not entitled to inflict suffering on the sick and death on the ill and enforce the imposition of their religious beliefs on others using $1 million fines and 10-year prison sentences. In fact, there are many other religious perspectives that disagree with the religious perspective that is the only justification for this bill.

As the Union of Orthodox Jewish Congregations and the Rabbinical Council of America put it in a letter to President Bush: ''The potential to save and heal human lives is an integral part of valuing human life from the traditional Jewish perspective. Moreover, our rabbinic authorities inform us that an isolated fertilized egg does not enjoy the full status of personhood and its attendant protections. Thus, if embryonic stem cell research can help us preserve and heal humans with greater success and does not require or encourage the destruction of life in the process, it ought to be pursued.'' This opinion comes from a religious community that does not favor legalized abortion, which should put to rest the view that this is a debate about abortion. It is not. It is rather a debate about whether anyone should be allowed to use our criminal laws to impose their particular religious view on the vast majority of Americans who may not share that moral or religious outlook.

Muslim groups, Mormons, some mainline Protestant denominations including the United Church of Christ and the Presbyterian Church (USA) support stem cell research. It is wrong to cause so much suffering in the name of protecting the sanctity of human life. It is especially wrong to use the criminal code to impose that narrowly held view on the innocent and the vulnerable. It is said that therapeutic cloning has nothing to do with the therapeutic use of stem cells, but it may very well be that only embryonic stem cells produced by therapeutic cloning can overcome the body's immune defenses in order to be able to cure a disease; and the same people who oppose therapeutic cloning oppose the use of embryonic stem cells for the same reason: their religious view that the several-celled embryo from which the embryonic stem cells are derived is a human being. They are entitled to their belief. They are not entitled to impose that religious belief on the entire country at the cost of who-knows-how-many lives.

It is said that allowing therapeutic cloning will inevitably lead to reproductive cloning, but research and medical practice can be regulated and can be policed. We have heard today that this is a moral question. Yes, in part. It is immoral to prohibit medical research and treatment that can save lives. It is immoral to make it criminal, as this bill would do, to import a cancer vaccine from a foreign country if that vaccine was produced through therapeutic cloning in a foreign country. And it is immorally arrogant, immorally arrogant to think that only one religious view is valid or moral and that one has the right to use political

power to impose that religious view on the rest of the American people who may hold different religious views. That is what this bill would do. That is why this is an immoral bill unless amended to apply only to reproductive cloning.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 30 seconds. As I recall, when Moses came down from the mountain, he had 10 commandments with him. One of them said thou shalt not murder and the other said thou shalt not steal, and I do not think anybody in their right mind would say that criminal laws saying that murder and theft are criminal in nature is imposing religious views on anybody. They are both wrong; they are both criminal.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

(Mr. CHABOT asked and was given permission to revise and extend his remarks.)

Mr. CHABOT. Mr. Chairman, I rise in strong support of the Human Cloning Prohibition Act. This legislation would ban any use of cloning to create human embryos. In contrast, agreeing with the Greenwood substitute would permit, indeed would encourage the creation of any number of human embryos by cloning for the purpose of harvesting their parts. The substitute even leaves open the door, as artificial womb technology advances, to growing cloned humans to later stages of fetal development for the harvesting of their tissues and organs as has already been done with cloned cows and mice.

As we seek to improve human life, we must always preserve human dignity, and therefore we must preclude human cloning by stopping it before it starts. Creating, killing, and harvesting one human being in the service of others raises significant ethical and moral concerns. As a society, are we willing to endorse a policy that allows the creation of human life so that it can then be destroyed? Cloning is a dangerous assault on human life. It is an affront to human dignity. It is not a policy that should be supported by the United States Congress.

I urge my colleagues to support H.R. 534 and oppose the Greenwood amendment.

I include for the RECORD this letter from the National Right to Life group.

NATIONAL RIGHT TO LIFE LETTER,
February 21, 2003.

Re Greenwood embryo-farms substitute amendment vs. Weldon-Stupak Human Cloning Prohibition Act.

DEAR MEMBER OF CONGRESS: On Thursday, February 27, the House of Representatives will choose between the Human Cloning Prohibition Act (H.R. 534), authored by Congressmen Weldon and Stupak, and a radically different—indeed, antihetical—substitute amendment to be offered by Congressman Greenwood. The National Right to Life Committee (NRLC) supports H.R. 534. Because enactment of the Greenwood policy would be a giant step in the pro-cloning direction—it would give the green light to what President Bush called human ''embryo farms''—NRLC strongly urges you to vote ''no'' on the Greenwood Substitute. The roll call on the Greenwood Substitute will be included as a key vote in the NRLC congressional scorecard for 2003.

The Weldon-Stupak bill (H.R. 534), which NRLC supports, would ban any use of cloning to create human embryos. In contrast, the Greenwood Substitute would permit (indeed, would encourage) the creation of any number of human embryos by cloning for the purpose of harvesting their parts. The substitute even leaves open the door—as artificial womb technology advances—to growing cloned humans to later stages of fetal development for the harvesting of their tissues and organs, as has already been done with cloned cows and mice.

Supporters of the Greenwood Substitute assert that it would ''ban reproductive cloning,'' but this claim is highly misleading, because the Greenwood Substitute does not restrict the actual act of human cloning—the use of somatic cell nuclear transfer (SCNT) to create human embryos. Rather, the Greenwood Substitute would seek to impede the initiation of a pregnancy. Thus, the Greenwood Substitute bans not human cloning but the survival of human clones, which is a very different matter.

When Mr. Greenwood originally offered his pro-embryo-farming substitute during consideration of the Weldon-Stupak bill in 2001, Dr. Charles Krauthammer wrote a powerful column, ''A Nightmare of a Bill,'' pointing out its radical implications: www.nrlc.org/Killing__Embryos/Krauthammer%20on%20Greenwood%20Amendment.pdf

On July 31, 2001, the House rejected the Greenwood Substitute (roll call No. 302), before approving the Weldon-Stupak bill by a margin of 265–162 (roll call No. 304).

When language similar to the Greenwood Substitute was proposed in the Senate, the Bush Administration made it clear that any such clone-and-kill legislation would face a veto. (See the letter from HHS Secretary Tommy Thompson's to Senator Sam Brownback, here: http://www.nrlc.org/killing__embryos/ThompsontoBrownback.pdf)

Moreover, the Justice Department submitted testimony explaining that once countless human embryos are created by cloning, there would be no practical way to enforce the prohibition on transferring such embryos into wombs. The testimony is here: http://www.nrcl.org/killing__embryos/Justice__Dept__on__cloning.pdf.

We would add that in our view, there also would be no ethical way to enforce such a prohibition, which would amount to a federal law requiring the death of a class of members of the species Homo sapiens.

On January 22, President Bush said, ''I also urge the Congress to ban all human cloning. We must not create life to destroy life. Human beings are not research material to be used in a cruel and reckless experiment.'' In his January 28 State of the Union address, the President's call to act before what he has aptly called human ''embryo farms'' open for business in the United States.

Some supporters of the Greenwood Substitute claim that it would allow only ''research on unfertilized eggs,'' and that cloning does not really create a human embryo. But this is nonsense. Authorities as diverse as President Clinton's bioethics panel, NIH, and research that somatic cell nuclear transfer (SCNT) with human genetic material will create human embryos—until recently, when they decided to try to hide the embryo for political purposes. (Here are some quotes from various pro-cloning and neutral authorities:http://www.nrlc.org/killing__embryos/factsheetembryo.html)

The Weldon-Stupak bill does not place any restrictions on research on human ''eggs,'' unfertilized or otherwise. As any middle school biology student knows any dictionary will confirm, a human ''egg'' (ovum) is a gamete cell, possessing only 23 chromosomes. While an egg cell is produced by the female, the egg cell itself has no sex. But once one has a complete nucleus that is activated (whether through sexual fertilization somatic cell nuclear transfer), then one had a developing embryo, not an ''egg cell.'' There is no such thing as a five-day-old or two-week-old ''egg'' that is developing, has 46 chromosomes, and may as easily be male or female. That describes only a human embryo. As for the claim that the Greenwood Substitute would only permit research on ''unfertilized'' embryos, this is just another word trick aimed at the gullible. Of course human embryos produced by cloning will be ''unfertilized,'' because that is what cloning is—asexual reproduction, reproduction, without fertilization by sperm. Every cloned animal in the world was ''unfertilized'' from the one-celled embryo stage, and every one of them will be ''unfertilized'' on the day they die. And if a member of the species Homo sapiens is created by cloning, is implanted in a womb, is born, and lives to be 25 years old, she will still be ''unfertilized.'' But she will be human.

Some supporters of the Greenwood Substitute claim that the Welden-Stupak bill DNA. This is false. The Weldon-Stupak bill (at Section 2, (d)) explicitly allows the use of cloning techniques to produce cells, tissues, or organs, whenever this can be done without first creating a human embryo.

Moreover, the Weldon-Stupak bill does not speak to the separate issue of the use of frozen human embryos, created through in vitro fertilization, for medical research on stem cells or for any other research purposes. The restrictions of the Weldon-Stupak bill apply only to: (1) the use of the somatic cell nuclear transfer (SCNT) cloning technique, to produce (2) a human embryo.

Despite the efforts of some to confuse the cloning debate with the separate issue of stem cell research, even Mr. Greenwood conceded, during the 2001 debate, ''The gentleman from Florida (Mr. WELDON) did not bring a bill to the floor to ban embryonic stem cell research.''

A more detailed critique of the misleading claims that some are making on behalf of the Greenwood Substitute and the similar Hatch-Feinstein bill (S. 303) is posted here: http://www.nrlc.org/killing—embryos/cloningbackrounder021003.html

In conclusion, NRLC strongly urges that you oppose the Greenwood Substitute, and support without amendment the Weldon-Stupak Human Cloning Prohibition Act (H.R. 534). Thank you for your consideration of NRLC's perspective on this critical issue.

Sincerely,

DOUGLAS JOHNSON,
Legislative Director,
National Right to Life Committee.

Ms. LOFGREN. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. NADLER).

□ 1445

Mr. NADLER. Mr. Chairman, if one is quoting from Moses, one might note that in the same five books of Moses that contain the Ten Commandments there is a passage that says if a man smites a woman and she die, he shall surely die, and if he smites her and her fetus dies, she shall pay monetary compensation, showing at least the Biblical view that a fetus at some stage of development is not a person and not subject to being murdered.

The heart of this debate is whether you are creating a human being when you are creating an embryo.

Ms. LOFGREN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from California (Mr. WAXMAN), a Member of the Committee on Energy and Commerce.

Mr. WAXMAN. Mr. Chairman, 104 years ago today, on February 27, 1899, the man who would make one of the most important discoveries in modern medicine was born in the town of West Pembroke, Maine. His name was Charles H. Best, and he would help identify insulin, the treatment that has saved the lives of millions of diabetics around the world. Let us not celebrate Dr. Best's birthday today by voting to block scientific research that aims to cure diabetes in our lifetime.

The bill before the House is called the Human Cloning Prohibition Act of 2003. This legislation could also be named the Impede Stem Cell Research Act of 2003. This proposal would bar the creation of some of the stem cells that our Nation's top scientists believe could help cure many devastating diseases.

The National Institutes of Health, for example, has found that stem cells can be coaxed into producing insulin, offering a possible cure for diabetes. According to the NIH, stem cells may also help restore lost function to people who are paralyzed and may strengthen the heart muscles of people who have had severe heart attacks.

There are several ways to make stem cells. One of the most promising ways uses a patient's own DNA via a process called therapeutic cloning. The National Academy of Sciences has found that this approach offers great potential to obtain stem cells to treat many diseases, including Alzheimer's, cancer, autoimmune disorders, rheumatoid arthritis. Countries around the world, including the United Kingdom, have not only found this research to be promising, but are planning to invest in it.

Not the United States. In the summer of 2001, President Bush told the American people that he would permit Federal funding of research on 64 existing stem cell lines. Today, the NIH says that just 9 are actually available to researchers. President Bush's decision did not strike a fair balance. To the contrary, it has starved promising research to satisfy an ideological agenda.

The legislation before us would actually criminalize stem cell research based on therapeutic cloning. Does it make any sense to lock up scientists who are seeking cures for diseases? Not even a majority of President Bush's handpicked Ethics Advisory Committee reached the conclusion that the creation of stem cells through therapeutic cloning is unethical. Yet this bill would treat scientists trying to save lives as if they were drug dealers.

There is a far better alternative. We will have before us a substitute amendment. It would outlaw cloning of human embryos for the purpose of producing a child. That issue is not in dispute. But the substitute would not also stop promising microscopic stem cell research. This substitute strikes a balance that respects both the sanctity of life and the needs of the living. A similar balance was struck recently in California law passed to encourage life-saving research using stem cells.

I urge my colleagues to remember Dr. Best's birthday today. Insulin transformed medicine over the past century. We should give scientists the tools and room to make new miracles in the next one.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I would first like to thank the chairman for yielding me time and for his hard work on this bill.

Mr. Chairman, as a cosponsor of the bill before us, I am pleased to see the House quickly acting on this important bill. Today we are taking an important step in affirming the uniqueness and dignity of every human being.

Human cloning represents the first footstep into a dark wilderness from which we may never emerge. University of Chicago Professor Leon Kass, who is also the chairman of the President's Council on Bioethics, has written that human cloning would be a fateful step toward ''making man himself simply another one of the man-made things. Human nature becomes merely the last part of nature to succumb to the technological project which turns all of nature into raw material at human disposal.''

The last century and a half is blood-soaked with examples of what happens when men are subjugated to the will of other men. In our vain quest for immortality, will we simply regard cloned babies as meaningless blobs of cells and tissue mass that we can dispose of without any burden to our conscience?

For those who say we should create embryos for medical research, my own father suffers from Parkinson's disease. While I recognize the agony of so many Americans with devastating illnesses and injuries, we must search for ways to ease their suffering without destroying human life. We must promote methods of scientific research that increase our quality of life without forsaking the value of human life in its most vulnerable form.

Cloning diminishes human reproduction from a loving act between two parents to a cold exercise of producing parentless children. Life is a gift. It is not ours to manufacture to our predetermined criteria. I shudder to think of the consequences of turning the creation into the creator.

If we allow human cloning to proceed as a mainstream scientific endeavor, we may soon find out what C.S. Lewis meant when he observed, ''Man's conquest of nature would result in the abolition of man.''

Ms. LOFGREN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would note before yielding to my colleague from California a letter received from the Senior Pastor of the Riverside Baptist Church and the Legislative Director of the United Church of Christ, where it is said, ''While it is imperative that we as a Nation and as a people of faith proceed with caution, it is also important that we do what we can to alleviate the suffering of others. We believe that to ban this potentially life-saving research would be a mistake.''

I think it is important that we recognize the diversity of religious viewpoints on when life begins and not impose just one viewpoint on the country.

Mr. Chairman, I include for the RECORD the letter referred to.

FEBRUARY 26, 2003.

Hon. JAMES GREENWOOD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN GREENWOOD: As members of the religious community, we would like to commend you for your leadership on stem cell research. Your recognition of the great promise of stem cell research and your support for legislation that allows therapeutic cloning offer great hope for those suffering from juvenile diabetes, Alzheimer's disease, Parkinson's disease, spinal cord injuries, and other ailments.

This is a difficult issue for all of us, and we understand the complex decision you face in considering any legislation that involves human cloning. While it is imperative that we as a nation and as people of faith proceed with great caution, it is also important to do what we can to alleviate the suffering of others. Therefore, we believe that to ban this potentially life-saving research would be a mistake.

Like most, we are opposed to the practice of reproductive human cloning. A ban on this practice would be both welcome and appropriate. Therapeutic cloning, however, requires careful review. We are pleased that you considered this issue in its entirety and took into account the countless individuals who could be saved and whose pain could be alleviated by this medical research. We have a duty to do what we can to help our fellow man, and you have demonstrated your commitment to doing so through your leadership on this issue.

Sincerely,

RABBI HERSHEL BILLET,
President, Rabbinical Council of America, New York, NY.
REV. DR. JOAN BROWN CAMPBELL,
Director of Religion, Chautauqua Institution, Chautauqua, NY.
REV. DR. MICHAEL BLEDSOE,
Senior Pastor, Riverside Baptist Church, Adjunct Professor, Howard University School of Divinity, Washington, DC.
REV. DR. PAT CONOVER,
Legislative Director, United Church of Christ, Justice and Witness Ministries, Washington, DC.
REV. DR. CHARLES S. MILLIGAN,

Ordained Minister, United Church of Christ, Professor Emeritus, Iliff School of Theology, Theologian in Residence, Washington Park UCC Church, Denver, CO.

REV. DR. GEORGE F. REGAS,
Rector Emeritus, All Saints Church, Pasadena, CA.

REV. DR. J. PHILIP WOGAMAN,
Former Senior Minister, Foundry United Methodist Church, Washington, DC.

Mr. Chairman, I am delighted to yield 3 minutes to the gentlewoman from California (Ms. ESHOO), a distinguished member of the Committee on Energy and Commerce.

Ms. ESHOO. Mr. Chairman, I thank my distinguished colleague for yielding me time.

Mr. Chairman, I want to use these 3 minutes to talk about the science that the substitute, H.R. 801, preserves, and exactly what somatic cell nuclear transfer is.

The American people are tuned in today and they are listening to this discussion and they deserve to get some facts.

First, a woman donates an egg cell and a patient donates a skin cell. The nucleus is removed from the woman's egg cell and in its place the nucleus from the patient's skin cell is inserted. The egg is then stimulated to induce it to divide. Once the egg divides, it begins creating stem cells that are identical to the patient's own cells.

This is regenerative medicine, it is not fertilization. Children are created by the fertilization of an egg cell by sperm, not by chemical stimulation.

Stem cell research is research on the most fundamental part of the human system, cells that can become any other type of cell in the body. Because of their ability to develop into liver cells, pancreatic cells, spinal cells, any kind of cell, stem cells are critical to researchers who are trying to cure a whole host of diseases.

What researchers are focusing on today is how these stem cells become other types of cells. There are some types of protein or chemicals that stimulate stem cells to become spinal cells. Scientists just do not know what proteins or chemicals they are.

Somatic cell nuclear transfer or therapeutic cloning is an important part of this process because scientists are still learning how to use the cell from inside the patient's cheek to turn it back into a stem cell, and then reprogram it to become a liver cell that revitalizes the liver damaged by cancer. That is what this discussion is about today.

There are two proposals. They both outlaw human cloning. It is unethical. It is wrong. We all agree to that. But only one bill preserves science and research to accomplish what I just outlined.

So I urge my colleagues to protect the research. Do not criminalize scientists. That would be wrong in our great Nation. We can preserve and protect the sanctity of what we want to protect, to outlaw human cloning, but we should move ahead and be the America that we have always been, to embrace research, to embrace innovation and to help those who are suffering in our country today.

Mr. Chairman, I urge my colleagues to support the substitute and to oppose the underlying bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 90 seconds.

Mr. Chairman, what we just heard seems to indicate that the material we are talking about is ''just an egg.'' I would like to quote from Dr. John Gerhart, who is on the other side of this issue, he comes from Johns Hopkins University, at a press conference that was held yesterday by the gentleman from Pennsylvania (Mr. GREENWOOD) and the supporters of his amendment.

Dr. Gerhart said, ''I contend it is an embryo. I don't think anybody is saying that it is just an egg.''

This follows along with what President Clinton's National Bioethics Advisory Commission stated in June of 1997. The executive summary says, ''The Commission begins its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo, with the apparent potential to be implanted in utero and developed to term.''

Mr. Chairman, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Chairman, I rise in support of H.R. 534, the Human Cloning Prohibition Act.

People agree that cloning humans is wrong. The recent scare that we all went through regarding an organization called Clonaid brought revulsion to everyone who heard the story that there may have been a cloned embryo implanted into a woman and there may be a child as a result. People across the globe were upset by this possibility.

The only way for us to avoid this possibility is to completely ban cloning. Once that clone is created, how do we control what is done with that embryo? The only effective means to prevent having a cloned human is to ban cloning.

As for the claims we have heard today as for the need for this process to cure disease, there is no evidence that therapeutic cloning has produced a single cure. Not only has it failed in animal research, it has failed also in human research.

Scientific ethics requires that we draw a line. We draw a line in research every day as far as science goes. The fear that we could tread in territory that would create a cloned human being is enough to prevent us from allowing cloning at all.

We need to maintain these ethical principles that guide scientific research and inquiries. Frankly, the costs are too high to our society if we do not do it. We have heard the statistic before that between 95 and 98 percent of cloning in animals fails. This could translate into countless children who would be products of cloning who would be born with serious birth defects, debilitating diseases, and shortened, terrible lives.

Mr. Chairman, the only solution is to support this bill as it is and to reject the alternative. H.R. 534 is the only way to prevent such horrible ideas.

Ms. LOFGREN. Mr. Chairman, I am happy to yield 3 minutes to the distinguished gentleman from North Carolina (Mr. WATT), my colleague on the Committee on the Judiciary.

Mr. WATT. Mr. Chairman, I thank the gentlewoman for yielding time.

Mr. Chairman, I do serve on the Committee on the Judiciary and confess that I have talked to a number of my colleagues, not a single one of which has said to me that they believe in human cloning. I think if there were a bill on the floor that prohibited human cloning, it would pass 435 to 0.

□ 1500

To me, it is somewhat distressing that this bill has been postured in much the same political context as the abortion debate around the question of when life begins and in a way that would make it impossible to do any kind of cloning, even for research or therapeutic research purposes. And I think the thing that is so distressing about that is that every single one of us knows someone who needs the benefit of science to come up with a therapy, a treatment that could prevent or stop the progress of a distressing disease; and most of the promise is in the area that this bill would prohibit.

So I just want to appeal to those people who would like to make this a political issue, a debate about when life begins, that I think different religions have different beliefs about that, and different individuals have different beliefs about that. The thing that I hope we all agree on is that when research advancements, therapeutic or otherwise, can make it possible for people to live their lives with higher quality and for longer periods of time, or to keep them from dying, we ought to allow that kind of research to progress and not get into a political debate that serves somebody's political purpose.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. WELDON), the author of the bill.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to commend him for his leadership on this very, very important and critical issue.

As I mentioned in the debate on the rule, the science on so-called therapeutic cloning is going nowhere, so

why do all of these scientists say that they want to allow embryo cloning? Why do all of these biotechnology companies say they want to allow embryo cloning, even though the chairman of Geron, Thomas Okarma, is quoted on the issue of therapeutic cloning, and he is quoted as saying, ''The odds favoring success are vanishingly small, and the costs are daunting. It would take thousands of human eggs on an assembly line to produce a custom therapy for a single person.''

He goes on to say, ''This process is a nonstarter.''

So if this therapeutic cloning is such a nonstarter as Okarma says, why do the people in the biotech industries, why do all of these scientists say we have to allow this, we have to make this legal? What is the rationale behind all of this?

I will tell my colleagues what they want to do. They want to create human models of disease. Research scientists today in America, if they want to do research on Parkinson's, Alzheimer's, diabetes, they buy mice and they buy rats that have been engineered to manifest that disease, and what they want to do is they want to create human beings that are engineered to manifest these diseases.

Now, can we imagine that? They want to have shelves with diseases on them filled with human embryos and sell them for a profit to research labs, and that is where we are going with this issue.

Some people get up and ridicule this concept of a slippery slope, but that is exactly what we are on. Because I will tell my colleagues what is next. The artificial womb technology is there. It is available to us today. One can take these embryos and put them in these baths and one can grow them well beyond the embryonic stage, and that will be the next thing we will be debating and talking about in this Chamber if the positions held by some people who want to allow embryo cloning are allowed to move forward.

These are the same exact arguments that occurred in this House on fetal tissue research 10 years ago; and people got up and claimed, we have to allow this, it is the great potential of the future. It turned out to be an absolute bust. It was a disaster. It went absolutely nowhere. Therapeutic cloning is going nowhere. It has been a year and a half since we originally debated this issue. I placed a mountain of evidence before this body here showing that the adult stem cells are working out great, the embryo stem cells are going nowhere, the cloned stem cells are going absolutely nowhere. So why are we still here? Why are we debating this issue? It is because there are people who want to create human models of disease that they can sell for a profit. It is an abomination.

Vote for this bill. Vote against the substitute.

Ms. LOFGREN. Mr. Chairman, I am very honored to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a distinguished scientist and Member of this House.

Mr. HOLT. Mr. Chairman, as a scientist, I must say extreme conviction seems to be crowding out understanding here today. I would like to cut through the scientific rhetoric of this biomedical research technique and discuss the real progress in this area. But in the limited time available, let me draw the choice as sharply as possible.

Down one road we see potential therapeutic cloning to help cure diseases from Parkinson's to Alzheimer's; down the other road we see unprecedented criminalization of scientific research.

Now, therapeutic cloning is not some far-out technique conducted on the fringe of the scientific community. These researchers are not crazed Dr. Frankensteins. They are people like our neighbors, highly ethical who are working hard to save lives, to relieve suffering, to improve the quality of life. Let us not make them criminals.

Now, to draw the distinction here, particularly referring to my colleague's reference to a slippery slope, in vitro fertilization has been hailed as a miracle of modern science allowing millions of American couples to conceive. However, by necessity of the in vitro fertilization procedure, some human embryos are created that will not be given the chance to develop into babies. Are we to say here today that we want to outlaw in vitro fertilization? IVF is not only accepted, it is enthusiastically embraced. It is a God send for millions of families. Yes, millions of families. Therapeutic cloning is no more ethically objectionable than IVF.

Now, I asked the proponents of this bill, do you question the ethics of the parents of those million Americans alive today through the miracle of IVF? They may, but let us not command their beliefs to become law.

The majority of my constituents, the majority of Americans, all scientific researchers I know, agree that human reproductive cloning would be unsafe, unethical, and should not be allowed. The Greenwood substitute is every bit as effective as H.R. 534 in keeping scientists from creating genetic duplicates of people. Regardless of which bill is passed today, millions of human embryos will be created.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Chairman, today I rise in support of H.R. 534, the Human Cloning Prohibition Act, a bill to ban all types of human cloning.

I believe human cloning is ethically and morally wrong. It is an unjust experiment whereby human beings are created and destroyed solely for the purpose of research. Human beings cannot be treated as material used for scientific research, and the cloning of human babies turns the natural procreation process into the simple manufacturing of human beings.

It has been determined that human cloning is entirely unsafe to practice on human beings. Most scientists agree that human cloning poses a serious risk of producing children who are stillborn, unhealthy, severely malformed, or disabled.

The fact is, in animal cloning trials, 95 to 98 percent of all cloning attempts have ended in failure, and almost all successfully cloned animals have genetic abnormalities. In fact, Dolly, the infamous cloned sheep, died this past Valentine's Day of a lung disease she acquired before she was even born, and lived only half of the normal life expectancy for a sheep. Why would we even consider for a moment that cloning is safe for humans?

I agree with President Bush when he stated no human life should be started or ended as an object of an experiment.

When debating this issue, we must ask the ethical question: Are we created in God's image, or are we created in our own? Today, this House has a unique opportunity to shut the door on this invasive procedure to women and an affront to humanity. I urge my colleagues to vote in favor of the Weldon bill, to set a precedent for morality and the sanctity of humanity.

Ms. LOFGREN. Mr. Chairman, I am honored to yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND), a leader of the New Democrats and someone who has distinguished himself on the issue of medical research.

Mr. KIND. Mr. Chairman, I thank the gentlewoman from California for the leadership that she has shown on this issue as well.

Mr. Chairman, let us be clear again yet today. This is not a fight about banning human cloning. We all agree cloning for purposes of creating another human being is wrong and it should be prohibited.

Instead, what we are arguing about is allowing scientific research to continue that can lead to cures for Alzheimer's, Parkinson's, diabetes, spinal cord injuries. Unfortunately, H.R. 534's approach would take a Howitzer after a house fly.

What about bone marrow transplants? What about in vitro fertilization? If we logically extend the argument for H.R. 534, that is next.

Some of the most advanced and exciting stem cell research in the world is occurring at the University of Wisconsin. I have had the opportunity over a few occasions to visit their research department; and while the research they are doing there itself is exciting, what is most impressive is how much in tandem the researchers of the science and the ethics department work.

What most people do not realize on this subject is that therapeutic stem cell research is already a heavily regulated industry. The FDA has strict requirements on what they can and cannot do.

But my main point is this: we need to do this if for no other reason than to provide leadership for the rest of the world. I am more comfortable knowing that our country, our researchers, our FDA is providing oversight and guidance on this discovery which could lead almost anywhere. Lets make sure that with our leadership, the discoveries will be used for the betterment of human kind rather than for nefarious purposes.

Mr. Chairman, I urge passage of the substitute and rejection of H.R. 534.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, I rise today to support H.R. 534 and speak against the substitute. I believe that combining a somatic nucleus with a donor cell is inherently dangerous. It is inhumane to create a life form that is vulnerable to a host of disabilities and genetic malformations.

As a doctor, I find it very difficult to support a reckless procedure whose scientific merits are unsound, at best. Even more pernicious are the implications that this substitute amendment would have for humanity. So-called therapeutic cloning is virtually identical to reproductive cloning.

Human cloning for reproduction will result in high failure rates. What do those words mean, a high failure rate? They mean that children will be produced that are stillborn, malformed, and disabled.

The proponents of this substitute would make us think that stem cell research would be entirely restricted. As a scientist, successful alternatives such as adult stem cell research and umbilical cord stem cell research have already been used successfully in human trials. We must prohibit both human somatic nuclear transfer and research cloning.

The country is looking for us for leadership on this very important issue. Anything short of a complete prohibition is unacceptable. I urge my colleagues to vote against the substitute and for H.R. 534.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has led efforts to promote science in this regard.

□ 1515

Ms. SCHAKOWSKY. Mr. Chairman, I rise today in opposition to H.R. 534 and in support of the Greenwood-Deutsch substitute. H.R. 534 squashes the hopes of parents and their families who wake up every day hoping cures to the ailments for which they suffer will have been found.

I speak for Teresa, a mom from my district who urged me to support ongoing somatic cell nuclear transfer research. She told me about her 13-year-old son, Andrew, with type I diabetes who has to check his blood sugar level and inject himself with insulin repeatedly throughout the day and night. ''Even with the most vigilant care, he is bound to suffer traumatic complications from this horrible disease. No child should have to deal with a condition like this.''

I speak for my dear friend, Bonnie Wilson, and her daughter, Jennifer, who also lives every day with juvenile diabetes.

Fortunately, doctors are learning more every day about how to treat and eventually cure diseases such as diabetes, Parkinson's, Alzheimer's, using somatic cell nuclear transfer. Yet, H.R. 534 aims to take away these research opportunities, and in the end, take hope from Teresa and Andrew, Bonnie and Jennifer.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. BAKER).

Mr. BAKER. Mr. Chairman, I wish to address some comments made earlier in the debate where a vote for this bill was characterized as eliminating the only hope for the suffering and the dying. I just hope that that is an insensitive representation, and not based on a true understanding of the issue.

By voting for this bill, Members are not casting themselves as scientific Luddites nor moral zealots; they are merely saying there are alternatives that are existent in the current scientific community that are relevant to developing the cures and promises that have been held out by that of embryonic research but not yet fulfilled.

Much of the limitations on embryonic research's success has come from the results of cellular meiosis. When the cell has divided, those genetic defaults it would sometimes trigger that were developed to terminate are artificially preserved, thereby limiting the effectiveness of the embryonic cell line, which has been touted as the only hope for medical survivability.

Other than that, placental embryonic and cord blood research has moved far beyond clinical research, and in fact now there is a corporation within my own district that is in the process of marketing products. For example, a corneal implant used after surgery produced from stem cells, put over the surgical incision, does not have to be removed because it is incorporated into the body. Stem cells from placental research inserted after a myocardial infarction has provided 100 percent recovery of heart function. The list goes on and on and on.

By voting for this bill, Members are not religious zealots, not scientific Luddites, but they are merely saying that the issue of cloning is entirely different from stem cell research. There are avenues highly successful, highly provable, and I can take anyone who cares to see it to Baton Rouge, Louisiana, and walk through the halls of this facility where this research has moved beyond where human suffering has been responded to and addressed, and offers the hope and promise that all of us seek with the passage of this bill.

Ms. LOFGREN. Mr. Chairman, I am happy to yield 1½ minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, today we live in an age of exploding technological advances. Many of these new technologies offer the potential to improve the lives of people in the United States and around the world.

But, Mr. Chairman, some of this new technology also has the potential to do great harm to our people and to our environment. All too often, these dangers are magnified because the owners of technology are primarily interested in how much money they can make, rather than the betterment of society.

We have seen this in the area of genetically modified organisms that are finding their way into our food supply in the U.S. The legislation we are considering today concerns an even more important issue; namely, the cloning of human life itself. While I support stem cell research, the cloning of a human being for any purpose raises the deepest and most profound ethical and moral questions: questions about the sanctity or the uniqueness of each human person; questions about the evil of eugenics and genetic engineering in humans; and, equally important, questions about the ownership and use of cloned humans by an unregulated corporate biotechnology industry motivated almost exclusively by their quest for venture capital, short-term profits, and higher stock prices.

The speed with which human cloning technology has developed thus far has far outpaced our abilities as a society to wrestle with these questions.

Mr. Chairman, technology should not drive ethics and morality in this country and on this planet; ethics and morality should frame the acceptable limits of our use of technology. That is why I strongly support H.R. 534, which would ban all human cloning.

Ms. LOFGREN. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Texas (Mr. GREEN), a member of the Committee on Commerce.

Mr. GREEN of Texas. Mr. Chairman, I thank my colleague, the gentlewoman from California, for yielding time to me.

Mr. Chairman, there are few decisions more difficult than the one we are making today. If it were simply a debate about human cloning, I doubt that we would have one vote for it. I think the vote would be 435 to zero.

I think we are all troubled by the recent media reports by the Raelians about attempting to clone a human being. Human cloning is a horrifying practice that should be banned, and people like the Raelians should be stopped.

But this legislation is more than human cloning. There is an exciting field of research known as therapeutic cloning that can potentially cure diseases and conditions such as diabetes,

Parkinson's disease, spinal cord injuries, organ failure, Alzheimer's, and other life-threatening illnesses. Who of us has not had a constituent or family member touched by one of these illnesses so that we would be willing to do whatever research possible to end their suffering?

We have heard amazing testimony from scientific experts who have made a compelling case for therapeutic cloning. They tell me that individuals currently receiving organ transplants may endure toxic immunosuppressive drugs in order to stay alive; but by cloning tissues and organs, nerve cells and other cells, we can provide a genetic duplicate that the body would not reject. If this technology is developed, we could cure any disease that involves the damage or deterioration of tissues and cells. There are very few diseases that do not fall in this category. This is the most promising approach for millions of Americans whose suffering could end if therapeutic cloning is allowed. That is why I support the Greenwood substitute.

Many oppose cloning because they believe it is not allowed in their religious beliefs. The Greenwood substitute prohibits human cloning but it allows for our God-given intelligence to make our world a healthier and safer and less painful place.

As Christians, I hope that is our mission and our prayer, to eliminate human suffering. That is why I hope my colleagues will join me in supporting the Greenwood substitute and give hope to these individuals.

Ms. LOFGREN. Mr. Chairman, I yield myself my final 30 seconds.

Mr. Chairman, I urge a no vote on this bill. We have taken a consensus and we all agree that human cloning should be outlawed and warped it into a vehicle to impose one religious viewpoint on the scientists of this country. Not only is this wrong, but it will force scientists to flee our shores, will bring down the veil of ignorance to our country, and will remove us as having the leading scientific edge in the world for this biotechnology research.

I urge all Members to vote no.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin (Mr. SENSENBRENNER) is recognized for 2½ minutes.

Mr. SENSENBRENNER. Mr. Chairman, during this general debate we have heard from the opponents of this legislation that scientific research would come to a screeching halt if a ban on cloning of human embryos is enacted. There would be no more stem cell research, there would be no in vitro fertilization, and on and on and on.

Nothing could be further from the truth. The bill itself in section 302(d) says, and I quote, ''Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.''

What this section says is that all of this type of scientific research that is going on now will be able to continue as long as cloned human embryos are not used. That is a big difference. If a scientist wants to create human embryos and peddle them around the world and around this country to make a profit, that will be prohibited. But if a scientist wants to do scientific research, including stem cell research, on material other than cloned human embryos, which include adult stem cells, then that will be able to continue to proceed.

This bill draws a line, a very reasonable line, between science and ethics. That reasonable line is whether a cloned human embryo is used. Should a cloned human embryo be created and used, yes, this bill criminalizes it, as it should; but if the research uses any other material besides cloned human embryos, the criminal penalties of this bill do not apply, and that research will be able to proceed.

I would hope that the Members of this House will listen to the fine points of this debate and ignore allegations that have been made that are not contained in the bill, and pass it.

Mr. COOPER. Mr. Chairman, I, like most Americans, am strongly opposed to human cloning. It is wrong to try to duplicate human beings. But it is important, as we ban human cloning, that we do not prevent legitimate scientific research into life-saving therapies that can mean so much to human life. All of us have friends who suffer from Alzheimer's, diabetes, stroke, Parkinson's, heart disease, liver failure, end-stage renal disease, rheumatoid arthritis, osteoporosis, burns, multiple sclerosis, brain damage, Lou Gehrig's disease and lupus. Americans who suffer from these diseases should not be told that Congress has stopped the search for a cure for their diseases, and that they will have to move to another country to have any hope.

One of the great achievements of Congress in the last several years has been to boost NIH funding to accelerate the discovery of cures for many of these dread diseases. It would be a mistake to put NIH and other leading research institutions in a legal straightjacket that prevented legitimate research.

Unfortunately, although the Weldon bill commendably bans human cloning, it also cripples scientific research into potentially-life saving therapies. That is why I am supporting the Greenwood bill, which bans human cloning without harming other scientific research. The Greenwood bill actually has tougher punishments for those who violate its provisions than the Weldon bill does.

There is considerable confusion surrounding this debate. I have been listening to many people with differing points of view, and read many articles concerning the bills. One particularly touching conversation was with a father whose own son has Type I diabetes, and whose opposition to the human cloning and any related technology is so strong that he is willing to forego research that could even save his own son's life. For Middle Tennesseans, the debate is more confused because Senator BILL FRIST, M.D., has surprised the scientific community by supporting the Weldon bill. It is interesting to note, however, that Vanderbilt University, the institution where Dr. FRIST worked before entering politics, opposes the Weldon bill and supported the Greenwood bill. The head of Princeton University, where Dr. FRIST received his training in pre-medical studies, also opposes the Weldon bill and supports the Greenwood bill.

Having studied this issue closely, I think that the Greenwood bill hits the target of banning human cloning, without harmful side-effects. In past congressional debates, such as over research on DNA, Congress was tempted to pass an overly broad ban, but, fortunately resisted such temptation. Congress has another such opportunity today: to pass legislation that achieves the objective of banning human cloning, with out harming the health care of our people.

Finally, it was unfair to the Republican majority to require a vote on this bill without having held any committee hearings or received any testimony on it in this Congress. While it was considered in the previous Congress, there are many new members who do not have the benefit of those hearings, and even older member lack of updated information that is available from the scientific community. It is a serious mistake for Congress to rush complex legislation through without any hearings and with minimal debate, especially when it could have such a profound impact on the health of the American people.

Mr. ETHERIDGE. Mr. Chairman, I rise today in opposition to H.R. 534, and in support of the Greenwood substitute.

Two years have passed since the House last considered this complex issue. And in that time, scientists and physicians around the world have made incredible strides in their efforts to understand and cure diseases like Alzheimers, diabetes, and cancer. The work our scientists are doing is truly remarkable and it holds the potential to alleviate human suffering around the globe. Today, we are considering a bill, which will leave our sickest patients hopeless at the expense of politics.

I oppose reproductive human cloning because it is morally wrong. But, H.R. 534 goes too far. The Weldon bill would stop all research initiatives that rely on somatic nuclear cell transfers, just as we are realizing to enormous benefits of this biomedical research. The Greenwood substitute, in contrast, bans reproductive cloning while allowing this critical research to continue.

As a representative of the Research Triangle Region of North Carolina, I understand the importance of the research our scientists are conducting. It has the potential to save the lives of hundreds of thousands of people who suffer from a number of debilitating diseases.

The implications of passing H.R. 534 reach far beyond the highly emotional and contentious debate of whether or not the creation of an embryo to be used in medical research constitutes human life. This bill criminalizes medical research that might be the only chance for a cure for many terrible diseases. While the promise of this biomedical research remains years away from being perfected and utilized, the Greenwood substitute allows us to hold on to the hope that we may one day find

a cure for leukemia, heart disease, Parkinson's, spinal cord injuries, and a host of other illnesses.

I urge my colleagues to oppose H.R. 534 and vote for the Greenwood substitute.

Mr. MANZULLO. Mr. Chairman, I rise today in support of H.R. 534, the Human Cloning Prohibition Act of 2003. Human cloning is accomplished by a technique called ''somatic cell nuclear transfer.'' One takes the nucleus from a body (somatic) cell and transfers it into a female egg which has its nuclear material removed. Using an electric current or chemical stimulus, the cloned embryo beings to divide as does a fertilized embryo. Thus, the product of human cloning would be a human embryo, regardless of how the embryo will be used.

Mr. Chairman, I am opposed to human cloning for a variety of reasons. When animals are cloned, 95–98 percent of the attempts end in failure, and those that are successful have genetic abnormalities. Most scientists will agree that human cloning poses a serious risk of producing children who are stillborn, unhealthy, severely malformed or disabled. Many opponents of this bill think the cloned embryos will produce stem cells that can be used to cure a variety of ailments. However, there are no models in animal cloning in which scientists derived stem cells to cure the animals. The prospect of creating clinical treatments from stem cells derived from cloned embryos is completely speculative.

The attempt to perfect human cloning despite the high risks of injury would constitute a violation of the fundamental principle of all human research: DO NO HARM. To proceed on the basis that the eventual benefits may outweigh the probable harms to woman and child is akin to the Nazi experiments at Nuremberg. Efforts to create human beings by cloning shift human reproduction into a manufacturing process in which children are made in laboratories to preordained specifications and in multiple copies.

Human cloning also poses a significant risk to women's health. In order to create human embryos, great quantities of women's eggs will be needed. To obtain eggs, women will be injected with supervulatory drugs and then will undergo an invasive procedure. The risks of this procedure are just starting to be documented. The side effects from these injections are known to be abdominal pain and nausea, in three to five percent of cases of hyperstimulation of the ovaries occurs, causing severe abdominal pain, and on rare occasions surgery is required which may leave the woman infertile.

Women of lower economic means are particular targets for exploitation. Women may be paid to donate their eggs for failed human cloning experiments. But it will not just be a few women who will be needed. In order to generate enough cloned embryos to carry out research on the scale that is envisioned, thousands of eggs will need to be solicited from numerous women. Just to treat 16 million Parkinson's patients, it is estimated that a minimum of 800 million human eggs would be needed from a minimum of 80 million of childbearing age.

I strongly support the development of cell and tissue-based therapies based on research involving the tissue based on research involving the cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans. Already, these scientific methods have enabled researchers to develop innovative drugs to treat diseases such as breast cancer, and aid in treatment techniques for injuries, such as cloning skin cells for skin grafts. The bill I support restricts the use of cloning technology only on human embryos.

Mr. Chairman, I believe that human life at every stage of biological development is deserving of respect and protection, regardless of the circumstances under which that human life was created. That is why I am supporting H.R. 534 and will oppose Mr. Greenwood's substitute amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to speak on H.R. 534. This legislation involves an important public policy matter and what many would call cutting edge scientific issue: human cloning.

We have not held hearings in which we discussed the ethics of cloning and legislation proposals to impose federal control on the cloning process. Yet, today we will vote on the Human Cloning Prohibition Act of 2003, H.R. 534.

We all recognize that cloning is a fascinating and promising issue but is certainly an area that needs to be fully explored. We must carefully balance society's need for life-saving scientific research against numerous moral, ethical, social and scientific issues. Reproductive cloning is almost universally opposed in Congress and the majority of Americans are not comfortable with the prospect of a human clone.

In our rush to ban reproductive cloning, there are some in Congress who want to close the door on this new research technology, which may provide critical medical advances. And, one of these innovative areas is the promise of stem cell research. Stem cell research has the potential to cure some of the most painful and deadly diseases afflicting our population.

H.R. 534 would make it next to impossible to use stem cell lines to research diseases which are more prevalent in people of particular racial or ethnic groups, for example, diseases such as sickle cell which afflict African-Americans, thalassemia which disproportionately affects Asian-Americans, or Tay-Sachs which is prevalent in the Jewish population.

After Congress considered this issue in the 107th Congress, President Bush issued an order limiting stem cell research to the approximately seventy stem cell lines existing as of August 9, 2001. A recent Institute of Medicine study explained that because the cell lines available to researchers are limited, they do not represent the genetic diversity of the general population nor do they represent the diversity of our population.

Diseases that plague minority populations are almost certainly not represented in the 64 approved stem cell lines. On the uses of stem cells, the National Institutes of Health described their medical potential as enormous.

The legislation before us is so sweeping that it would not only ban reproductive cloning but all uses of nuclear transfer—also known as therapeutic cloning—for research or medical treatment.

H.R. 534 goes beyond banning reproductive cloning to banning research in somatic cell nuclear transfer. The result is that the bill would cut off scientific developments that are granting hope to millions of Americans who have been told there is no cure for their diseases.

I would note that the legislation's supporters would have us believe that H.R. 534 has nothing to do with stem cell research and would not disrupt scientific advances being made in this important and much-discussed area. I disagree with this argument.

I strongly believe that we should provide an exemption for embryonic cloning for the purpose of creating a genetically diverse stem cell line.

Mr. BLUMENAUER. Mr. Chairman, cloning for the purpose of reproduction is wrong, and I am confident my colleagues agree. I am supporting a proposal, offered as an amendment to H.R. 534, which clearly outlaws human reproductive cloning while not closing the door on future advancements in scientific research which have the potential to find cures for degenerative and life threatening diseases. This research is critical to advancing therapies and cures for diseases such as Parkinson's, Alzheimer's and diabetes, as well as conditions resulting from spinal and head injuries.

Most egregious, the underlying bill will halt important research on cures for these diseases, which kill over 3,000 Americans each year. The bill goes so far as to even bar the importation of overseas medical treatments developed using cell cloning techniques. Just because this type of scientific research does not fit the ultra-conservative views of some members of this body is no reason to withhold potentially life-saving treatments from millions of Americans suffering from debilitating and life threatening diseases. These citizens and their families deserve better.

This bill is a misplaced application of religious doctrine, imposing a narrowly held view of science and law on America. We can and should provide guidelines that prevent reckless experimentation on the development of humans and prohibit cloning for purposes of human reproduction, but Congress should not overreach in this area.

Ms. CORRINE BROWN of Florida. Mr. Chairman, if I had been present, I would have voted no on final passage and yes on the Democratic substitute. I needed to return to my district earlier than planned because of an urgent matter and because of the weather emergency.

I believe that this measure is simply going too far since it bans all human cloning. This would lead to a terrible stifling of important scientific research that could potentially have been conducted to save the lives of countless human beings who suffer from degenerative and life-threatening illness.

The bill is so extensive that it would not only ban reproductive cloning but also therapeutic cloning for research or medical treatment. Moreover, it would impede research that is designed to help those who suffer from a variety of disease such as Alzheimer's, diabetes, Parkinson's and spinal cord injuries.

The bill would make it nearly impossible for our country to benefit from ongoing stem-cell research. Many people I have spoken with that are informed on this subject argue that the technology banned by this bill is vital to any breakthrough in the use of these ''master'' stem cells. Enactment of this legislation would stop stem cell research in its tracks and deny Americans the benefit of research that the National Institutes of Health has described as having ''enormous'' medical potential in the treatment of any number of life-threatening diseases and conditions.

Additonally, I believe that those who oppose stem cell research on ethical grounds are simply misunderstanding the issue. Currently, there are tens of thousands of frozen embryos already in fertility clinics around the nation, which, if not used for research, will merely be destroyed. These are cells that are not yet specialized to perform a specific task, but can take on the character of virtually any cell in the body. Numerous studies demonstrate that these cells may be capable of repairing what goes wrong with other cells, and therefore hold the cure to many horrible diseases and conditions that attack the human body on the cellular level.

In my view, not to take advantage of this research by yielding to the excessive influence of our country's powerful conservative activists would be a terrible mistake. I also do not believe that an all out ban on human cloning needs to include a ban on nuclear transfer research. The former brings a new child into the world; the latter is concerned only with the study of embryonic development and curing disease. In a word, this bill would prevent vital research from taking place.

Ms. MAJETTE. Mr. Chairman, I would like to take this opportunity to explain why I am voting against the Human Cloning Prohibition Act today.

I call to mind a previous case that I think closely resembles today's actions by this body. I refer to a trial that took place almost 40 years ago; the heresy trial of Galileo in 1633.

Galileo was a scientist who studied the mysteries of the physical world—he dared to explore that which we did not understand. Unfortunately, the political leaders at the time were afraid, and justifiably so. They said that his ideas threatened their religious beliefs, they were afraid of where the research would lead. They were right to be afraid—they were wrong to take the actions they did as a result.

Galileo's persecutors concluded that his research was immoral, and after his heresy trial he spent the rest of his life under house arrest. It was not until 1992 that the church lifted its edict of inquisition against him.

Galileo himself saw no conflict between science and religion. When asked about his research, he said that ''Holy Scripture and Nature are both emanation from the divine word: the former dictated by the Holy Spirit, the latter the observant executrix of God's commands.' And he died a devout Catholic.

Like the Roman Catholic Church in Galileo's time, I am scared. I am afraid of where cloning research may lead. I am afraid of its applicability in the wrong hands. But I refuse to be a part of a heresy trial today.

This bill would make it a crime for scientists to pursue reasonable research, inspired by noble goals and performed by decent people.

Supporters of this misinformed bill argue that this research should not be pursued. One of the reasons they gave is that there is no evidence that the research will work as intended. I submit that that is exactly why it should be pursued. After all, that is the point of research—to try to understand those things which we do not yet understand.

I believe that we have some of the greatest minds of our time trying to find cures for the dozens of diseases that plague us—young and sold, rich and poor alike. I am unwilling to take away any of their tools out of fear.

I am unwilling to persecute Galileo. My faith in God is strong and, perhaps, just as Galileo's research is not described by religious scholars as ''opening up new windows upon the wonders of God's creation,'' this research may one day be universally acclaimed—both for its ability to cure diseases as well as the insight it lends us to God's creation.

Mr. UDALL of New Mexico. Mr. Chairman, I believe that human cloning is dangerous, unethical and needs to be prohibited. The recent reports surrounding Clonaid's supposed first successful human baby cloning, though thus far unverified, provides further impetus for the need to enact a prohibition of this practice. As such, I strongly support banning the practice of reproductive cloning, which is the replication of an individual's genetic material in a new individual.

However, as strong as my opposition is to the process of reproductive cloning, my support for continued stem cell research to develop cures for debilitating diseases such as cancer, diabetes, and others, is equally strong. The process of therapeutic cloning, also known as somatic cell nuclear transfer, is the transplantation of a patient's own DNA into an unfertilized egg in order to grow stem cells. Therapeutic cloning does not in any way lead to the creation of viable human life. However, it does allow for continued research in the area of stem cells.

Unfortunately as a result of overly broad cloning prohibition language in H.R. 534, the scientific process of therapeutic cloning is also prohibited along with reproductive cloning. Also, as my colleague Mr. CONYERS has recently pointed out, H.R. 534 also bans the importation of lifesaving medicines from other countries if their production is in anyway derived from nuclear transfer. Because of these considerations, I will be voting against H.R. 534.

I do, however, strongly support the substitute measure being offered by Mr. GREENWOOD, Mr. DEUTSCH, Ms. DEGETTE, Mr. ESHOO, and Mr. KIRK. This measure also bans the process of reproductive cloning, but allows continued stem cell research, which has shown great promise towards finding cures for many illnesses such as Parkinson's disease, juvenile diabetes, Alzheimer's, spinal cord injuries, blindness and sickle cell anemia.

Forty Nobel Laureates, millions of patients, former first-lady Nancy Reagan who's husband, as we all know, suffers from Alzheimer's disease, and others, have expressed support for therapeutic cloning. I urge my colleagues to join me in support of the Greenwood substitute and in support of banning the unethical process of human cloning, but at the same time allowing further research into a promising field that could benefit millions of men, women, and children who suffer from devastating diseases.

Mr. SHAYS. Mr. Chairman, in our rush to ban human reproductive cloning, we are at risk of also banning the most promising and exciting area of biomedical research in the past thirty years. If passed into law, the overly-broad Human Cloning Prohibition Act would ban not only human cloning but also a laboratory technique that may enable scientists to understand the genetic causes of diseases such as cancer and develop therapies for diseases and disabilities such as diabetes, Parkinson's Disease, and spinal cord injuries.

No responsible person, patient advocate or scientist supports the cloning of human beings. Human reproductive cloning is unethical, should be prohibited, and should be punishable under federal law.

But in banning human cloning, we should not ban a laboratory technique called somatic cell nuclear transfer, which can be used to derive human embryonic stem cells. With such stem cells, our scientists will gain fundamental insights into cell biology that will lead to new treatments and cures for a host of diseases and disabilities.

Prohibiting this basic scientific technique will severely hinder U.S. research. Our scientists have achieved an unparalleled record of accomplishment by employing new technologies to benefit humankind. New innovations in scientific discovery have historically been controversial, but they have proven to save lives and help manage devastating diseases. An example is the use of recombinant DNA technology, which provoked considerable alarm and debate in the 1970's, and has since become the foundation of modern biomedical research and our biotechnology industry.

In his speech memorializing the crew of the space shuttle *Columbia*, President Bush said. ''This cause of exploration and discovery is not an option we choose; it is a desire written in the human heart. We are that part of creation which seeks to understand all creation.''

Mr. Chairman, we should be encouraging our scientists to respond to that desire which is written in their hearts: understanding and ending the suffering of their fellow human beings. I urge my colleagues to vote in favor of the substitute offered by Mr. GREENWOOD and, if it fails, against the underlying bill.

Mr. PITTS. Mr. Chairman, on Thursday, February 27, the House will take up the Weldon-Stupak Human Cloning Prohibition Act (H.R. 534), a bill to prohibit the creation of human embryos by cloning.

This is the same bill that the House debated on July 31, 2001. On that occasion, our colleague Mr. GREENWOOD offered a substitute amendment that would have permitted the human cloning (the cloning of human embryos), but attempted to prohibit initiating a pregnancy by implanting such a cloned human embryo in a womb. The House decisively rejected the Greenwood Substitute, and then adopted the Weldon-Stupak bill overwhelmingly, 265–162. Although 64 members of the Democratic caucus voted to pass the Weldon-Stupak bill, to our disappointment, Democratic Leader GEPHARDT voted in opposition.

However, it is noteworthy that when Mr. GEPHARDT appeared on NBC's Meet the Press less than three weeks later, on August 19, 2001, he appeared to have had a change of heart. Although host Tim Russert did not ask about cloning, Mr. GEPHARDT volunteered this remarkable statement: ''Obviously, we don't want cloning. . . . We passed a law saying no cloning and I think that's the law that we ought to follow.''

The only bill that had been passed pertaining to cloning, of course, was the Weldon-Stupak bill (the House had emphatically rejected the pro-cloning Greenwood Substitute). It seemed that Mr. GEPHARDT was taking credit for what the House had done, even though he had voted against it just three weeks earlier. But be that as it may, we certainly agree with Mr. GEPHARDT's conclusion that the ban that the House passed (the Weldon-Stupak bill) is indeed ''the law that we ought to follow.''

We urge you to oppose the Greenwood Substitute, which would permit what President

Bush called cloned human ''embryo farms,'' and to support the Weldon-Stupak bill, the only bill that would really say ''no cloning.''

The complete transcript of the exchange between Mr. Russert and Mr. GEPHARDT follows.

[Excerpt from NBC Meet The Press, August 19, 2001]

Mr. TIM RUSSERT: Let me turn to the issue of stem cell embryo research. The president decided that we should look at the stem cells that already exist, but not allow any development of any new stem cells. You disagree with him. Why?

Rep. RICHARD GEPHARDT (D–Mo.): I just—I don't think we know where this research is going. We don't even know how many stem cell segments are out there now. He said 60. Some of the researchers don't even know that there are 60 in place now. This is an emerging field. Look, if you have somebody in your family who has Alzheimer's, who has diabetes, who has cancer, you want to find the answers to these problems. The researchers believe there may be real answers to many of these diseases over the next years. We shouldn't limit the areas that we're going to look at. We ought to see where the research can go. Obviously, we don't want cloning. Nobody is for cloning. But we need to use the research that's out there to get the answers to these diseases. Boy, if you've got somebody in your family that's really ill, you want to know the research might find an answer.

Mr. RUSSERT: The public seems to support the president overwhelmingly. Let me show you the latest USA Today poll. Sixty percent approve of the president's decision; just 34 percent disagree. And there's a simple question to be asked: When do you think life begins?

Rep. GEPHARDT: Well, the Supreme Court said, after the—you know, somewhere between the first and second trimester.

Mr. RUSSERT: But when do you think?

Rep. GEPHARDT: I think the Supreme Court probably had it right. And I think we ought to use the research that can be done on stem cells to find the answers to these dread diseases. You know, try . . .

Mr. RUSSERT: Wait, wait, wait. This is important. When you first came to Congress, you proposed a constitutional amendment to ban all abortion. And you said on the House floor, ''Life begins at conception.'' You've now changed your mind?

Rep. GEPHARDT: I think that the thing to do here is to follow the Supreme Court. I think their decision said it very clearly, and I think that's the policy that ought to be followed. I think on this stem cell research decision, we've got to let the research go to where it can, to find the answers to these problems.

Mr. RUSSERT: Including using the frozen embryos that are created by in vitro fertilization clinics.

Rep. GEPHARDT: I think we ought to let the research find the answers to these problems.

Mr. RUSSERT: So you would use those?

Rep. GEPHARDT: We passed a law saying no cloning and I think that's the law that we ought to follow.

Mr. RUSSERT: But these are stem cell embryos created by in vitro fertilization clinics that are discarded if not used for research.

Rep. GEPHARDT: I think we ought to let the research find the answers to these problems.

CONGRESS OF THE U.S.,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2003.

DEAR COLLEAGUE: By now, everyone has heard of the euthanized death of ''Dolly,'' the infamous cloned sheep. She died on Valentine's Day 2003 at the age of 6, half the normal life-expectancy for a sheep.

Alan Coleman, A Singapore-based scientist who helped clone Dolly said, ''I think it highlights more than ever the foolishness of those who want to legalize (human) . . . cloning . . . In the case of humans, it would be scandalous to go ahead given our knowledge about the long-term affects of cloning.''

If cloning is not safe for animals, how can it be good for humans?

I urge you to vote for the Weldon/Stupak ban (H.R. 534) and vote against the Greenwood substitute.

Cordially,

JOSEPH R. PITTS,
Member of Congress.

Mr. RYUN of Kansas. Mr. Chairman, I believe that all embryonic cloning, whether therapeutic or reproductive, violates moral and rational bounds.

First, embryonic cloning is unproven. Not a single case of embryonic cloning in animals has resulted in successful treatment of any disease. Furthermore, animals created through embryonic cloning have developed unnaturally and suffered numerous genetic defects.

Second, embryonic cloning is immoral. Every cloned embryo is capable of developing into an adult. The Greenwood amendment proposes the artificial creation of life and subsequent destruction thereof. This cannot be tolerated.

Finally, even in the most conservative of estimates, hundreds of millions of human eggs would be needed for human cloning. Women, especially the under-privileged, would be exploited for the sale of their eggs. We cannot allow human eggs to become a commodity.

We must ban all embryonic cloning. I urge my colleagues to support the resolution.

Mr. SOUDER. Mr. Speaker, I would like to submit the following information from National Right-to-Life:

Congress is renewing consideration of whether to ban all human cloning, as a number of other major nations have already done. On Wednesday, February 12, the House Judiciary Committee will act on the Weldon-Stupak bill (H.R. 534). This bill, which is backed by President Bush, would ban the creation of human embryos by cloning. In the Senate, the same policy is embodied in the Brownback-Landrieu bill (S. 245).

Those who favor cloning human embryos are proposing competing legislation that would allow the mass cloning of human embryos to be killed in research, but attempt to ban implanation of such an embryo in a womb. In the House, we expect that this ''clone and kill'' approach will be advanced by Rep. Jim Greenwood (R–Pa.), who offered such a proposal in 2001. In the Senate, a cloning-embryos-for-research bill has been introduced by Senator Orrin Hatch (R–Utah), Dianne Feinstein (D–Ca.), and others as S. 303.

In recent days, a number of news outlets have transmitted inaccurate reports about what these competing bills would each allow and forbid—reports that obscure what the argument is really about. These points of confusion are discussed in more detail below.

PRESIDENT BUSH'S POSITION

President Bush has repeatedly called on Congress to ban all human cloning (i.e., to ban the cloning of human embryos). In remarks on January 22, the President said, ''I also urge the Congress to ban all human cloning. We must not create life to destroy life. Human beings are not research material to be used in a cruel and reckless experiment.'' In his January 28 State of the Union speech, the President said, ''Because no human life should be started or ended as the object of an experiment, I ask you to set a high standard for humanity, and pass a law against all human cloning.'' In a speech on human cloning last year, President Bush warned that unless such legislation is enacted, human ''embryo farms'' will be established in the United States. (See www.whitehouse.gov/news/releases/2002/04/print/20020410-4.html)

THE SITUATION IN CONGRESS

The House Judiciary Committee is scheduled to mark up the Weldon-Stupak bill (H.R. 534) on Wednesday, February 12, at 10:15 a.m., at 2141 Rayburn House Office Building. Once the committee completes its work, the full House could take up the bill at any time. H.R. 534 is nearly identical to the measure that passed the House on July 31, 2001, by lopsided bipartisan vote of 265–162 (roll call no. 304). When the House considered the issue on that occasion, it decisively rejected (249–178) as substitute amendment, the Greenwood-Deutsch Amendment, that would have allowed the cloning of human embryos for research (roll call no. 302).

The Senate companion to the Weldon-Stupak bill, the Brownback-Landrieu bill (S. 245), currently has 26 cosponsors. A radically different measure, the Hatch-Feinstein bill (S. 303), has only eight cosponsors, but it has considerable additional support, mostly among Senate Democrats.

The Brownback-Landrieu bill has been referred to the Committee on Health, Education, Labor, and Pensions (HELP), which is chaired by Senator Judd Gregg (R–NH), who was a cosponsor of the bill in the 107th Congress. The Hatch-Feinstein bill has been referred to the Senate Judiciary Committee, which Hatch chairs. Whatever happens in these committees, the full Senate ultimately will vote on both of these diametrically conflicting approaches.

The recently selected Senate Majority Leader, Bill Frist (R–Tn.), said in a January 12 interview on Fox News Sunday, ''I am opposed to any time that you create an embryo itself with the purpose being destruction, and that would include the so-called research cloning. And remember, research, cloning is just that, it's experimental. There's been no demonstrated benefit of that to date, so I don't think you ought to destroy life. . .''

The key differences between the two bills are discussed below. In many recent news media reports on human cloning issues, the differences have been mischaracterized, and the specific activities that each bill would allow and prohibit have been widely misunderstood.

MISCONCEPTIONS AND FACTS

Misconception: The Brownback-Landrieu/Weldon-Stupak legislation prohibits cloning of human ''cells,'' while the Hatch-Feinstein bill would allow cloning of ''cells.''

Reality: The Brownback-Landrieu bill (S. 245) and the Weldon-Stupak bill (H.R. 534)—like their predecessors in the 107th Congress—explicitly allow ''the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.'' [Sec. 2 of the bill, at (d) in H.R. 534 and at (e) in S. 245; boldface added for emphasis] Thus, the methods currently used to ''clone'' new skin, for example, or to ''clone'' DNA, are perfectly okay under the Brownback-Landrieu bill. Moreover, any cloning method that would produce stem cells without first producing and killing a human embryo—as some researchers have claimed that they eventually will be able to do—is explicitly permitted by this language. In addition, the Brownback-Landrieu and Weldon-Stupak bills place no restrictions on research of any kind on human ova (''eggs'').

In short, the Brownback/Weldon legislation and the Hatch-Feinstein legislation are alike

in that they would both permit cloning involving merely eggs, cells, or tissues, but they differ on one proground issue: The Hatch-Feinstein/Greenwood proposals would allow the use of the somatic cell nuclear transfer (SCNT) process to clone human embryos, and the Brownback/Weldon legislation would forbid the use of SCNT to clone human embryos.

Verbiage by supporters of ''research cloning'' about ''eggs'' and ''cells'' is intended to conceal what the argument is really about: whether it should be permitted to clone human embryos.

Misconception: So-called ''therapeutic cloning'' does not involve creating human embryos.

Fact: That SCNT using human genetic material will create a developing embryo of the species Homo sapiens is something that authorities on all sides agreed on until sometime in 2001, when some of the pro-cloning forces decided to try to obscure this fact for political purposes. Among those who clearly affirmed that SCNT will create human embryos were the bioethics panels of both Presidents Clinton and Bush, the embryo research panel at NIH, and the chief cloning researchers at Advanced Cell Technology in Massachusetts. Some samples of such statements, which pre-date the current disinformation campaign, are posted here: www.nrlc.org/Killing__Embryos/factsheetembryo.html

To cite just one example here, a group of scientists, ethicists, and biotechnology executives advocating so-called ''therapeutic cloning'' and use of human embryos for research—Arthur Caplan of the University of Pennsylvania, Lee Silver of Princeton University, Ronald Green of Dartmouth University, and Michael West, Robert Lanza, and Jose Cibelli of Advanced Cell Technology—wrote in the December 27, 2000 issue of the Journal of the American Medical Association, ''CRNT [cell replacement through nuclear transfer, another term for ''therapeutic cloning''] requires the deliberate creation and disaggregation of a human embryo.'' They also wrote, ''. . . because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions.''

In its 2002 report on human cloning, the President's Council on Bioethics, although divided on policy recommendations, provided without dissent recommendations regarding the use of honest terminology in this crucial public policy debate, including acknowledging that successful SCNT will create human embryos. The Council said, ''The product of 'SCNT' is not only an embryo; it is also a clone, genetically virtually identical to the individual that was the source of the transferred nucleus, hence an embryonic clone of the donor.''

The Council recommended use of the terms ''cloning for biomedical research'' and ''cloning to produce children'' to distinguish between two of the purposes for which human embryos might be cloned. (''Cloning for research'' and ''cloning for birth'' convey pretty much the same thing.) The Council's discussion on accurate and neutral terminology is here: www.bioethics.gov/cloningreport/terminology.html

The phrase ''reproductive cloning'' is misleading, because whenever somatic cell nuclear transfer produces a developing embryo, ''reproduction'' has occurred. The term ''therapeutic cloning'' is misleading, because no therapies have been demonstrated using cloned embryos (even in animals, as discussed below), and the process is certainly not ''therapeutic'' for the human embryo who is dissected—which is what the argument is about.

MISCONCEPTION: The Hatch-Feinstein bill would allow research only ''unfertilized eggs up to 14 days.''

REALITY: As can be confirmed by reference to any biology text or even any decent dictionary, a human ovum or ''egg'' is, by definition, a single cell. Moreover, it is a very unusual cell—a gamete cell, which means it has only 23 chromosomes. An ovum has no sex.

As discussed above, once one has a complete nucleus from any species that is activated (whether by sexual fertilization or by asexual somatic cell nuclear transfer, SCNT) and developing, then one has a developing embryo of that species (sheep, cow, Homo sapiens, etc). There is no such thing in biology or in any dictionary as a human ''egg'' or ''egg cell'' that has 46 chromosomes, is either male or female, and is five days old (consisting of several hundred cells) or even 14 days old (consisting of thousands of cells). In short, calling a five-day-old or a two-week-old human embryo an ''egg'' is an attempt to deceive the public regarding what the policy argument is really about. We submit that this is not an effort in which responsible journalists should enlist.

The actual text of the Hatch-Feinstein bill coins the term ''unfertilized blastocyst.'' But ''blastocyst'' is simply a technical term for an embryo at an early stage of development. As for ''unfertilized,'' this is just another word trick aimed at the gullible. Of course human embryos produced by cloning will be ''unfertilized,'' because that is what cloning is: asexual reproduction—no sperm. Every cloned mammal in the world was unfertilized from the one-celled embryo stage, and every one of them will be unfertilized on the day they die. If a human embryo created by cloning instead of fertilization is implanted in a womb, is born, and lives to be eighty, she will still be unfertilized.

MISCONCEPTION: The Hatch-Feinstein bill is a compromise that would accomplish what almost everyone agrees on, banning ''reproductive cloning.''

REALITY: Far from representing ''common ground,'' the Hatch-Feinstein bill represents a policy disfavored by most Americans and strongly opposed by the Bush Administration. It will not become law. But that does not bother many of its backers, such as the biotechnology industry lobby, because the primary purpose of the Hatch-Feinstein bill is to impede enactment of the real ban on human cloning, by providing political cover for lawmakers who favor allowing the creation of human embryos for research.

Notwithstanding the marketing efforts of the biotechnology industry lobby and its allies, the policy the Hatch-Feinstein bill or the Greenwood amendment would enact a policy that is far from a consensus position—indeed, a policy that the substantial majority of Americans oppose. A Gallup poll in May 2002 found that 61% of the American people opposed ''cloning of human embryos for use in medical research'' (34% approved), which is precisely what the Hatch-Feinstein bill is crafted to allow and indeed encourage. In other polls, substantially higher numbers are opposed when it explained that the human embryos will die in the research.

The Hatch-Feinstein bill is not a partial solution or a middle ground. Rather, it is a step in the wrong direction. The Hatch-Feinstein bill would give a green light to the establishment of human embryo farms.

The ''clone and kill'' approach has already been emphatically rejected by the Bush Administration and by the House of Representatives (in 2001). Secretary of Health and Human Services Tommy Thompson last year sent a letter to Senator Brownback warning that such a bill would face a presidential veto. Thompson wrote, ''The President does not believe that 'reproductive' and 'research cloning should be treated differently, given that they both require the creation, exploitation, and destruction of human embryos . . . the Administration could not support any measure that purported to ban 'reproductive' cloning while authorizing research cloning, and I would recommend to the President that he veto such a bill.'' (See www.nrlc.org/Killing__Embryos/ThompsontoBrownback.pdf)

The Hatch-Feinstein bill would give federal law enforcement agencies responsibility for trying to enforce a ban on implanting a cloned embryo in a womb—an approach that the Justice Department in 2002 rejected as unworkable. The Department explained that once large numbers of cloned human embryos are created, there is no practical way to prevent some of them from being implanted in wombs, and no remedy to apply after that occurs. The testimony is posted here: www.nrlc.org/killing__embryos/Justice__Dept__on__cloning.pdf

MISCONCEPTION: The Hatch-Feinstein bill would ''ban human cloning'' or ''ban the closing of human beings.''

REALITY: The Hatch-Feinstein bill does not ban ''human cloning.'' It bans implanting a cloned human embryo ''into a uterus or the functional equivalent of a uterus'' (the latter term is not defined), an act to which criminal penalties are attached. It also attempts to impose a rule against allowing a cloned human embryo (a so-called ''unfertilized blastocyst'') to develop past 14 days of age (Not counting time frozen). Violations of this ''14-day rule'' are subject to a civil fine of up to $250,000, and there is nothing in the bill to prevent the threat of such a fine from being applied even against a woman who carries an unborn cloned human in utero, perhaps in an attempt to compel her to procure an abortion.

In other words, the bill bans not ''human cloning,'' but the survival of human clones, which is a very different thing.

Any bill that permits cloning (somatic cell nuclear transfer) with human nuclei does not ''ban human cloning,'' because such a bill allows the cloning of embryos of the species Homo sapiens, and an embryo of the species Homo sapiens is human (just as the cloned embryo that was later born as Dolly the sheep, the first cloned mammal, was always a member of the species Ovis aries).

As to whether a cloned human embryo is to be regarded as a ''human being,'' we would think that journalists would want to avoid blatantly taking sides on that question. A statement that the Hatch-Feinstein bill ''bans the cloning of human beings'' is certainly taking sides on the issue, because it amounts to a declaration that a two-week-old embryo of the species Homo sapiens is not a ''human being.'' (If not, what species of being is it?)

It appears that President Bush is among those who recognize cloned human embryos as human beings: in his January 22 statement, the President said, ''I also urge the Congress to ban all human cloning. We must not create life to destroy life. *Human beings* are not research material to be used in a cruel and reckless experiment.'' [emphasis added]

The National Right to Life Committee believes that if a cloned human being is born, she should have the same status as other humans—but Senator Hatch and some others apparently are not so sure. In a press release dated February 5, 2002, Senator Hatch said, ''No doubt somewhere, some—such as the Raelians—are trying to make a name for themselves and are busy trying to apply the techniques that gave us Dolly the Sheep to human beings. Frankly, I am not sure that

human being would even be the correct term for such an individual heretofore unknown in nature.''

As Slate.com columnist Will Saletan commented (''Killing Eve,'' December 31, 2002, http://slate.msn.com/id/2076199/), ''The first cloned baby—Eve or whoever comes after her—won't be fertilized. If fertilization is a prerequisite to humanity, as Hatch and Feinstein suggest, that baby will never be human. You can press the pillow over her face and walk away.'' (See also: www.nrlc.org/killing_embryos/arecloneshuman.html)

MISCONCEPTION: Those who favor cloning for research would never allow clones to develop past two weeks of age.

REALITY: While the Hatch-Feinstein bill purports to establish a two-week ''deadline'' for killing human clones, there are substantial reasons to doubt that the biotechnology industry would support such a limitation in a bill it actually expected to become law. Already, some policymakers are opening the door to ''fetus farming'' with human clones.

For example, the New Jersey legislature appears close to giving final approval to a bill that would permit cloned humans to be grown through any stage of fetal development, even to birth, to obtain tissues for transplantation, as long as they are not kept alive past the ''newborn'' stage. (SB 1909, as amended) Four members of the President's Council on Bioethics wrote to Gov. James McGreevey to warn about the bill's radical implications. (See www.nationalreview.com/document/document020303c.asp)

Last year, researchers reported harvesting tissue from cloned cows at six and eight weeks of fetal development, and from cloned mice at the newborn stage. Both studies were widely reported by the news media as breakthroughs for so-called ''therapeutic cloning.'' Indeed, so far these are the only two animal studies that have claimed to show ''therapeutic'' results from cloning.

Mr. VITTER. Mr. Chairman, every once in a while, an issue comes along that makes so much sense and has so much support, it clearly must be good public policy. The issue before us today, a full and complete ban on cloning, is just such an issue.

The American people overwhelmingly support banning cloning, a majority of this House has voted in the past to fully ban cloning, the Administration supports this ban, and importantly scientists and doctors and other medical professionals support this ban on cloning.

So what's the hold up?

A lot has been and will be said about ''research cloning'' or ''therapeutic cloning''—but despite all of the semantics and wordplay the other side uses, the reality remains that this procedure is one that simply horrifies most Americans. The repercussions if we do not act today are grave.

Whate we're debating here is the value of human life, pure and simple. If you want to reduce human life to merely clinical terms, research elements and other antiseptic talk, then you can vote that way today. But if you are as horrified I am, as the American people are, and the medical community is, by the ghastly possibilities that cloning offers us, then you should support this legislation and a complete, full, and real ban on cloning.

I comment the gentlemen from Florida (DAVE WELDON) and Michigan (STUPAK) for their work, and strongly encourage all of my colleagues to support the passage of this important bill.

Mr. PAUL. Mr. Speaker, these words are from Frederic Bastiat's The Law. They are prophetic, not only in the way they describe legislators' attempts to transform society through socialized economic planning, but also in the analogy to the current moral issue before us today: human cloning.

Human life begins at conception. This fact is not a matter of faith. Every contemporary textbook of human embryology teaches that the life of the new individual human being begins at fertilization. When an embryo is cloned, a distinct human being is created: if implanted into a woman's uterus, he or she grows into a human being. Those who deny the humanity of the ''embryo'' simply deny the facts.

Today we see another instance of the legislator playing God, viewing himself as Bastiat's farmer or chemist. But human embryos are not just some ''seeds'' for the ''farmers'' to scatter! I ask those of you wishing to use taxpayer dollars to fund human cloning: Were you not once at this very stage of life? Is not each of you a developed embryo? And to those who view cloning and the accompanying destruction of humans at the embryonic stage of life as morally acceptable, I ask this, Are you aware that it took 277 attempts to clone Dolly the sheep, and when she finally was born, she was defective and died soon after? We must shudder to think of what this kind of experimentation implies for humans. Many ignore that a human is not cloned by simply waving a magic wand—rather, embryos are experimented upon and then discarded before a human is created via cloning. Many prolifers mistakenly attack the act of cloning, when what they should address is the discarding of humans at the embryonic stage of development that precedes the act of cloning.

Today we have before us a bill that attempts to protect innocent human life from legislators wishing to exploit it. Though well intentioned, Congress does not have authority under the Constitution to create a federal law banning cloning and the accompanying destruction of human life. The separation and enumeration of powers reserves to the states and local governments the power to write and enforce laws that protect life. If this bill instead were introduced as a constitutional amendment banning the destruction and discarding of human embryos, it would both accomplish its purpose and, equally important, hold to the letter of the law.

In Congress we can either pass an unconstitutional ban on cloning, or we can abide by the law and not pass the ban, as bureaucrats continue to have control over human cloning and use of taxpayer funds to destroy human life. These bureaucrats seem to have no difficulty violating the consciences of those who recognize cloning experimentation for what it is. What is to be done? I fear the answer to this question, and its implications, will continue to haunt us in the months and years to come, whether or not this federal ban on human cloning passes. Mr. Speaker, when we last considered this issue I placed the following statement in the RECORD and wish to do so once again.

Mr. PAUL. Mr. Speaker, today we're being asked to choose between two options dealing with the controversies surrounding cloning and stem cell research. As an obstetrician gynecologist with 30 years of experience with strong pro-life convictions I find this debate regarding stem cell research and human cloning offtrack, dangerous, and missing some very important points. This debate is one of the most profound ethical issues of all times. It has moral, religious, legal, and ethical overtones. However, this debate is as must about process as it is the problem we are trying to solve.

This dilemma demonstrates so clearly why difficult problems like this are made much more complex when we accept the notion that a powerful centralized state should provide the solution, while assuming it can be done precisely and without offending either side, which is a virtual impossibility.

Centralized governments' solutions inevitably compound the problem we're trying to solve. The solution is always found to be offensive to those on the losing side of the debate. It requires that the loser contribute through tax payments to implement the particular program and ignores the unintended consequences that arise. Mistakes are nationalized when we depend on Presidential orders or a new federal law. The assumption that either one is capable of quickly resolving complex issues is unfounded. We are now obsessed with finding a quick fix for this difficult problem.

Since federal funding has already been used to promote much of the research that has inspired cloning technology, no one can be sure that voluntary funds would have been spent in the same manner. There are many shortcomings of cloning and I predict there are more to come. Private funds may well have flowed much more slowly into this research than when the government/taxpayer does the funding. The notion that one person, i.e., the President, by issuing a President order can instantly stop or start major research is frightening. Likewise, the U.S. Congress is no more likely to do the right thing than the President by rushing to pass a new federal law. Political wisdom in dealing with highly charged and emotional issues is not likely to be found.

The idea that the taxpayer must fund controversial decisions, whether it be stem cell research, or performing abortion overseas, I find repugnant. The original concept of the republic was much more suited to sort out the pros and cons of such a difficult issue. It did so with the issue of capital punishment. It did so, until 1973, with the issue of abortion. As with many other issues it has done the same but now unfortunately, most difficult problems are nationalized.

Decentralized decision making and privatized funding would have gone a long way in preventing the highly charged emotional debate going on today regarding cloning and stem cell research.

There is danger in a blanket national prohibition of some questionable research in an effort to protect what is perceived as legitimate research. Too often there are unintended consequences. National legalization of cloning and financing discredits life and insults those who are forced to pay. Even a national law prohibiting cloning legitimizes national approach that can later be used to undermine this original intent. This national approach rules out states from passing any meaningful legislation and regulation on these issues.

There are some medical questions not yet resolved and careless legislation may impede legitimate research and use of fetal tissue. For instance, should a spontaneously aborted fetus, non-viable, not be used for stem cell research or organ transplant? Should a live fetus from an ectopic pregnancy removed and generally discarded not be used in research? How is a spontaneous abortion of an embryo or fetus different from an embryo conceived in a dish?

Being pro-life and pro-research makes the question profound and I might say best not answered by political demagogues, executive orders or emotional hype. How do problems like this get resolved in a free society where

government power is strictly limited and kept local? Not easily, and not perfectly, but I am confident it would be much better than through centralized and arbitrary authority initiated by politicians responding to emotional arguments. For a free society to function, the moral standards of the people are crucial. Personal morality, local laws, and medical ethics should prevail in dealing with a subject such as this. This law, the government, the bureaucrats, the politicians can't make the people more moral in making these judgments.

Laws inevitably reflect the morality or immorality of the people. The Supreme Court did not usher in the 60s revolution that undermined the respect for all human life and liberty. Instead, the people's attitude of the 60s led to the Supreme Court Roe vs. Wade ruling in 1973 and contributed to a steady erosion of personal liberty. If a centralized government is incapable of doing the right thing, what happens when the people embrace immorality and offer no voluntary ethical approach to difficult questions such as cloning? The government then takes over and predictably makes things much worse. The government cannot instill morality in the people. An apathetic and immoral society inspires centralized, rigid answers while the many consequences to come are ignored. Unfortunately, once centralized government takes charge, the real victim becomes personal liberty.

What can be done? The first step Congress should take is to stop all funding of research for cloning and other controversial issues. Obviously all research in a free society should be done privately, thus preventing this type of problem. If this policy were to be followed, instead of less funding being available for research, there would actually be more.

Second, the President should issue no Executive Order because under the Constitution he does not have the authority either to promote or stop any particular research nor does the Congress. And third, there should be no sacrifice of life. Local law officials are responsible for protecting life or should not participate in its destruction. We should continue the ethical debate and hope that the medical leaders would voluntarily do the self-policing that is required in a moral society. Local laws, under the Constitution, could be written and the reasonable ones could then set the standard for the rest of the nation.

This problem regarding cloning and stem cell research has been made much worse by the federal government involved, both by the pro and con forces in dealing with the federal government's involvement in embryonic research. The problem may be that a moral society does not exist, rather than a lack of federal laws or federal police. We need no more federal mandates to deal with difficult issues that for the most part were made worse by previous government mandates.

If the problem is that our society lacks moral standards and governments can't impose moral standards, hardly will this effort to write more laws solve this perplexing and intriguing question regarding the cloning of a human being and stem cell research. Neither option offered today regarding cloning provides a satisfactory solution. Unfortunately, the real issue is being ignored.

Mr. STARK. Mr. Speaker, I rise in opposition to H.R. 534, the Human Cloning Prohibition Act of 2003. Like most Americans, I believe reproductive cloning of human beings ought to be criminalized. I support outlawing this practice, which is one of the provisions of this legislation. But, I cannot support this bill because it would also severely limit the ability of scientists to conduct advanced cell research and develop life-saving therapies that could benefit millions of Americans.

H.R. 534's overly broad language would needlessly outlaw an important form of advanced cell research, known as somatic cell nuclear transfer. This research holds great promise to radically improve the health of Americans. This laboratory procedure allows for the development and harvesting of embryonic stem cells that can potentially repair damaged organs and tissues. If the donor material of this procedure is from the patient, the stem cells would be genetically identical to the patient and thus avoid the problem of immune system rejection that is present with conventional treatments. According to the National Institutes of Health, this technology has ''enormous'' medical potential to treat conditions as varied as Parkinson's disease, chronic heart disease, Alzheimer's disease, diabetes and spinal injuries.

Unfortunately, this bill's broad language also makes illegal the importation of any therapies developed in other countries that employ this advanced cell research technology. This ban against importation will further deprive our Nation's patients of treatments that could save their lives.

Support for the continuation of advanced cell research has been expressed by countless teaching and research institutions, scientists, and patient advocate groups. Opponents of this research are quick to offer scenarios of doom and gloom if we allow this research to continue. Yet, this same group of religious zealots and hapless naysayers made similar predictions with the development of such biological advances as in-vitro fertilization and recombinant DNA. The only ''horrors'' that have occurred from fostering that biological research has been allowing more than 16,000 otherwise infertile couples to experience the joys of childbirth and parenthood and the development of an improved form of insulin for the treatment of diabetes.

While I strongly urge my colleagues to oppose H.R. 534, I also encourage support of the Greenwood/Deutsch substitute bill that prohibits the cloning of a human life, but allows for the continuation of advanced cell research and the unfettered availability of health-improving products and procedures derived from this research.

Mr. DEFAZIO. Mr. Speaker, today we are having a virtually identical debate over the virtually identical bill we had in the 107th Congress. Had I not been required to travel to Oregon for official representational purposes, I would have voted (1) 'aye' on the Scott amendment to provide for a GAO study to determine whether the prohibition on human cloning needs to be amended in the future give newer technologies; (2) 'no' on the Stearns amendment forcing our moralities on other nations; (3) 'aye' on the Greenwood amendment in the nature of a substitute; and (3) 'no' on the underlying bill, H.R. 534.

By bringing a bill like this to the floor, the Republican majority has transformed what could have been a rational debate over the merits and limits of emerging technologies into a dogmatic infomercial for the radical-right.

I've consistently opposed human cloning for reproductive purposes. Under current law the federal government is prohibited from funding research that involves human cloning. In addition, the Food and Drug Administration (FDA) has the authority under federal law to prohibit any attempt to clone humans for reproductive purposes and has acted to stop such efforts. I support the FDA's actions.

I believe H.R. 534 goes too far. This legislation would not just ban reproductive cloning, it would create harsh criminal penalties that would significantly restrict a wide range of scientific research efforts in related fields.

This legislation would specifically halt scientific efforts aimed at developing new treatments for those suffering from cancer, diabetes, Parkinson's disease, Alzheimer's disease, spinal cord and burn injuries. These diseases and injuries can be extremely debilitating, costly and dehumanizing for individuals, families and our society. I'm also concerned with provisions in the bill that would ban American's from receiving new treatments developed in other countries that have developed with such research.

If this bill is passed, we're showing the world that our drive for innovation can be derailed by senseless hysteria. Limiting Americans access to new treatments and therapies based on fear and ideology is a backward way to legislate in the twenty-first century.

Mr. BUYER. Mr. Chairman, I rise in support of H.R. 534, the Human Cloning Prohibition Act, and I am pleased to be a cosponsor of this measure. The only difference between human cloning to produce a cloned baby and human cloning for research is whether the cloned embryo is implanted in the uterus or destroyed. The scientific procedure to create the clone is the same.

H.R. 534 would prevent cloned human embryos from being used as human guinea pigs. Without this legislation, human life could be copied, manufactured in a laboratory, in a petri dish, for the sole purpose of harvesting cells and then destroying the clone. The mass production of human clones solely for the purpose of human experimentation demeans us all.

The simple, most effective way to stop this process is to ban it, deterring its use. H.R. 534 does nothing to prohibit appropriate scientific research. It fully permits research that clones molecules, or DNA, tissues, organs, plants, or non-human animals. So-called therapeutic cloning has not produced a single cure in animal models for any disease, nor has it produced any cures in human clinical trials.

In the area of human embryo cloning, the ends do not justify the means.

Mr. CAPUANO. Mr. Chairman, I rise today in opposition to H.R. 534, the Human Cloning Prohibition Act of 2003. This legislation would ban reproductive human cloning and prohibit nuclear transplantation to produce stem cells for medical research. I am sure that most of my colleagues here today would agree with me and every one of my constituent scientists with whom I have discussed this matter that we do not want to allow reproductive cloning. An attempt to duplicate an individual human raises profound and disturbing moral and bioethical questions. It is unacceptable for anyone in the public or private sector to attempt to create a person using somatic cell nuclear transfer (SCNT) and I believe we must prohibit it. However, Representative WELDON'S proposal before us today, goes too far and also bans SCNT for therapeutic purposes. This complete ban will close the door on promising publicly and privately funded research in regenerative medicine and will end hope for more millions of Americans suffering from life-threatening diseases.

The Human Cloning Prohibition Act criminalizes the very biomedical research that could help researchers find cures for Alzheimer's disease, Parkinson's disease, cystic fibrosis, various cancers, strokes and spinal cord injuries. Furthermore, H.R. 534 will halt vital research in my congressional district, throughout Massachusetts and the Nation. A ban or a moratorium on this research will result in other countries taking the lead in finding cures to these diseases.

Our colleague from Pennsylvania, Representative GREENWOOD, has worked to produce what I believe to be a well-balanced, comprehensive alternative. The Greenwood substitute contains the same language that Rep. WELDON's legislation uses to ban reproductive cloning. Both ban scientists from using technology to produce human beings. Unlike the Weldon proposal, the Greenwood alternative allows strictly regulated, privately funded SCNT research to move forward. This legislation requires scientists to register with the federal government before conducting medical research and requires all research to be conducted with substantial oversight. The bill would also permit a stem cell technique that offers significant promise of delivering new treatments and cures to millions of Americans.

I believe a ban on human cloning does not need to include a ban on nuclear transfer research. The National Academies and more than 40 Noble laureates agree that this research has the potential to produce promising contributions to science and medicine. I urge my colleagues to allow this research to continue, vote no on Weldon and yes on Greenwood.

Mrs. JONES of Ohio. Mr. Chairman, I rise today in opposition to H.R. 534. Although I am against Human Cloning this bill does more than ban Human Cloning. It prevents the highest form of medical research in our society, therapeutic cloning. We owe it to our communities to explore the options of therapeutic cloning. Those who have lost relatives due to heart disease, brain damage due to strokes, Parkinson's, Alzheimer's, Cancer . . . we owe it to these people to at least explore the option of therapeutic cloning. I don't want to stop medical progress and the possibilities that it would allow for new treatments to diseases where medical progress is continuously being made. Doctors understand that these diseases cause damage to cells and tissues and that therapeutic cloning would allow them to explore the option of replacing these dead cells or tissues. I do not support human cloning for organ production. I am saying lets leave ourselves options for the future. Doctors are trying to find medically safe and reliable ways to help people with disease. I have some of the greatest doctors (at Cleveland Clinic, University Hospital), in the world in, my district working with molecules and DNA to find cures for diseases, and this would limit their abilities to continue to do what it is that they do best. Save lives.

Mr. SMITH of Texas. Mr. Chairman, ninety percent of all Americans oppose cloning human beings. And for good reason. The American public recognizes that cloning raises serious ethical questions. Scientists have cloned monkeys, cattle, pigs, mice and other animals. Because of this success, there are a growing number of groups who claim they can, and will, clone a human being. That prospect should worry us. Cloning is a manufacturing process—a scientific assembly line—devoid of procreation. Efforts to improve humanity should never spin out of control and devalue humanity, which is precisely what human cloning does.

Our values of faith and family are slowly eroding. Given that fact, we should be mindful that there are certain ethical lines we should never cross. One of the dehumanizing effects of the cloning process is the failure rate. It is extremely high. Those in favor of cloning humans often downplay that it took 277 stillborn, miscarried or dead sheep to make one Dolly. And what happens to those who survive? Attempts to clone human beings could carry massive risks of producing unhealthy, abnormal, and malformed children.

I favor a total ban on human cloning because if we allow cloning for any reason, we will be unable to control what is done with cloned embryos. No one is going to monitor every research laboratory. I urge my colleagues to support this bill.

Ms. LEE. Mr. Chairman, I rise today in strong opposition to H.R. 534. This bill's title claims that it is designed to prohibit human cloning. The reality is it will do much more: it will stifle crucial medical research that might someday cure diseases such as Parkinson's, diabetes, or Alzheimer's. None of us support human cloning. We all see such a step as ethically reckless and medically unsound. The cloning and creation of human beings should be banned. But this bill goes much further. It bans the practice of somatic cell nuclear, which creates cells, not human beings. Somatic cell nuclear transfer, or therapeutic cloning as it is also called, represents one of our most promising avenues of medical research.

That is why I support the bipartisan Greenwood/Deutsch/Degette amendment that would outlaw human cloning for reproduction without outlawing medical advancements. This bipartisan alternative provides severe penalties, including $10 million fines, for violations of the human cloning ban but allows cell transfer technology to proceed. Through the creation of stem cells, we may be able to conquer spinal paralysis, heal burn victims, and cure a wide range of diseases. For everyone who has helplessly watched a parent succumb to the terrible cruelty of Alzheimer's or seen a child struggle with diabetes, somatic cell nuclear transfer holds out the promise of a potential cure.

But this bill would cut off that research and criminalize those medical advancements. The National Academies of Science examined this issue and urged lawmakers to forbid human cloning but not to outlaw nuclear transplantation which could hold the key to treating life-threatening diseases and injuries. As they complete their medical training and begin their careers as physicians, we ask our doctors to take Hippocratic Oath, which involves, the principle, ''first do no harm.'' As legislators, we should adopt a similar principle: as we wrestle with these complex scientific questions, let us first do no harm.

This bill applies a sledge hammer when a scalpel is needed. We can and should outlaw human cloning without wiping out the promise of a cure for millions of Americans. I urge you to oppose this bill and to support the bipartisan Greenwood/Deutsch/Degette alternative. Thank you and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule.

The text of H.R. 534 is as follows:

H.R. 534

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 ''Human Cloning Prohibition Act of 2003''.

SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

''CHAPTER 16—HUMAN CLONING

''§ 301. Definitions

''In this chapter:

''(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously existing human organism.

''(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

''(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.

''§ 302. Prohibition on human cloning

''(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

''(1) to perform or attempt to perform human cloning;

''(2) to participate in an attempt to perform human cloning; or

''(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

''(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning or any product derived from such embryo.

''(c) PENALTIES.—

''(1) CRIMINAL PENALTY.—Any person or entity that violates this section shall be fined under this title or imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than $1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than $1,000,000.

''(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

''16. Human Cloning ..... **301''.**

The CHAIRMAN. No amendment to the bill shall be in order except those printed in House Report 108–21. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

It is now in order to consider amendment No. 1 printed in House Report 108–21.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SCOTT of Virginia:

Add at the end of the bill the following:

SEC. 3. STUDY BY THE GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—The General Accounting Office shall conduct a study to assess the need (if any) for amendment of the prohibition on human cloning, as defined in section 301 of title 18, United States Code, as added by this Act, which study should include—

(1) a discussion of new developments in medical technology concerning human cloning and somatic cell nuclear transfer, the need (if any) for somatic cell nuclear transfer to produce medical advances, current public attitudes and prevailing ethical views concerning the use of somatic cell nuclear transfer, and potential legal implications of research in somatic cell nuclear transfer; and

(2) a review of any technological developments that may require that technical changes be made to section 2 of this Act.

(b) REPORT.—The General Accounting Office shall transmit to the Congress, within 2 years after the date of enactment of this Act, a report containing the findings and conclusions of its study, together with recommendations for any legislation or administrative actions which in considers appropriate.

The CHAIRMAN. Pursuant to House Resolution 105, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Speaker, at the suggestion of the gentleman from Oregon (Mr. WU), I ask unanimous consent to modify the amendment.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. SCOTT of Virginia:

In the proposed subsection 3(a), insert ''after consultation with the National Academy of Sciences'' after ''office''.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this provides a GAO study of the issue.

This amendment is being presented jointly with Rep. WU.

We all agree that the cloning technology we are aware of today should not be used for human reproductive purposes. Yet, we all know that the nuclear cell transfer process that this bill bans in this country will continue in other countries in order that the promising developments in stem-cell research can continue. It is possible that this process can develop to the point that it could be used to prevent or cure many dreaded childhood or adult-onset diseases such as Parkinson's disease, Alzheimer's disease, diabetes, cancer, heart disease, spinal cord injury, multiple sclerosis, severe burns, or other diseases, disorders, or conditions.

These developments are proceeding at a very rapid pace. This amendment would ensure that Congress is informed of developments in the technology and their potential for medical advances. It would advise us of any need for technical changes to the bill which would keep its prohibition on reproductive cloning effective and narrowly drawn, while allowing any beneficial uses of the technology consistent with the prohibition.

Furthermore, this is an area where public attitudes and ethical views are often confused and uncertain, and a GAO study would be helpful in summarizing and clarifying them before Congress chooses to revisit this issue. I urge my colleagues to support the amendment.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I believe this is a constructive addition to the bill, I am prepared to support it, and urge that the Members adopt it. I thank the gentleman.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Virginia (Mr. SCOTT).

The amendment, as modified, was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 101–21.

No Member being present to offer amendment No. 2, it is now in order to consider amendment No. 3 in the nature of a substitute printed in House Report 108–21.

AMENDMENT NO. 3 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GREENWOOD

Mr. GREENWOOD. Mr. Chairman, I offer amendment No. 3 in the nature of a substitute.

The CHAIRMAN. The Clerk will designate amendment No. 3 in the nature of a substitute.

The Clerk read as follows:

Amendment No. 3 in the nature of a substitute offered by Mr. GREENWOOD:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cloning Prohibition Act of 2003''.

SEC. 2. PROHIBITION AGAINST HUMAN CLONING.

(a) IN GENERAL.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by adding at the end the following:

''CHAPTER X—HUMAN CLONING

''PROHIBITION AGAINST HUMAN CLONING

''SEC. 1001. (a) NUCLEAR TRANSFER TECHNOLOGY.—

''(1) IN GENERAL.—It shall be unlawful for any person—

''(A) to use or attempt to use human somatic cell nuclear transfer technology, or the product of such technology, to initiate a pregnancy or with the intent to initiate a pregnancy; or

''(B) to ship, mail, transport, or receive the product of such technology knowing that the product is intended to be used to initiate a pregnancy.

''(2) DEFINITION.—For purposes of this section, the term 'human somatic cell nuclear transfer technology' means transferring the nuclear material of a human somatic cell into an egg cell from which the nuclear material has been removed or rendered inert.

''(b) RULE OF CONSTRUCTION.—This section may not be construed as applying to any of the following:

''(1) The use of somatic cell nuclear transfer technology to clone molecules, DNA, cells, or tissues.

''(2) The use of mitochondrial, cytoplasmic, or gene therapy.

''(3) The use of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures (excluding those using human somatic cell nuclear transfer or the product thereof) to assist a woman in becoming or remaining pregnant.

''(4) The use of somatic cell nuclear transfer technology to clone or otherwise create animals other than humans.

''(5) Any other activity (including biomedical, microbiological, or agricultural research or practices) not expressly prohibited in subsection (a).

''(c) REGISTRATION.—

''(1) IN GENERAL.—Each individual who intends to perform human somatic cell nuclear transfer technology shall, prior to first performing such technology, register with the Secretary his or her name and place of business (except that, in the case of an individual who performed such technology before the date of the enactment of the Cloning Prohibition Act of 2003, the individual shall so register not later than 60 days after such date). The Secretary may by regulation require that the registration provide additional information regarding the identity and business locations of the individual, and information on the training and experience of the individual regarding the performance of such technology.

''(2) ATTESTATION BY RESEARCHER.—A registration under paragraph (1) shall include a statement, signed by the individual submitting the registration, declaring that the individual is aware of the prohibitions described in subsection (a) and will not engage in any violation of such subsection.

''(3) CONFIDENTIALITY.—Information provided in a registration under paragraph (1) shall not be disclosed to the public by the Secretary except to the extent that—

''(A) the individual submitting the registration has in writing authorized the disclosure; or

''(B) the disclosure does not identify such individual or any place of business of the individual.

''(d) APPLICABILITY OF HUMAN SUBJECT PROTECTION STANDARDS.—

''(1) IN GENERAL.—Research involving human somatic cell nuclear transfer technology shall be conducted in accordance with parts 50 and 56 of title 21, Code of Federal Regulations, subject to paragraph (2). Individuals whose cells are used for such research shall be considered human subjects for purposes of such parts.

''(2) INFORMED CONSENT.—

''(A) DONOR OF HUMAN CELLS.—In research involving human somatic cell nuclear transfer technology, human cells may be used only if, in addition to requirements that apply under parts 50 and 56 of title 21, Code of Federal Regulations, the individual who provides the cells makes a statement in writing, which is signed by the individual, declaring that—

''(i) the individual donates the cells for purposes of such research;

''(ii) the individual understands that Federal law regulates such technology and establishes a crime relating to the use of the technology to initiate a pregnancy; and

''(iii) the individual does not intend for the cells to be used to initiate a pregnancy.

''(B) ATTESTATION BY RESEARCHERS.—In research involving human somatic cell nuclear transfer technology, human cells may be used only if, in addition to requirements that apply under parts 50 and 56 of title 21, Code of Federal Regulations, the individual with the principal responsibility for conducting the research makes a statement in writing, which is signed by the individual, declaring that the consent of the donor of the cells for the cells to be used in such research was obtained in accordance with this subsection.

''(e) PREEMPTION OF STATE LAW.—This section supersedes any State or local law that—

''(1) establishes prohibitions, requirements, or authorizations regarding human somatic cell nuclear transfer technology that are different than, or in addition to, those established in subsection (a) or (c); or

''(2) with respect to humans, prohibits or restricts research regarding or practices constituting—

''(A) somatic cell nuclear transfer;

''(B) mitochondrial or cytoplasmic therapy; or

''(C) the cloning of molecules, DNA, cells, tissues, or organs;

except that this subsection does not apply to any State or local law that was in effect as of the day before the date of the enactment of the Cloning Prohibition Act of 2003.

''(f) RIGHT OF ACTION.—This section may not be construed as establishing any private right of action.

''(g) DEFINITION.—For purposes of this section, the term 'person' includes governmental entities.

''(h) SUNSET.—This section and section 301(hh) do not apply to any activity described in subsection (a) that occurs on or after the expiration of the 10-year period beginning on the date of the enactment of the Cloning Prohibition Act of 2003.''.

(b) PROHIBITED ACTS.—

(1) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(hh) The violation of section 1001(a), or the failure to register in accordance with section 1001(c).''.

(2) CRIMINAL PENALTY.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(7) Notwithstanding subsection (a), any person who violates section 301(hh) shall be imprisoned not more than 10 years or fined in accordance with title 18, United States Code, or both.''.

(3) CIVIL PENALTIES.—Section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

''(h)(1) Any person who violates section 301(hh) or section 1001(d) shall be liable to the United States for a civil penalty in an amount not to exceed the greater of—

''(A) $10,000,000; or

''(B) an amount equal to the amount of any gross pecuniary gain derived from such violation multiplied by 2.

''(2) Paragraphs (3) through (5) of subsection (g) apply with respect to a civil penalty under this subsection to the same extent and in the same manner as such paragraphs (3) through (5) apply with respect to a civil penalty under subsection (g).''.

(4) FORFEITURE.—Section 303 of the Federal Food, Drug, and Cosmetic Act, as amended by paragraph (3), is amended by adding at the end the following:

''(i) Any property, real or personal, derived from or used to commit a violation of section 301(hh), or any property traceable to such property, shall be subject to forfeiture to the United States.''.

SEC. 3. STUDY BY INSTITUTE OF MEDICINE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall request the Institute of Medicine to enter into an agreement with the Secretary under which such Institute conducts a study to—

(1) review the current state of knowledge about the biological properties of stem cells obtained from embryos, fetal tissues, and adult tissues;

(2) evaluate the current state of knowledge about biological differences among stem cells obtained from embryos, fetal tissues, and adult tissues and the consequences for research and medicine; and

(3) assess what is currently known about the ability of stem cells to generate neurons, heart, kidney, blood, liver and other tissues and the potential clinical uses of these tissues.

(b) OTHER ENTITIES.—If the Institute of Medicine declines to conduct the study described in subsection (a), the Secretary shall enter into an agreement with another appropriate public or nonprofit private entity to conduct the study.

(c) REPORT.—The Secretary shall ensure that, not later than three years after the date of the enactment of this Act, the study required in subsection (a) is completed and a report describing the findings made in the study is submitted to the Committee on Energy and Commerce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate.

The CHAIRMAN. Pursuant to House Resolution 105, the gentleman from Pennsylvania (Mr. GREENWOOD) and a Member opposed each will control 30 minutes.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin (Mr. SENSENBRENNER) will be recognized to control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GREENWOOD).

PARLIAMENTARY INQUIRY

Mr. GREENWOOD. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GREENWOOD. Mr. Chairman, do I need to designate a portion of my time to the minority?

The CHAIRMAN. The gentleman may yield a portion of his time.

Mr. GREENWOOD. Mr. Chairman, I yield half of my time to the gentlewoman from Colorado (Ms. DEGETTE).

The CHAIRMAN. Without objection, the gentlewoman from Colorado (Ms. DEGETTE) will be allowed to control 15 minutes.

There was no objection.

□ 1530

The CHAIRMAN pro tempore (Mr. LINDER). The Chair recognizes the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has been a good debate so far. It was a good debate last year. This is about ethical and moral issues. The proponents of the gentleman from Florida's (Mr. WELDON) bill have argued the ethical and moral issues against reproductive cloning; and on that issue, my friend, the gentleman from Florida (Dr. WELDON) and I are in perfect agreement. It is wrong to create a human being through cloning. It is probably physically cruel to do that, because of the likelihood of defect; and it is emotionally, I believe, cruel to do that because no one should be brought into life as a duplicate of another. Each of us has the right to be the product of a mother and a father. So we agree on that.

Now let us deal with the moral and ethical issues that have to do with somatic nuclear transfer. Because what is at stake is well over a hundred million Americans today suffering from diseases like Parkinson's, like Alzheimer's, like cancer, and like diabetes; and as this chart shows, the millions of people suffering today from those diseases and the millions more expected to be suffering from those diseases over the next 10 years.

Now, none of us in this room is an expert on the science of nuclear cell somatic transfer. But those who are the experts tell us this, that with this technology simply requires a limited number of eggs donated by women, denucleated, enucleated. And then the cells, the DNA from something like a cheek cell placed in that nucleus, electricity is applied and then the cells divide. Why do scientists want to do that? They want to do that because we want to observe the miraculous occurrence inside that egg as those cells become first pluripotent stem cells and then divide into specialized cells.

Why do they want to do that? They want to do that because they need to understand the biology and the chemistry as to how that happens. And when they have understood the biology and the chemistry of that process, there is no more need for women to donate eggs in order for the cures for these diseases to come about. Because then doctors in hospitals around the world will be able to take these patients suffering from not only these diseases but from juvenile diabetes, from Alzheimer's, from

spinal cord injuries, from head injuries, and take the somatic cells from that patient, combine them with the growth factors that they identify in this limited amount of research, process healthy cells from our own bodies and use those healthy cells to cure our diseases, to fix our injuries, and to reduce human suffering by amounts that we cannot even imagine.

So the ethical and moral issue here is are we or are we not willing to allow that science to go forward so that we go through this transient phase where we use this relatively small number of ova contributed by willing women to understand how to do this so we can bring about the cure. Now the argument that is presented by the exponents of my substitute, which again bans reproductive cloning, allows this research to continue.

The argument that is proposed is, well, once that cheek cell divides in an egg in a petri dish, it is a potential human being; and, therefore, if it is going to be destroyed after it divides a certain number of times, after the observations are finished that that is immoral.

Now, if that is the case, if that is what you believe, then we should ban in vitro fertilization because in vitro fertilization has produced 100,000 embryos in this country right now that will be discarded, 100,000 of them. Far more order of magnitude than will ever be created through this technology and they are going to be discarded, and that is apparently okay with the proponents of this legislation because it brings beautiful little children into the world to couples who otherwise could not have them.

So that is the trade-off we make. And nobody here is arguing, in fact, to the contrary. They are preserving the need for in vitro fertilization, and yet the number of embryos created and destroyed by in vitro fertilization orders of magnitude is more than we are talking about here. And if we want to get totally philosophical about this, every single day millions of eggs are fertilized in the womb that do not adhere to the uterine walls and are flushed away and somehow that is the way God does it. That is the way nature does it. And we do not hear a gnashing of teeth about that by the makers of this amendment about this bill.

Ladies and gentlemen, this is a turning point in our history. This is a question about whether or not we are going to go forward with the most promising medicine of our time. The ability to stop the suffering, to heal the sick, to cure the injured of diseases that have plagued us for centuries or whether we turn our back on this science in the name of ethics and morals and kill an opportunity to do something that is ethically and morally correct, and that is to prevent this suffering.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the debate on whether or not human embryos should be cloned is one that goes across religious lines, it goes across philosophical lines, and it goes across political lines; and I certainly can respect those who come down on the other side of this piece of legislation. But this amendment in the nature of a substitute is the equivalent of a political knuckle ball thrown into the debate on whether or not human embryos should be cloned.

In June of 1997, President Clinton's National Bioethics Advisory Committee issued its report entitled ''Cloning Human Beings.'' I referred to this in the general debate, but I want to refer to this again because this is the crux of the argument against the Greenwood substitute. The executive summary of President Clinton's blue ribbon commission states in part: ''The commission began its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo with the apparent potential to be implanted in utero and developed to term.''

The whole question around the Greenwood substitute amendment is how to police the cloned human embryos once they are created. Sure, some of them may be used for purposes that the gentleman from Pennsylvania (Mr. GREENWOOD) described in his eloquent opening statement, but others can be implanted in utero and be developed to term. And what does the government do in that case when somebody for whatever purpose they want to announces that they have developed a cloned human being?

This substitute is a big mistake for a number of reasons, and it should not be supported. Most notably it would make the prohibitions against human cloning virtually impossible to enforce, as I have just described. It would foster the creation of cloned human embryos through the Department of Health and Human Services, an agency of the Federal Government; and it would trump States that wish to prohibit cloning. As I have already stated, allowing the creation of cloned embryos by law would enable anyone to attempt to clone a human being. While most individuals do not have the scientific capacity to clone human embryos, once they have been cloned, there has been no mechanism for tracking them and to determine what use those cloned human embryos are being put to. In fact, one would logically expect an organization to authorize the cloned human embryos pursuant to this substitute to be prepared to produce an abundance of cloned embryos for research. Meanwhile, those without the capabilities to clone human embryos could easily implant any one of the legally cloned embryos if they had the opportunity and a child would develop.

The fact is any legislative effort in order to be effective to prohibit cloning must allow enforcement to occur before the cloned embryo is implanted. Otherwise, it is too late, and that is the big deficiency of the Greenwood substitute. The substitute attempts to draw a distinction between necessary scientific research in human cloning by authorizing the Department of Health and Human Services to administer a quasi-registry, quasi because the embryos are not in the custody of HHS. They are maintained by private individuals. However, let us be clear that the crux of this substitute is to invoke a debate on stem cell research. A political knuckle ball in this debate on stem cell research is a red herring.

Just read the bill. First, therapeutic cloning does not exist, not even for experimental tests on animals. Second, the substitute would require authorized researchers to destroy unused embryos, the first Federal mandate of its kind and a step that is extremely controversial. Third, H.R. 534 within its text allows for research using stem cells. Again, the bill does not prohibit stem cell research, notwithstanding the allegations by those who are opposed to it.

Currently, private organizations are able to conduct unfettered research on embryonic stem cells. Further, in August 2001, President Bush announced that Federal funds could be used for research on existing stem cell lines. H.R. 534 would do nothing to hinder that research.

The bill would also not affect research using adult stem cells. Adult stem cells are the other area of stem cell research which is much less controversial and which has been successful in over 45 clinical trials. In fact, adult stem cells have been utilized to treat multiple sclerosis, bone marrow disorders, leukemia, anemia, and cartilage defects, and immuno-deficiency in children.

Adult stem cells have been extracted from bone marrow, blood, skeletal muscle, the gastrointestinal tract, the placenta, and brain tissue to form bone marrow, bone, cartilage, tendon, muscle, fat, liver, brain, nerve, blood, heart and other cells. H.R. 534 would not interfere with this work. It would not interfere with this work. But it prohibits the production of cloned embryos. It is a cloning bill, not a stem cell research bill.

Fourth, the substitute prohibits States from adopting laws that prohibit or more strictly regulate cloning within their borders. It is a Federal preemption. Try telling any of our constituents that they cannot ban human cloning through their State legislatures and I will tell you they will disagree.

Finally, Mr. Chairman, the substitute contains a 10-year sunset provision. If this were to be enacted, Congress would have to go through this debate once again before the sunset occurs. The ethical and moral objections to human cloning will not change 10 years from now or 50 years from now or forever. However, the proponents of human cloning will continue to fight

for their right to produce human clones in America, and authorizing a subsequent ban on human cloning could become even more controversial.

That is why Members on both sides of the aisle should rise in opposition to the substitute, defeat it, and pass H.R. 534.

Mr. Chairman, I reserve the balance of my time.

Mr. DEUTSCH. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado (Ms. DEGETTE), who has been a leader for several years on this issue.

Ms. DEGETTE. Mr. Chairman, in the April 22, 2001, edition of the magazine ''Science,'' researcher Irving Weissman and Nobel Laureate David Baltimore said, ''The wrong action here could close the door to an important avenue of scientific and clinical discovery.''

□ 1545

They were talking, of course, about the restrictions on Federal funding of stem cell research. As Ronald Reagan said, here they go again.

Everybody agrees that we must ban human cloning and our substitute does just that, but the difference in this bill is we allow for the very important somatic nuclear cell transfer technology which is being developed and which will be the cure for many diseases that affect millions of people both in the United States and worldwide.

I hear the opponent of our substitute saying, oh, no, stem cell research will not be hurt, but that could not be farther from the truth, and here is why. Stem cell research is continuing, but the base bill will ban the somatic nuclear cell transfer research that we are talking about. What this research does at this point is it takes somatic cells, so-called therapeutic cloning techniques, it replaces the nucleus, and it makes new cells of tissues that will cure diseases like Parkinson's, Alzheimer's and diabetes. This type of research is truly the clinical extension of stem cell research because without this research we will never have islet cells for diabetics. We will never have the cells for Parkinson's or Alzheimer's or nerve damage because we will not be able to match the patient's tissue.

We are not and we do not support creating embryos for the purpose of this research. Instead, what happens is researchers use existing embryos from reproductive clinics, which are going to be disposed of anyway, and there is no way that this research will be used to clone a human being, period. It will be a criminal act under our substitute.

I do not think people should demagogue this issue. These are very difficult ethical and medical issues, but unless we have some control over the research and unless we ban human cloning, we will not be able to have cures for all of these very important diseases.

As the co-chair of the Congressional Diabetes Caucus, I think we need to do everything we can to support this important cell research but also to have strict control. Forty Nobel Laureates agree with this. More than two thirds of Americans agree with this. Senator Orrin Hatch and former Senator Connie Mack agree with this. And here is what Nancy Reagan said in a letter dated January 29 of this year: ''There are so many diseases that can be cured, we cannot turn our back on this.''

Do not turn your back on all of these procedures.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me the time, and I again want to commend him for his work in this area and his eloquent statements on the floor.

I rise in very strong opposition to this substitute, and I encourage all my colleagues to vote against it and to vote in favor of the underlying bill.

Let me address, first out, one of the issues that seems to be implied by some of the discussion that I have heard so far, and that is, these embryos that are created through somatic cell nuclear transfer process are somehow not embryos or they are cells or they are cheek cells or they are stem cells. I am a scientist, a doctor. I am not an expert in this area, but I know a fair amount about it. I did research in molecular genetics as an undergraduate. I am a physician.

When a person does somatic cell nuclear transfer they are creating a human embryo. Indeed, President Clinton's Bioethics Council has said that, and President Bush's Bioethics Council has said that, a human embryo resulting from the nuclear transfer process is a human embryo. It is contrasted from a human embryo created by sexual reproduction, which is a unique embryo; whereas when we create a human embryo through somatic cell nuclear transfer, we are essentially creating an identical duplicate or twin.

So let us do away with that issue here and now. This is very, very clearly a human embryo. That is what the gentleman from Pennsylvania wants to allow to be created for research purposes. What will happen if we do that? What will happen if we go down that route?

I contend that a lot of things will happen that I think are very, very concerning. Number one, we are going to have a lot of research labs that will need eggs. Where will they get the eggs? They will have to get them from women. How do we get eggs from women? Well, we give them drugs that cause a phenomenon called superovulation. We have to do periodic ultrasounds to make sure they do not develop ovarian cysts, and they can get depression from those drugs; and then once the eggs are ripe, we have to give the woman a general anesthetic to harvest the eggs. And we will have these research labs that are going to need these large quantities of eggs, and this is why these biotech executives say this is a nonstarter in terms of developing so-called therapeutic cloning. The logistics of this are just unimaginable of how we would execute something like this.

One important thing I want to say, if we have all of these labs generating these eggs, we are going to have unscrupulous physicians implanting one of these in a woman, and we are going to usher in the very thing that the gentleman from Pennsylvania and the gentleman from Florida say they are against. They say they are against reproductive cloning, but our own Justice Department says there will be no way to police this. We will have all of these embryos in all of these labs, and the only way to prevent it is to stop it from the very, very beginning.

Might I also just reiterate, adult stem cell research is moving along very nicely. We have heard some very impassioned comments about Parkinson's disease. I want to quote from Dennis Turner, who had his Parkinson's disease treated successfully with adult stem cells. We cannot even produce one research study in a rat where we can cure Parkinson's disease with embryo stem cells or cloned stem cells. But I have got a real live human being here. He says, they were not fetal cells, they were my cells, so I would not have to take any anti-rejection medications the rest of my life. Dennis Turner previously could not even hold a newspaper, and now he is hardly on any medication at all. The adult stem cells are working great.

I say to my colleagues this alternative, this substitute, is unnecessary and unethical. We do not want to go down the path of creating human life for the purpose of exploiting it in the lab and then destroying it.

Vote no on this substitute. Vote yes on the underlying bill.

The CHAIRMAN pro tempore (Mr. LINDER). Is there any objection for the time yielded by the gentleman from Pennsylvania (Mr. GREENWOOD) to the gentlewoman from Colorado (Ms. DEGETTE) to be controlled on the minority side by the gentleman from Florida (Mr. DEUTSCH)?

There was no objection.

Mr. GREENWOOD. Mr. Chairman, I yield myself such time as I may consume.

I want to quickly make observations about two contradictions that I think my friend from Florida made. Number one, he said that our substitute cannot be enforced. That does not make any sense. If we can enforce the Weldon law, we can enforce the Greenwood law, and if people are going to make clones in violation of the law, they are going to do it under the Weldon law or the Greenwood law. So that is an argument we should discount immediately.

The second contradiction, which I think is more severe, is that I heard the gentleman from Florida (Mr. WELDON) talk about we are going to have shelves of embryos, we are going

to have embryo farms; we are going to create all of these embryos. He just told us how extraordinarily difficult it is to get one ovum. We have to superovulate a woman. It is very difficult. It is painful. Women are not going to line up to have this procedure.

So there is absolutely no chance whatsoever that we are going to have this huge multitude of eggs. We are going to be lucky to have enough to do the research.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I thank the gentleman for yielding me the time, and rise in support of the Greenwood substitute because it honors our tradition of medical science.

Medical achievement is part of America's birthright. In the last 50 years we have won more Nobel prizes than England, Germany, Russia, France, Sweden, Canada, Denmark, Japan and Switzerland combined. Six out of 10 Nobel prizes in medicine come just to America.

Part of our achievement is due to Congress because we have supported medical research. Republicans and Democrats joined to double biomedical research at the National Institutes of Health. But part of our achievement is also because Congress did not impede research. Unlike Iran, we follow the guidance of doctors, not doctrines.

America's medical leadership conquered yellow fever, diptheria, cholera and smallpox and polio; and words like ''gout,'' describing excess uric acid, or ''consumption,'' describing tuberculosis, were commonly used by our grandparents but are now aliens outside our children's vocabulary.

We stand on the edge of new victories. AIDS is no longer a death sentence in America, and peer-reviewed scientists predict that Americans are in their last decade of diabetes. In my district, we are building a human kidney using stem cells, an achievement that would cause the word ''dialysis'' to drop from the English language.

Parkinson's and Alzheimer's will one day make their last stand against the tide of American research. And think of it: a world without diabetes, Parkinson's, Alzheimer's or dialysis.

It is our duty to honor the American tradition of medical science to hasten the day when these diseases no longer plague our mothers and fathers. In the Navy, we say, ''Lead, follow, or get out of the way.'' I urge Members to support the Greenwood substitute: Lead, follow or get out of the way.

The Greenwood language continues America's leadership. Other countries will continue to follow us, and at the very least, it gets Congress out of the way of future cures.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I rise to state today that I am strongly pro-choice. I am strongly pro-stem cell research, and I have profound discomfort in opposing many of my professors who oppose the Weldon-Stupak bill which I favor, and I urge support of the Weldon-Stupak bill and reluctantly urge defeat of the substitute bill.

I think that this is a time to pause. It is a time which behooves caution, that we take some time to let our ethics catch up with our technology. Our technology has gotten to the point where we are talking about genetic mixes, mixing of human and animal cells and other procedures which I think the public has a reasonable, profound discomfort with.

Many scientists say it is incredibly dangerous to stop any form of experimentation. I submit to my colleagues that we do stop certain forms of experimentation. We no longer permit the kinds of experiments on nonhuman primates which potentially could protect us in vehicle accidents. The Nuclear Test Ban Treaty is nothing but a cessation of certain forms of experimentation, and many scientists were in favor of the destruction of the last stocks of smallpox virus which would have stopped experimentation on that virus.

There are times, very rare, but there are times when it behooves caution to pause, to pull back, and to deeply consider. I differ with the chairman that perhaps in 5 or 10 years, science and the ethics may lead us to a different conclusion. But perhaps it leads us to the same conclusion. We should come back and force Congress to address this issue in 5 or 10 years.

At this point in time, I rise to support the Weldon-Stupak bill and in opposition to the Greenwood-Deutsch substitute, and I submit for the RECORD an article from the Washington Post, April 11, 2002, on this subject.

NOT READY FOR HUMAN CLONING

(By Bill Frist)

WASHINGTON POST.—Can one be an advocate for embryonic stem cell research while opposing human cloning experimentation? That's the question facing about 30 U.S. senators who have not yet taken a position on human cloning legislation to be brought before the Senate.

But we must first understand the similarities and distinctions between the two. It's important to understand that human ''therapeutic'' or ''research'' cloning is an experimental tool often confused with, but distinct from, embryonic stem cell research. Only then can we appropriately dissect a debate on the potential of the science vs. the restraint defined by ethics and moral concerns.

Most agree that human reproductive cloning, or the cloning of human beings, should be banned. The contentious issue is whether this ban should extend to all human cloning, including human embryo a research cloning experimentation, a brand-new field. Advocates point to its potential to develop tissues that will not be rejected by a patient's immune system. They also argue for human cloning as a source of genetically diverse stem cells for research. Moreover, they say such experimentation will further our basic understanding of biology and life's origins.

But regardless of our religious backgrounds, most of us remain uncomfortable with the idea of creating cloned human embryos to be destroyed in an experiment.

As a physician and legislator who struggles with this inherent tension between scientific progress and ethical concerns. I focus on two fundamental questions: (1) Does the scientific potential of human research cloning experimentation justify the purposeful creation of human embryos, which must be destroyed in experiments? (2) Does the promise of human embryonic stem cell research depend on experimental human research cloning?

At this point in the evolution of this new science, I cannot justify the purposeful creation and destruction of human embryos in order to experiment on them, especially when the promise and success of human embryonic stem cell research do not depend on experimental research cloning.

President Bush last August outlined a scientifically and ethically balanced policy that allows federal funding of embryonic stem cell research for nearly 80 stem cell lines. This has opened the door to a significant expansion of embryonic stem cell research. Further, there are no restrictions on private research using stem cells from the thousands of embryos left over after in vitro fertilization. This research, too, is underway. The promise and hope for new cures is being investigated. And the promise of this research does not—I repeat, does not—depend on human embryo cloning.

Human cloning would indeed provide another source of stem cells—this time by asexual reproduction. But a human embryo still has to be created—then destroyed—to produce these stem cells. Moreover, very little research cloning experimentation has been done with animals—a prerequisite to any demands for such work in humans. Given the early state of this uncharted new science, the large number of federal cell lines and the unlimited number available for private research, I believe a sufficient number and range of cell lines are available.

As a heart transplant surgeon, I know intimately the challenges of transplant rejection. But I also know of multiple promising strategies to address this issue, such as the development of ''tolerance strategies,'' improved pharmacologic immunosuppression and the manipulation of cell surface structure to make cells ''invisible'' to the immune system—none of which carries the ethical burdens attached to human cloning.

No one can deny the potential that human cloning holds for increased scientific understanding. But given the serious ethical concerns this research raises, the fact that promising embryonic stem cell research will continue even under a cloning ban, the lack of significant research in animal models and the existence of promising alternatives, I am unable to find a compelling justification for allowing human cloning today.

The fact that we are even engaged in this debate testifies to the rapid and encouraging progress of science. For now, the proper course is to stop short of allowing cloning research in humans but to enthusiastically embrace the public and private stem cell research that holds such great hope for those who suffer from a wide range of disorders and conditions, such as Alzheimer's disease, Parkinson's disease and diabetes.

Mr. DEUTSCH. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. ESHOO), who, based upon long background and interest in this area, has been a leader in terms of health care for all Americans.

Ms. ESHOO. Mr. Chairman, I thank my distinguished colleague for yielding me the time.

I rise today in support of the substitute and in opposition to the underlying bill.

There are three major points that need to be made. First, the substitute bans human cloning in any form, period. It has stiff criminal and civil penalties imposed on anyone who would attempt human cloning, and both bills do that.

□ 1600

One is not diminished with a stronger bill. They both absolutely provide that.

Second, the underlying bill takes a step that I do not think can be talked about enough, and that is that it turns scientists and researchers, who I think are the merchants of hope, into criminals simply for trying to find cures for our most dreadful diseases.

In the life of our Nation, there have been many times that white-hot issues have been debated in the Congress. In the mid-1970s, the subject was recombinant DNA. Today, this procedure is responsible for the insulin that allows children with juvenile diabetes to live normal lives. It was such a debate like this one today that took place in the Congress, and there were Members that stood up and said we cannot do this, the sky will fall, it is not moral, it is not ethical; and yet we took the steps to move in that direction.

In the late 1970s, and again in the early 1990s, the subject was in vitro fertilization. Many Members questioned then, in a very important debate, how we could allow that process to go forward; and yet today there are many happy families as a result of it. Today, the opposition characterizes this in a very unusual way. In my view, it is the equivalent of book burning, to criminalize scientists and researchers and ban what they do.

It is important to take note of how these debates have gone forward. I think the Congress needs to move forward today with scientific discovery and also affirming life and protecting it. We can do both. I understand that this is a difficult issue for some Members, but I think that we need to look at who stands with us in this, the groups that support H.R. 801. Is Stanford University off its rocker? Is the American College of Obstetricians and Gynecologists totally wrong in this? Is the American Gastroenterological Association wrong? How about the American Infertility Association, the American Medical Association, the American Society for Cell Biology, the National Health Council, the Lymphoma Research Foundation, the International Foundation for Anticancer Drugs?

I could go on and on. Mr. Chairman, I urge my colleagues to read the list that I will ask be placed in the RECORD and to read it carefully. Let us ban human cloning, let us support American research and those that are a part of it.

Mr. Chairman, the list I just referred to is submitted herewith for the RECORD.

Groups Supporting H.R. 801—Alliance for Aging Research, Alpha-1 Foundation, ALS Association, American Association of Neurological, Surgeons/Congress of Neurological Surgeons, American College of Obstetricians and Gynecologists, American Council on Education, American Foundation for AIDS Research (amfAR), American Gastroenterological Association, American Infertility Association, American Medical Association, American Society for Cell Biology, American Society for Microbiology, American Society for Reproductive Medicine, American Society of Hematology, Association for Women in Science, Association of American Medical Colleges, Association of American Universities, Association of Reproductive Health Professionals, Biotechnology Industry Organization, California Institute of Technology, Californians for Cure, Canavan Research Illinois, Cancer Research and Prevention Foundation, Cedars-Sinai Health System, Children's Neurobiological Solutions, Christopher Reeve Paralysis Foundation, Coalition of Patient Advocates for Skin Disease Research, Columbia University Committee for the Advancement of Stem Cell Research, Cures Now, Duke University Medical Center, Elizabeth Glaser Pediatric AIDS Foundation, Genetic Alliance, Hadassah, Harvard University, Hereditary Disease Foundation, Hope for ALS.

International Foundation for Anticancer Drug Discovery (IFADD), International Longevity Center—USA, International Psoriasis Community (IPC), Jeffrey Modell Foundation, Johns Hopkins Medicine, Juvenile Diabetes Research Foundation, International Lymphoma Research Foundation, Monash University, National Association for Biomedical Research, National Coalition for Cancer Research, National Coalition for Cancer Survivorship, National Council on Spinal Cord Injury, National Health Council, National Venture Capital Association, Parents of Infants and Children with Kernicterus, Parkinson's Action Network, Parkinson's Disease Foundation, Project A.L.S., Quest for the Cure, Research!America, Resolve: The National Infertility Association, Rett Syndrome Research Foundation, Society for Women's Health Research, Stanford University, Stem Cell Research Foundation, Steven and Michele Kirsch Foundation, Tourette's Syndrome Association, Tuberous Sclerosis Alliance, University of California System, University of Minnesota, University of Rochester Medical Center, University of Southern California, University of Wisconsin-Madison, Vanderbilt University and Medical Center, Washington University in St. Louis, WiCell Research Institution, Wisconsin Alumni Research Foundation, Wisconsin Association for Biomedical Research and Education.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me this time.

Mr. Chairman, on the eve of this debate in July 2001, Washington Post columnist Charles Krauthammer referred to Mr. GREENWOOD's legislative approach to human cloning ''a nightmare of a bill.'' He said, ''Mr. GREENWOOD sanctions, licenses, and protects the launching of the most ghoulish and dangerous enterprise in modern scientific history, the creation of a nascent cloned human life for the sole purpose of its exploitation and destruction.''

The majority of the House, like Mr. Krauthammer, rejected the Greenwood amendment by a vote of 178 to 249. We got it right then, and I do hope that Members today will vote against the Greenwood substitute. The Greenwood substitute, Mr. Chairman, would, for the first time in human history, sanction the creation of human life with the demand, backed by new Federal criminal and civil sanctions, that the new life be destroyed after being exploited.

For the small inconvenience of registering your name and your business address, and filling out a form, you would be licensed to play God by creating life in your own image or someone else's. You would have the right to create embryo farms or anything else science might someday allow to be created outside the womb. And in the end, only failure to kill that which you had created would be against the law. We call it, Mr. Chairman, clone and kill. Amazingly, the only new crime created by the Greenwood amendment is failure to kill all human lives created. Federal law would say, create as many as you like, so long as you eventually kill them.

Mr. Chairman, the clear consequence, I believe, of the Greenwood substitute is that it would not even stop the birth of a human clone, which it proposes to do with a moratorium. Because his approach would encourage the creation of cloned embryo stockpiles and cloned embryo farms, it would make the hard part of human cloning completely legal and would make the relatively easy part, implantation, illegal.

I strongly support the underlying bill and urge rejection of the Greenwood substitute.

Mr. GREENWOOD. Mr. Chairman, I yield myself such time as I may consume, and ask my friend from New Jersey how we would wind up with a cloned embryo stockpile? How would that happen?

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GREENWOOD. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I would just say to my friend, Mr. Chairman, that once this process is sanctioned and encouraged legally Federal dollars or other dollars might follow, and embryos will be cloned, this, I believe over time, human embryo farms, this science, will be certainly doable. And it is doable. We know that.

Mr. GREENWOOD. Mr. Chairman, reclaiming my time, and then I will yield to the gentleman again.

Mr. SMITH of New Jersey. Let me finish. You asked me a question.

Mr. GREENWOOD. I am reclaiming my time, and then I will yield to the gentleman again.

Mr. SMITH of New Jersey. But over time there would be the creation of human embryo farms.

The CHAIRMAN pro tempore (Mr. LINDER). The gentleman from Pennsylvania controls the time.

Mr. GREENWOOD. Mr. Chairman, I would love to have a dialogue with the gentleman, but let us go back and forth a little here.

The gentleman from New Jersey said over time we would clone eggs. Can the gentleman explain how you clone an egg? Is the gentleman suggesting we can take one egg and turn it into multiple eggs?

Mr. SMITH of New Jersey. If the gentleman will continue to yield, I said we would clone cells that would become identical to those that they were from, whether it be from you or I or anyone else. They would become an embryo capable of growing, if uninterrupted, into a young person, into an elderly person, and to a natural death.

Mr. GREENWOOD. Reclaiming my time once again, I am not sure, with all due respect, that my friend from New Jersey understands this process.

You cannot, you cannot, you cannot take one cloned entity and multiply it. You have to go back and get another egg. The gentleman from Florida (Mr. WELDON) described how extraordinarily difficult it is to get one egg. You have to find a woman who is willing to be superovulated and give up an egg to science. You cannot multiply that egg into more embryos. You can make one.

So, Mr. Chairman, I ask the gentleman again, can the gentleman explain the science by which he claims that we are going to wind up with, as he said, embryo stockpiles, embryo farms? Where do these thousands of eggs that the gentleman describes in this fictitious nightmare come from?

Mr. SMITH of New Jersey. I thank the gentleman for continuing to yield, Mr. Chairman, and respond that it will happen over time, as financial inducements are provided. As some of our colleagues pointed out earlier in the debate, when money is provided, some women may be induced to sell their eggs; and many thousands, if not tens of thousands of eggs will be produced over time. There will be a magnet provided to these women, especially the poorer women, to offer up their eggs for this kind of operation.

Mr. GREENWOOD. Mr. Chairman, the gentleman has answered my question, and I will reclaim my time.

The gentleman proposes in his response to my question that women of America are going to line up for dollars so they can be superovulated, and it is the most ridiculous and disrespectful attitude towards women I can imagine. To think that the gentleman from New Jersey believes that the women of this country are going to line up for a painful procedure, and one as intimate as the donation of eggs for money, I think, is incredible.

The proponents of the Weldon bill would like to paint those of us who think that this research, this transient period of research so important for science, as somehow out of the mainstream. The gentlewoman from California talked about some of the organizations that stand with us. Let me name some others:

The Alliance for Aging Research, the Alpha-1 Foundation, the ALS Association, the American Association of Neurological Surgeons, the Congress of Neurological Surgeons, the American College of Obstetricians and Gynecologists, the American Foundation of AIDS Research, the American Gastroenterological Association, the American Infertility Association, the American Medical Association, the American Society for Cell Biology, the American Society for Reproductive Medicine, the American Society of Hematology, the Association of American Medical Colleges, the Cancer Research and Prevention Foundation, the Christopher Reeve Paralysis Foundation, the Children's Neurobiological Solutions Organization, the Coalition of Patient Advocates for Skin Disease Research, the Genetic Alliance, Harvard University, Hope for ALS, Lymphoma Research Foundation, the National Association for Biomedical Research, the National Coalition for Cancer Research, the National Coalition for Cancer Survivorship, the National Council on Spinal Cord Injury, National Health Council, the Parents of Infants and Children with Kernicterus, Parkinson's Action Network, the Parkinson's Disease Foundation, Research America, Tourette's Syndrome Research Foundation, et cetera.

This is the mainstream of American medicine. This is the mainstream of American science. This is the intelligentsia of America who actually understand how this science works, who do not walk around thinking you can multiply eggs through science and who do not believe women are going to line up by the tens of thousands for dollars to produce these fictitious embryo farms.

My colleagues, there is a time in American history where we are either going to decide to go with the people who understand this stuff and the people who have compassion in their hearts for these people with these diseases, or we are going to fall prey to this Luddite anti-scientific and demagogical approach.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Pennsylvania is way off base, and I can tell my colleagues from my own family experience how far off base he is.

My mother died of Alzheimer's disease. For the last year and a half of her life, she did not know who I was, she did not know who my wife was, she did not know who my sister was, or who my kids were. And to insinuate that those of us who disagree with the gentleman's amendment are Luddites and insensitive is flat-out wrong.

Furthermore, my beloved wife, who I have been married to for almost 26 years, has had a spinal cord injury. She has no sensitivity below her waist. She is a wonderful woman. She has given me two wonderful children, and we have lived day by day and minute by minute with that kind of a condition; and she and I are both in favor of what the gentleman from Florida (Mr. WELDON) is trying to do because there is an ethical issue and there is a moral issue involved in this, which many people want to turn their backs on. But in my family we have to live with it every day and every minute, and we will until death do us part.

Now, the whole issue on this amendment, to get back to my initial remarks, is the policing of what is done with the cloned embryos that the Greenwood amendment allows. 99.99 percent of the people that do the experimentation on cloned embryos may do it in an entirely ethical manner. But all we need is one unethical person to implant a cloned embryo in utero and we have a cloned baby. And once that unethical person plants the cloned embryo in utero and it starts developing as a fetus, what does that gentleman's amendment do about it? Absolutely nothing. Are we going to throw somebody in jail for doing that? Are we going to throw the mother in jail for doing that? No way. The baby is going to be born, and we are going to have a cloned human being.

Again, Bill Clinton's bioethics panel said: ''The commission began its discussions fully recognizing that any effort in humans to transfer a somatic cell nucleus into an enucleated egg involves the creation of an embryo with the apparent potential to be implanted in utero and developed to term.''

□ 1615

Your substitute does not deal with this issue at all. That is why it is fatally flawed.

Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time. I want to get at this issue of eggs and how are you going to get them. The gentleman from Pennsylvania has implied that my concerns about women's donation are unfounded. Let me just underscore from the start that there are a lot of people on the left that have a lot of concern about this issue. One of the first people who came into my office to join forces with me on preparing this legislation was Judy Norsigian. She is pro-choice. She helped write the Boston Women's Health Cooperative book, ''Our Bodies, Ourselves.''

Indeed, I think some of the concern about this issue is why I think seven Democrats, seven or eight Democrats with a perfect voting record with NARAL, supported my bill in the 107th Congress and it is over this concern. The gentleman from Pennsylvania implied it's ridiculous, women aren't going to be lining up. The issue is essentially this. If you are going to start doing a lot of this experimentation, you are going to need a lot of eggs because not every egg you put the nucleus in and then zap it with electricity begins to divide and form an embryo. There is a fairly high failure rate if you

actually read the research articles, which I have done. There is a pretty high failure rate. So you are going to need lots of eggs to create a few embryos and you are going to need a lot of women to get a lot of eggs.

And who will donate their eggs? Well, it is going to be women who will do it for money. It is a painful procedure. Women do this right now. The fertility clinics frequently deal with women who are older and their eggs are not very viable and so they pay typically coeds to donate some of their eggs so that some of these older women can actually have a baby. It is already going on today. But it is going on today on a very limited level and it is going on today for what I think is an ethically and morally appropriate purpose: somebody wants to have a baby, somebody struggling with infertility. But now we are going to be talking about creating these eggs for this research.

The research, Mr. Chairman, is going nowhere. I have read the reports. It is not going to ever lead to any cures. The reason the biotech industry wants the Greenwood amendment to prevail and does not want my position to prevail is because they want to create human models of disease so that we can get away from using rats and mice as our models for disease. To me, this is a huge issue. You are talking about creating human embryos, modifying them genetically to preprogram them with diseases, and then selling them for a profit by the biotech industry.

I said before, it is an abomination. If you do not think that is an abomination, I do not know what you think is. To me it is absolutely ghastly.

Let me just close by again saying all of this research can proceed with animal models unfettered under the provisions of the bill that the chairman has brought to the floor. You can continue with animal research. You can clone DNA. You can clone animals. You can clone cells. You just cannot create a human embryo under the provision of this legislation. I think it is the right thing to do. I think that morally it is the correct thing to do. I would again encourage all of my colleagues to vote ''no'' on this substitute and vote ''yes'' on the underlying bill.

I want to commend the gentleman from Wisconsin for his very eloquent remarks.

Mr. DEUTSCH. Mr. Chairman, may I inquire how much time each of us has remaining?

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Florida (Mr. DEUTSCH) has 9 minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 5 minutes remaining. The gentleman from Pennsylvania (Mr. GREENWOOD) has 30 seconds remaining.

Mr. DEUTSCH. Mr. Chairman, I know, at least at this table, we have literally probably about 10 or 12 or 15 Members who would like to speak. I would at least ask for unanimous consent to offer each side an additional 10 minutes.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. SENSENBRENNER. Mr. Chairman, reserving the right to object, there is a snowstorm bearing down on this city. There are numerous Members who have asked me to speed this debate up so that they can get out of town and not be marooned here. I would ask the gentleman from Florida to have compassion on those Members and withdraw his unanimous consent request. If he persists, I am constrained to object.

The CHAIRMAN pro tempore. Objection is heard.

Mr. DEUTSCH. Mr. Chairman, I hear the possibility of objection so I withdraw it at this point in time.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. SCHIFF), an original cosponsor of the legislation who is very knowledgeable about this issue.

Mr. SCHIFF. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to address my remarks to some of the arguments that have been made by the opposition to the substitute: first, that other research will adequately substitute for somatic cell nuclear transfer; second, the policing issue; and third, the moral issue.

On the first issue, there is no adequate substitute for the science of somatic cell nuclear transfer. Adult stem cells do not have the same potential to differentiate. And even if you are talking about embryonic stem cells, the advantage of the somatic cell nuclear transfer is that the transfer will bear the DNA of the patient who is being treated and it will not be rejected by the patient. That is a vital distinction, because it will not necessitate the use of immunosuppressant drugs. So there is no adequate substitute for this type of research.

On the second point, that we cannot adequately police this if we allow this. As a practical matter and speaking as a former prosecutor, if we want to preclude any possibility of abuse, we not only need to preclude any kind of stem cell research, we need to ban and close down every fertility clinic in the country. When has it been the case that because of the possibility of abuse or criminality we would shut down important, vital avenues of research? That has never been the policy of the United States. It is one of the reasons we lead the world in research and one of the reasons we have to continue to lead.

Finally, on the most difficult question, and that is the moral question, the question of when life begins. This is not a question that we can resolve on the House floor. It is something we all bring our faiths to bear on. But what we can decide is whether we are willing to use the coercive power of the government to make that decision for everyone else; whether we are willing to use that coercive power to say that we will deny people treatment derived from this important science because some of us have a view of life that life begins with the fertilization of an egg or with a somatic cell nuclear transfer when others do not. I would urge my colleagues to deny themselves the benefit of that research if they choose, but do not deny it to the rest of the world.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, since the House last considered a ban on cloning, the National Academy of Sciences and the President's Council on Bioethics have both issued reports on the ethical and social questions raised by cloning. H.R. 534 does not reflect the recommendations of either body.

In moving to head off the morally unacceptable practice of cloning human beings, the National Academy of Sciences concluded that we must take great care not to limit the process of somatic cell nuclear transfer which holds considerable potential for developing new therapies and advancing biomedical knowledge.

The 17 members of the President's Council on Bioethics were divided on a final policy recommendation, but even the most conservative members of the council recommended only a 4-year moratorium on therapeutic cloning, not an outright ban as the Weldon bill would mandate.

There is a compelling moral case for therapeutic cloning based on our obligation to relieve human suffering and to affirm human health and life. The Greenwood substitute maintains the critical scientific and moral distinction between reproductive cloning, which we all agree should be banned, and therapeutic cloning which has tremendous potential for human benefit.

Vote against H.R. 534 and for the Greenwood substitute.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I rise in very strong support for this substitute amendment. Embryonic stem cell use is necessary in discovering the causes of a myriad of genetic diseases, to testing new drug therapies more efficiently on laboratory tissue instead of human volunteers, and to staving off the ravages of disease with the regeneration of our bodies' essential organs.

Contrary to what opponents have been saying, this substitute does not give a green light to individuals and companies who perform human somatic cell nuclear transfer. It requires them to register with the Food and Drug Administration which will act as an independent oversight committee. The Greenwood substitute formalizes in law what is already being practiced across this Nation.

If the underlying bill instead of the substitute passes, it will represent a

triumph for ideological special interests over the public interest, because the public interest is best served when the medical and the scientific community is free to exercise their professional judgment in extending and enhancing human life.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Chairman, I rise in support of the Greenwood substitute. We know that the people who have come before us today have said, and they have said this very clearly, that none of us supports cloning as a means of human reproduction. But we also know that drug discoveries often have narrow targets. I believe that my colleague, the gentleman from Pennsylvania (Mr. GREENWOOD), mentioned the number of organizations that are supporting this. Those who suffer from unusual illnesses that kill the young seldom have sufficient numbers to stimulate drug research; but it is this basic research we are talking about, this basic research into cell reproduction that, if successful, could benefit large numbers of such diseases, each of which affects a small number of people.

None of us here would want to look a constituent in the eye and say that we rejected the possibility of pursuing 21st century science which might have saved the life of their loved one.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of the good doctor from Florida's legislation, H.R. 534, and against the Greenwood substitute. I also want to thank my chairman on the Committee on the Judiciary for moving the legislation through our committee and bringing it here today.

I am very concerned by the language of the substitute and its ramifications. Leon Kass, the distinguished bioethicist, notes that under the Greenwood language, embryo production is explicitly licensed and treated like drug manufacturing. Furthermore, it would establish an unworkable system of embryos in labs all over the country and puts Federal law enforcement in charge of making sure that no egg is ever implanted in a woman's body. Our law enforcement officials simply cannot carry out the directive.

The language of the base bill is narrowly tailored. Simply, the language ensures that women are not exploited so their eggs cannot be mass harvested as commodities for research purposes. And the language prohibits the creation of cloned human embryos for experimental research or productive purposes. I urge my colleagues to oppose the substitute and to support this important legislation.

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. RUPPERSBERGER), one of our new Members.

Mr. RUPPERSBERGER. Mr. Chairman, I am not in favor of cloning humans for reproduction but I do favor the medical research that the Greenwood substitute would provide. Every day in this country hundreds of thousands of Americans suffer from the effects of degenerative disease and spinal cord injuries. As a young attorney I was in a car accident where I nearly lost my life. Maryland's Emergency Medical Shock Trauma system saved my life. Medical research saved my life. To this day I continue to serve as vice chair of the Shock Trauma Board. My work with shock trauma has put me in contact with a number of people who are suffering from degenerative diseases and spinal cord injuries.

My good friend Burt Greenwood from Baltimore has Lou Gehrig's disease. Every day he fights to stay with us. Every day he hopes that stem cell research someday will give him a chance. That is why I stand in support of the Greenwood amendment. We must make continued research a reality and not just a hope for the families that we represent.

Let me quote Dr. Jeffrey Rothstein, a professor of neurology and the director for ALS research at Johns Hopkins University:

> No responsible scientist wants to clone a human. Responsible scientists want to continue the research for cures to degenerative disease. Stem cell research holds the only hope for thousands of suffering Americans.

□ 1630

Mr. DEUTSCH. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Chairman, this debate is not about human cloning, and everybody in this Chamber knows that. In fact, both bills ban human cloning. This debate is about whether there is going to be medical research that may provide answers to some of the horrible diseases that afflict people. I want my colleagues to meet little Claire, 3½, and Lauren, 5. They have a disease called SMA, spinal muscular atrophy. It is a genetic disease. Half the kids diagnosed with this die by the time they are 2 years old. All they want is a chance. They have hope. H.R. 534 takes the chance for a cure away from them. I hope that the people on the side of H.R. 534 will think about that. All they want is a chance. Is that too much to ask?

Please, I implore my colleagues here to vote for the Greenwood substitute and against H.R. 534.

Mr. DEUTSCH. Mr. Chairman, I yield 30 seconds to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, I thank the gentleman from Florida (Mr. DEUTSCH) for yielding me this time.

Mr. Chairman, I rise today in support of the Greenwood substitute and in opposition to H.R. 534. I join with my colleagues in making one thing perfectly clear: I am opposed to cloning of humans. I do not believe there is any justification in replication of a human being. However, I believe that we in Congress have a responsibility to carefully craft Federal legislation on cloning that will not outlaw legitimate medical research that may save or enhance the lives of many.

Former First Lady Nancy Reagan has stated her support of therapeutic cloning because it offers the best hope for curing Alzheimer's. I am supporting the amendment. I urge my colleagues to do the same.

Mr. DEUTSCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am going to read a letter that Nancy Reagan wrote to this Congress on this issue. ''As you may know, Ronnie will observe his 92nd birthday soon. In earlier times we would have been able to celebrate that day with great joy and wonderful memories of our life together. Now, while I can draw strength from these memories, I do it alone, as Ronnie struggles in a world unknown to me or the scientists who devote their lives to Alzheimer's research. Because of this, I am determined to do what I can to save other families from this pain. I'm writing, therefore, to offer my support for stem cell research and to tell you I'm in favor of new legislation to allow the ethical use of therapeutic cloning. Like you, I support a complete ban on reproductive cloning. However, I believe that embryonic stem cell research, under appropriate guidelines, may provide our scientists with many answers that are now beyond our grasp. Sincerely, Nancy Reagan.''

Mr. Chairman, there are those families that might not choose to want to use this research, and my colleagues mentioned, themselves, that they would not. This bill actually bans the importation of those cures. I doubt there is a family in America that if Alzheimer's was cured through this research in Ireland, Japan, Germany that they would not use it; and I would not ask a Member personally to state what would happen on the floor if that was the case, but I ask them to look into their own hearts before they vote about that.

Finally, I would say that that is the issue in front of us today. I urge the support of the substitute and adoption of the final bill.

Mr. GREENWOOD. Mr. Chairman, I yield myself such time as I may consume.

It has been a good debate. The gentleman from Wisconsin seemed to think that I was impugning the opponents of my substitute. I am not. My point was that contrary to the argument that the gentleman from New Jersey (Mr. SMITH) made that the purpose of this research is strictly for the exploitation and destruction of human life is wrong, this is about hope. This is about trying to stop suffering, and we

have a choice to make here between fear and hope, and I encourage my colleagues to support hope. Support the Greenwood-Deutsch amendment and vote ''no'' on the Weldon bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. WELDON), the author of the bill.

Mr. WELDON of Florida. Mr. Chairman, I again thank the chairman for his work in this area, and I thank him for yielding me this time.

The Greenwood substitute purports to be a ban on human cloning. It is a moratorium on human cloning. It is a 10-year prohibition that sunsets; and it allows unfettered, essentially, the creation of human embryos in the lab for the purpose of research; and then it requires their destruction, essentially, through a process called somatic cell nuclear transfer or human cloning.

We have never gone in this direction before where we are actually talking about creating human embryos in the lab for exploiting them and destroying them. There have been a few labs in different places in the country that have tried to do this. One successfully. There are fertility clinics that have so-called excess embryos, and some of them have made those embryos available for stem cell research. This bill does not affect that. That would be permissible to move forward.

The question before us is, is the Greenwood substitute a real ban on human cloning? I contend it is not. It would still allow the creation of clones in the lab in embryonic form, and I believe very strongly that it will usher in what the supporters of the substitute claim that they do not want to see and that is reproductive cloning, because we will have all of these labs generating these embryos and eventually one of them or more will find its way into unscrupulous hands, will be implanted, and will result in reproductive cloning.

Might I also add that there are some people who want to allow this research to move forward so that they can some day be able to do reproductive cloning. At a hearing we had on this issue, I had Dr. Brian Cohen testify before the committee, and he repeatedly said, ''We are opposed to reproductive cloning at this time.'' He kept saying ''at this time.'' And I finally asked him, ''What do you mean by 'at this time'?'' And he is the executive director, or the president, of the American Society for Reproductive Medicine; and then he went on to basically say that if they can work through all of the problems with cloning that they would some day like to be able to do it. And what will happen, what will be next with that? I contend that the age of eugenics will have arrived. There will be people who will then want to manipulate these embryos for the purpose of creating a human with preintended specifications, specifying size, height, weight, athletic performance, intellectual capabilities; and it will open a Pandora's box of frightful potentialities that I feel that we as a civilization do not want to open up, and therefore I strongly encourage my colleagues on both sides of the aisle to vote against the substitute and vote ''yes'' on the underlying bill.

Mr. EVANS. Mr. Chairman, I have come before you today to share my strong opposition to H.R. 534 and to ask my colleagues to vote for the Greenwood substitute. It is very important to me personally that we take a serious look at the issue of banning technology for the inherently different uses of creating embryos for both therapeutic cloning and reproduction cloning.

First, this issue does not conflict with religious faith. One leading scientist provides this description of cloning technology: ''Because there are no body cells of any kind, and the cells have not yet individualized they are not a person yet, by definition. Saying that a preimplantation embryo is a human being and arguing that therapeutic cloning is, therefore, unethical is simply not based on fact.''

Therapeutic cloning and stem cell research have the potential to bring us exciting new treatments and possible cures for many of our most debilitating diseases and injuries including Parkinson's, diabetes, heart disease, multiple sclerosis, burns, and spinal cord injuries. The list goes on. The number of Americans suffering from these afflictions—and indeed the number of those who will potentially reap the benefits—is estimated to be over 100 million. Mr. Speaker, and as someone with Parkinson's Disease, I am one of those millions.

Critics of therapeutic cloning and embryonic stem cell research say that there has been little progress and these techniques offer only pipe dreams to those who are sick or dying. I ask my colleagues why this fledgling science which is in its infancy should be banned before further developments and progress can be made.

Opponents to therapeutic cloning say that the possible evils associated with creating cloned human beings are so great that we need to ban the technology itself, that is a slippery slope. This is simply not the case, and the Greenwood substitute institutes severe criminal penalties for anyone involved in implanting a cloned embryo in a women's uterus.

In fact, the only slippery slope in this debate—the fate of embryos, which may be applied then to embryos created for in vitro fertilization, that are created with a possibility of being discarded is at stake. As a society, we have accepted and even embraced the science of in vitro fertilization. Deciding that we should more to a society in which embryos should never be created with the knowledge that they would be discarded would not only affect the importance research of embryonic stem cells but also affect the millions of Americans who gain hope of bearing their own children by in virto fertilization.

Regeneration medicine provides hope for millions of Americans. It is the future of medicine for so many of our citizens who suffer every day. It holds hope for my life. Let us leave science and medical technology to our medical technology to our medical researchers and use our time to focus on this Nation's real problems. I urge my colleagues to vote for the Greenwood substitute, H.R. 801, and vote against H.R.534.

Mr. KIND. Mr. Chairman, I rise today in strong opposition to H.R. 534 and in strong support for the Greenwood/Deutsch/DeGette/Eshoo/Kirk substitute. The United States has long been the leader in medical research and biotechnology. Biotechnological advances have the potential to transform the way we treat many debilitating diseases.

One promising way that biotechnology is changing our lives is through the potential of stem cell research and therapeutic cloning. Therapeutic cloning is not cloning in the sense most people use the term, namely using technology to create a person who is a genetically identical copy of someone else. That type of cloning is reproductive cloning and is rightfully subject to a ban. The Greenwood Substitute would do just that.

In addition, the Greenwood Substitute would also permit therapeutic cloning. The potential therapies that may be developed from therapeutic cloning are significant. Therapeutic cloning will help researchers pursue stem cell therapies that could impact the lives of millions of Americans suffering from many of our most devastating illnesses, including Alzheimer's disease, Parkinson's disease, ALS, heart disease, cancer, and spinal cord injury. Further, this technology offers hope to the more than 1 million American children who suffer from juvenile diabetes because of the potential to turn these cells into insulin-producing cells.

We have entered the 21st Century and are on the verge of breakthrough biomedical discoveries that could save millions of lives. H.R. 534 would halt vital research that has the potential to revolutionize the biotech industry. Stopping this research in its tracks puts the United States at a clear and immediate disadvantage. Other nations such as Britain, France, Sweden, and the Netherlands, all of which currently have laws allowing therapeutic cloning from designated sources, continue to advance the technology. Molecular and cellular biologists committed to this research have already begun to look abroad, and they take with them lucrative investments from the biotech industry. Other scientists have dropped the cause all together, wasting precious time in the development of life-saving procedures that will someday help millions of people.

Back home in Wisconsin, I have had the privilege of meeting with Dr. James Thomson, a developmental biologist at the University of Wisconsin-Madison, who has contributed greatly to stem cell research. Three years ago he became the first person to isolate stem cells from human embryos. He has not taken on this work lightly, he has thought carefully about the ethical implications of his research. For Dr. Thompson, the moral questions about embryo experimentation were not difficult to resolve; he concluded that research was the ''better ethical choice.''

Because embryonic stem cells have the potential to grow into any cell or tissue in the human body, scientists say they hold great potential for repairing damaged tissues or organs. But to extract them requires that the embryo be destroyed, therefore, every year since 1995, Congress has attached language to its appropriations legislation to ban taxpayer financing of the work.

This ban requires that Dr. Thomson work into different laboratories, one of them in secret. He works primarily out of the university's primate center. This is his federally financed laboratory where he studies stem cells derived from the embryos of rhesus monkeys and marmosets.

When he conducts research on human cells, he must, however, move to an entirely different laboratory. This one is paid for by WiCell Research Institute, a corporation set up as a subsidiary of the Wisconsin Alumni Research Foundation, the nonprofit group that holds the patent to Dr. Thomson's work. The location of this lab has never been disclosed to ensure the safety of the workers.

Freedom of research has led to the development of over 117 biotech products that have helped more than 250 million people worldwide. In addition, the biotech industry generated $28.5 billion in revenues in 2001, an increase of more than 350 percent in just ten years. Further, employment within the sector more than doubled in the same time period.

The United States has an obligation to demonstrate our continued leadership in this arena and we can only do so with the support of our government. We cannot afford the loss of resources that a chilled scientific climate will bring. We should not cede our leadership, or our industry, to other nations.

I urge my colleagues to vote no on the Weldon bill. Support responsible research, vote yes on the Greenwood Substitute.

Mrs. CHRISTENSEN. Mr. Chairman, the issue of human cloning is one that understandably causes grave concern and often heated opposition. But we in our position as leaders have the responsibility not only to ensure that this developing and promising technology that can revolutionize the art of healing, is not used for nefarious purposes, but to also educate and inform the public on the issue.

Today I rise in support of H.R. 801, the Greenwood-Deutsch Cloning Prohibition Act of 2003, because it makes the critical distinctions and provides the hope that the people of this country are looking for. We don't ever want to clone human beings, but we do want to use the technology termed, ''human somatic cell transfer'' as the vital tool it is, to allow scientists to fully develop the wonderful promise of stem cell research.

I applaud my colleagues for their leadership in bringing this alternative bill forward. It should be the primary, and really the one bill before us today.

As a physician I look forward to the day when we can cure diseases such as sickle cell disease, make the quadriplegic walk again, and successfully treat or reverse so many other diseases for which this was still an impossible dream I was in practice.

To pass H.R. 534 would not only cost our nation its standing as the world leader in health technology, but passing that base bill would kill this dream, and with it the hope of life and health for countless of our constituents.

Let's not do that, vote instead for the Greenwood/Deutsch/DeGette/Eschoo substitute.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise today to express my extreme opposition to the cloning of human beings. At no time do I think it will be acceptable for science to go down that path. As Members of Congress, we need to impose very strict penalties to prevent scientists from making the jump from doing important research to playing God.

But as a nurse, I remember a debate very similar to this one, the debate over researching DNA. In the 1970s, we in the healthcare community were very excited over the research being conducted by scientists on human beings actual biological makeup. However, many others believed then that we were headed towards creating Frankenstein or Aldolphus Huxley's ''Brave New World.''

The DNA technology debate also focused on regenerative medicine based on stem cell and nuclear transfer biology. DNA involves splicing the gene for a desired protein into bacterial, yeast or other mammalian cells, which then manufacture protein. To accomplish this, scientists had to develop incredibly powerful techniques for managing the mechanisms to cellular biology. Society had to decide whether to allow their continued development and if so, how to regulate and manage these techniques.

Mr. Chairman, the research continued, and millions of patients and their families have benefited. Today, it is used to produce human therapeutic proteins to treat or prevent a wider array of diseases and conditions. DNA products include: Human Insulin for diabetics; Herceptin for patients with breast cancer; Epogen for patients with kidney disease; Enbrel to hel patients with rheumatoid arthritis; and Pulmozyne that has prevented childhood deaths from cystic fibrosis.

Mr. Chairman, at this time I would like to submit for the RECORD a list of 66 other DNA products that are approved by the FDA. These products have helped ten of millions of patients worldwide.

Mr. Chairman, today's, Greenwood Amendment takes care of both of my concerns on this issue. First and foremost, if defines human somatic cell nuclear transfer with the intent to initiate a pregnancy as a criminal act subject to criminal and civil penalties. These penalties include: Imprisonment of up to 10 years; Civil penalties up to $10 million (or two times the pecuniary gain from cloning); and it provides for forfeiture of equipment, other property, and any monetary gains from cloning human beings. In addition, it requires all individuals who plan to perform human somatic cell nuclear transfer to register with the FDA. And finally it requires all research be conducted with the Institutional Review Board's oversight.

The Greenwood Amendment also addresses my concern about restrictions on therapeutic cloning by allowing this important research to proceed. The goal of therapeutic cloning is to treat or cure patients with life threatening diseases by creating tailor made, genetically identical cells that the patient's body will not reject. In other words, this procedure could allow patients to be cured using their own DNA.

In that process the nucleus is removed from a donated unfertilized egg and replaced with the patient's own cells, like skin, heart, or nerve cell. These types of cells are called somatic cells. These unfertilized egg cells are stored in a perti dish to become a source of stem cells that can be used to treat life-threatening medical conditions. These cells are not transplanted into a womb and no sperm is used in this procedure.

The National Scientists Academy believes that therapeutic cloning or somatic cell nuclear transplant technology could lead to dramatic new treatments and cures for currently noncurable diseases and medical conditions including cancer, diabetes, parkinson's, spinal cord injuries, heart disease, ALS and many others. We need to find these cures today and this research may be the key to unlock the cure.

Therefore, Mr. Chairman, I rise in support of the Greenwood Amendment and urge all my colleagues to do the same.

RECOMBINANT DNA PRODUCTS APPROVED THROUGH DECEMBER 31, 2001

Product	Company	Indication	Year approved
Actimmune® (interferon gamma-1b)	Genetech Inc. and InterMune Pharmaceuticals Inc.	Treatment of chronic ganulomatous disease; treatment of severe malignant ostepetrosis	1990 2000
Activas® (alteplase)/Cathflo™ Activase®	Genentech Inc	Treatment of acute myocamprdial infarction (heart attack); acute massive pulmonary embolism; acute ischemic stroke within first three hours of systom onset; restoration of function to central venous access devices (Cathflo Activase).	1987 1990 1996 2001
Aranesp™ (darbepoietin alfa)	Amgen	Treatment of anemia asociated with chronic renal failure	2001
Avonex® (interferon beta 1-alpha)	Biogen	Treatment of relapsing-remitting multiple sclerosis	1996
BeneFix™ (coagulation factor IX)	Genetics Institute (subsidiary of American Home Products)	Treatment of hemophilia B	1997
Betaseron® (interferon beta 1-b)	Berlex Laboratories and Chiron Corp	Treatment of relapsing-remitting multiple sclerosis	1993
Bioclate™ (antihemophilic factor)	Centeon	Treatment of hemophilia A; perioperative management of patients with hemophilia A	1993
BioTropin™ (human growth hormone)	Bio-Technology General Corp	Treatment of human growth hormone deficiency in children	1995
Campath® (alemtuzumab, recombinant monoclonal antibody)	Ilex Oncology Inc., Millennium Pharmaceuticals Inc. and Berlex Laboratories Inc.	Treatment of B-cell chronic lymphocytic leukemia (B-CLL) in patients who have been treated with alkylating agents and who have failed fludarabine therapy.	2001
Cerezyme® (alglucerase)	Genzyme	Treatment of Type 1 Gaucher's disease	1991 1994
Enbrel® (etanercept)	Immunex Corporation	Treatment of moderate to severely active rheumatoid arthritis in patients who have had an inadequate response to one or more disease-modifying antirheumatic drugs; treatment of polyarticular course juvenile rheumatoid arthritis; treatment as a first-line therapy for moderate to severe active rheumatoid arthritis.	1998 1999 2000
Engerix-B®, (hepatitis B vaccine, recombinant)	GlaxoSmithKline	Hepatitis B vaccine; adults with chronic hepatitis C infection	1989; 1998
Epogen® (epoietin alfa)	Amgen	Treatment of anemia associated with chronic renal failure and anemia in zidovudine-treated HIV patients; pediatric use	1989; 1999
Follistim™ (folitropin beta for injection)	Organon	Recombinant follicle-stimulating hormone for treatment of infertility	1997
Geno Tropin® (semorelin)	Pharmacia	Treatment of growth hormone deficiency in children; growth hormone deficiency in adults	1995; 1997
Geref® (semorelin)	Serono Laboratories	Treatment of growth hormone deficiency in children with growth failure	1997
Gonal-F® (folicle-stimulating hormone)	Serono Laboratories	Treatment of infertility in women not due to primary ovarian failure; treatment of infertility in men and women	1998; 2000
Helixate® (antihemophilic factor)	Aventis	Factor VIII for treatment of hemophilia A; second-generation factor VIII formulated with sucrose for treatment of hemophilia A	1994; 2000
Herceptin® (trastuzumab, recombinant monoclonal antibody)	Genentech Inc	Treatment of patients with metastatic breast cancer whose tumors overexpress the HER2 receptor	1998
Humalog® (human insulin)	Eli Lilly and Company	Treatment of diabetes	1996
Humatrope® (somatotropin)	Eli Lilly and Company	Treatment of growth hormone deficiency in children; somatotropin deficiency syndrome in adults	1996; 1997
Humulin® (insulin)	Eli Lilly and Company	Treatment of diabetes	1982
Infergen® (interferon alfacon-1)	Amgen	Treatment of hepatitis C virus (HCV) in patients 18 years or older with compensated liver disease who have anti-HCV serum antibodies and/or the presence of HCV RNA; subsequent treatment of HCV-infected patients who have tolerated an initial course of interferon therapy.	1997; 1999
Intron A® (alpha interferon)	Schering-Plough Corporation	Treatment of hairy cell leukemia; gential warts; AIDS-related Kaposi's sarcoma; non-A, non-B malignant melanoma; extended therapy for follicular lymphoma in conjunction with chemotherapy; treatment of hepatitis B in pediatric patients.	1986; 1988; 1988; 1991; 1996; 1997; 1997; 1998
Kineret™ (anakinra)	Amgen Inc.	Treatment of moderately to severely active rheumatoid arthritis in patients 18 or older who have failed one or more disease-modifying anti-rheumatic drugs.	2001
Kogenate® FS (antihemophilic factor)	Bayer Corporation	Factor VII for treatment hemophilia A; second-generation factor VII formulated with sucrose for treatment of hemophilia A	1989; 2000
Lantus® (insulin glargine)	Aventis	Biosynthetic basal insulin for adult and pediatric patients with type 2 diabetes	2000
Leukine® (granulocyte macrophage colony stimulating factor)	Immunex Corporation	Treatment of autologous bone marrow transplantation; treatment of white blood cell toxicities following induction chemotherapy in older patients with acute myelogenous leukemia; for use following allogenic bone marrow transplantation from HLA-matched related donors; for use mobilizing peripheral blood progenitor cells and for use after PBPC transplantation.	1991; 1995; 1995; 1995; 1996
Norditropin® (somatropin)	Novo Nordisk	Treatment of growth hormone deficiency in children	1995
Novolin® (human insulin)	Novo Nordisk	Treatment of diabetes	1982
NovoLog® (insulin aspart)	Novo Nordisk	Insulin analog for adults with diabetes mellitus	2000
NovoSeven® (coagulation factor VIIa)	Novo Nordisk	Treatment of bleeding episodes in hemophilia A or B patients with inhibitors to factor VIII or factor IX	1999
Nutropin Depot™ (somatropin, injectable suspension)	Genentech Inc. and Alkermes Inc.	Long-acting dosage form of recombinant growth hormone (one or two doses permonth) for pediatric growth bormone deficiency	1999
Nutropin®/Nutropin AQ® (somatropin)	Genentech Inc.	Treatment of growth hormone deficiency in children; growth hormone deficiency in adults; growth failure associated with chronic renal insufficiency prior to kidney transplantation; short stature associated with Turner Syndrome; to improve spine bone mineral density observed in childhood-onset adult growth hormone-deficent patients and to increase serum alkaline phosphatase.	1993; 1994; 1996; 1996; 1999
LYMrix™ (OspA)	SmithKline Beecham Biologicals	Prevention of Lyme disease	1998
Mylotarg™ (gemtuzumab ozogamicin)	Celltech Chiroscience and Wyeth-Ayerst (American Home Products Corporation).	Human antibody linked to calicheamicin (chemotherapeutic) for treatment of CD33 positive acute myeloid leukemia in patients 60 and older in first relapse who are not considered candidates for cytotoxic chemotherapy.	2000
Natrecor® (nesiritide)	Scios Inc.	Treatment of patients with acutely decompensated heart failure who have syspnea at rest or with minimal activity	2001
Neumega® (oprelvekin)	Genetics Institute (American Home Products Corporation)	Prevention of severe chemotherapy-induced thromboctopenia in cancer patients	1997
Nuepogen® (filgastim)	Amgen	Treatment of chemotherapy-induced neutropenia; bone marrow transplant accompanied neutropenia; severe chronic neutropenia; autologous bone marrow transplant engraftment or failure; mobilization of autologous PBPCs after chemotherapy.	1991; 1994; 1994; 1995; 1998
Ovidre ® (human chorionic gonadotropin)	Serono Laboratories	Treatment of infertility in women	2000
PEG-Intron ™ (pegylated version of recombinant interferon alfa-2b).	Enzon Inc. and Schering-Plough	Treatment of chronic hepatitis C; combination therapy with Rebetol of treatment of hepatitis C in patients with compensated liver disease	2001
Procrit ® (epoietin alfa)	Ortho Biotech Inc.	Treatment of anemia in AZT-treated HIV patients; anemia in cancer patients on chemotherapy; for use in anemic patients scheduled to undergo elective noncardiac, nonvascular surgery.	1990; 1993; 1996
Proleukin IL-2 ® (aldesleukin)	Chiron Corporation	Treatment of kidney carcinoma; treatment of metastastic melanoma	1992; 1998
Protropin ® (somatrem)	Genentech Inc.	Treatment of growth hormone deficiency in children	1985
Pulmozyme ® (dornase alfa)	Genentech Inc.	Treatment of mild to moderate cystic fibrosis; advanced cystic fibrosis; pediatric use in infants three months to 2 years and children 2 to 4 years old	1993; 1996; 1998
Rebetron ™ (combination of ribavirin and alpha interferon)	Schering-Plough Corporation	Combination therapy for treatment of chronic hepatitis C in patients with compensated liver disease who have relapsed following alpha interferon treatment; treatment of chronic hepatitis C in patients with compensated liver disease previously untreated with alpha interferon therapy.	1998
Recombinate ® rAHF (antihemophilic factor)	Baxter Healthcare Corporation	Blood-clotting factor VIII for the treatment of hemophilia A	1992
Recombivax-HB ® (hepatitis B vaccine)	Merck & Company Inc.	Hepatitis B vaccine for adolescents and high-risk infants; adults; dialysis patients; pediatrics	1987; 1987; 1989; 1993
DeFacto ® (antihemophilic factor)	Genetics Institute (American Home Products Corporation)	Control and prevention of hemophilia A and short-term prophylaxis to reduce bleeding episodes	2000
Refludan ® (lepirudin)	Hoechst Marion Roussel	For anticoagulation in patients with heparin-induced thrombocyto-penia	1998
Regranex ® Gel (gel becaplermin)	Ortho-McNeil and Chiron Corporation	Platelet-derived growth factor treatment of diabetic foot ulcers	1997
Remicade ™ (infliximab)	Centocor Inc.	Short-term management of moderately to severely active Crohn's disease, including those patients with fistulae; treatment of patients with rheumatoid arthritis who have had inadequate response to methotrexate alone.	1998; 1999
ReoPro ™ (abciximab)	Centocor and Eli Lilly and Company	Reduction of acute blood-clot-related complications for high-risk angioplasty patients; reduction of acute blood clot complications for all patients undergoing any coronary intervention; treatment of unstable angina not responding to conventional medical therapy when percutaneous coronary litervention is planned within 24 hours.	1994; 1997
Retavase ™ (reteplase)	Centocor Inc.	Management of acute myocardial infarction in adults (thrombolytic)	1996
Rituxan ™ (rituximab)	IDEC Pharmaceuticals and Genentech Inc.	Treatment of relapsed or refactory low-grade or follicular, CD20-positive B-cell non-Hodgkin's lymphoma	1997
Roferon-A ® (interferon alfa-2a)	Hoffmann-La Roche Inc.	Treatment of hairy cell leukemia; AIDS-related Kaposi's sarcoma; chronic phase Philadelphia chromosome positive chronic myelogenous leukemia; hepatitis C.	1986; 1988; 1995; 1995
Saizen® (human growth hormone)	Serono Laboratories	Treatment of growth hormone deficiency in children	1996
Serostim® (human growth hormone)	Serono Laboratories	Treatment of cachexia (AIDS-easting)	1996
Simulect® (basiliximab)	Novartis Pharmaceutical Corporation and Ligand Pharmaceuticals Inc..	Prevention of acute rejection episodes in kidney transplant recipients; use in renal transplantation in combination with triple immunosuppressive therapy; use in pediatric renal transplantation and use of an IV bolus injection.	1998; 2001

SYNAGIS™ (palivizumab)	MedImmune Inc.	Prevention of serious lower respiratory tract disease caused by respiratory syncytial virus (RSV) in pediatric patients at high risk of RSV disease	1998
Thyrogen® (thyrotropin alfa)	Genzyme	Adjunctive diagnostic tool for serum thyroglobulin testing with or without radioiodine imaging in the follow-up of patients with thyroid cancer	1998
TNKase™ (tenecteplase)	Genentech Inc.	Treatment of acute myocardial infarction	2000
Twinrix® (hepatitis A and hepatitis B [recombinant] vaccine)	SmithKline Beecham Biologicals	Immunization against hepatitis A and B viruses	2001
Xigris™ (drotecogin alfa, recombinant)	Eli Lilly and Company	Treatment of severe, life-threatening sepsis	2001
Zenapax® (daclizumab)	Hoffmann-La Roche Inc.	Prevention of kidney transplant rejection	1997

The CHAIRMAN pro tempore (Mr. SIMPSON). The question is on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DEUTSCH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 231, answered ''present'' 1, not voting 28, as follows:

[Roll No. 37]

AYES—174

Abercrombie
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Bell
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Boehlert
Bono
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Case
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Frost
Gibbons
Gilchrest
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (RI)
Kilpatrick
Kind
Kirk
Kleczka
Kolbe
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sanchez, Linda T.
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wynn

NOES—231

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bereuter
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Goode
Goodlatte
Goss
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kucinich
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
McCotter
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Wu
Young (AK)

ANSWERED ''PRESENT''—1

Filner

NOT VOTING—28

Ackerman
Baca
Brown, Corrine
Burton (IN)
Carson (IN)
Combest
DeFazio
Diaz-Balart, L.
Ford
Gallegly
Gephardt
Hinojosa
Hoeffel
Hyde
Lipinski
McCarthy (MO)
McCrery
Millender-McDonald
Miller, Gary
Ortiz
Payne
Peterson (MN)
Ros-Lehtinen
Sanchez, Loretta
Smith (MI)
Snyder
Waters
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. GILCHREST) (during the vote). The Chair will remind Members that there are 2 minutes left to this vote.

□ 1658

Messrs. HILL, SOUDER, BOOZMAN, EVERETT and TURNER of Ohio changed their vote from ''aye'' to ''no.''

Ms. WOOLSEY changed her vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. McCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 37, I was unavoidably detained. Had I been present, I would have voted ''aye.''

□ 1700

The CHAIRMAN pro tempore (Mr. GILCHREST). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. GILCHREST, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 534) to amend title 18, United States Code, to prohibit human cloning, pursuant to House Resolution 105, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

PARLIAMENTARY INQUIRY

Mr. SENSENBRENNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SENSENBRENNER. Would it be true that the quicker the Members take their seats and calm down, the quicker we can vote and get to the airport?

The SPEAKER pro tempore. That is not a proper parliamentary inquiry.

MOTION TO RECOMMIT OFFERED BY MS. LOFGREN

Ms. LOFGREN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. LOFGREN. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Page 4, line 24, strike the close quotation mark and the period that follows.

Page 4, after line 24, insert the following:

''(e) EXEMPTION OF MEDICAL TREATMENT.—The prohibitions of this section do not apply to the shipping, receipt, or importation of any product derived from an embryo (including pluripotent stem cells) designed for use in medical treatment for or to cure Parkinson's disease, Alzheimer's disease, diabetes, cancer, heart disease, spinal cord injury, multiple sclerosis, severe burns, or other diseases, disorders, or conditions, provided that the product of such use is not utilized to initiate a pregnancy and is not intended to be utilized to initiate a pregnancy and is unable to develop into a full human being. Nothing in this subsection shall exempt any product from any applicable regulatory approval.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes in support of her motion.

Ms. LOFGREN. Mr. Speaker, I first yield 1 minute to the gentlewoman from Wisconsin (Ms. BALDWIN), my colleague on the Committee on the Judiciary.

Ms. BALDWIN. Mr. Speaker, who among us could tell a person suffering from cancer or Alzheimer's disease, you cannot import the cure that would save your life, and if you do, you will face a 10-year prison sentence? Who could face their families and tell them they could not have the cure because the stem cell treatment that would have saved their loved ones' lives was derived from therapeutic cloning?

The wondrous promise held out by the advances in embryonic stem cell research is that we will one day be able to diminish human suffering, heal, treat and, yes, save lives.

If you support this bill, and a cure is discovered outside the United States for a devastating disease, would you deny life to our fellow Americans?

I urge my colleagues to vote for this motion to recommit and against H.R. 534.

Ms. LOFGREN. Mr. Speaker, this bill not only ties the hands of our medical researchers; it prevents Americans from utilizing cures developed in other countries. There is no doubt that if this bill becomes law, we will lose our most talented medical researchers. They will flock to other countries that continue to allow therapeutic cloning; and hopefully, one day, they will help to develop cures to some of the worst diseases known to humankind.

What happens when a British researcher develops a cure for Alzheimer's or is able to regenerate insulin-producing cells in children with juvenile diabetes or learns how to generate nervous system cells that can restore spinal cord function after paralysis? Sick Americans should have access to these cures. But H.R. 534 prevents the importation of any products derived from somatic cell nuclear transfer. It would make it a crime for a terminally-ill person to receive medical care in America if the cure was developed using this science abroad.

That is both unnecessary and unfair. The motion to recommit is simple. It will ensure that cures developed in other countries are available to Americans suffering from Parkinson's, Alzheimer's, diabetes, cancer, heart disease, spinal cord injury, MS, severe burns, and other diseases.

If cures to these debilitating diseases are found, Congress should not stand in the way or require its citizens to travel to other countries to benefit from them.

There have been lots of argument today about a slippery slope. There is no slippery slope in this motion.

Mr. Speaker, I have been deeply troubled by many of the arguments I have heard today. I am troubled that some Members think they have the right to impose their religious beliefs on all Americans. I am troubled that in return, some of the most vulnerable members of society, like children suffering from juvenile diabetes, would be forced potentially to give up their best hope for a cure.

This country is a democracy; it is not a theocracy. I understand that some Members of this House have religious beliefs that are guiding them. My advice to them would be, if you object to the cures that are developed using this technology of therapeutic cloning, fine, do not use the cure. But do not try and deny other Americans cures to deadly diseases because of your own religious beliefs. That is simply an improper role for Congress to take.

Therapeutic cloning has nothing to do with cloning a child. There is no fertilization with sperm, there is no implantation into the uterus, there is no pregnancy, there is no child.

Somatic cell nuclear transfer is a scientific method where researchers create new stem cells in a petri dish. To listen to some of the debate today, one would see that there would be a picture painted that very tiny babies in test tubes are being the subject of this research. That is completely false. These are eight cells on a petri dish that can give lifesaving cures to Americans and others throughout the world who are suffering horrendous diseases.

I think we ought to take the advice of Senator HATCH and former First Lady Nancy Reagan who wrote, ''The embryonic stem cell research, under appropriate guidelines, may provide our scientists with many answers that are now beyond our grasp. There are so many diseases that can be cured, or at least helped, that we can't turn our backs on this.''

Do not turn your backs on the millions of Americans who might be able to benefit from cures made abroad.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, this merely moves offshore what this bill bans in the United States. What it will do is create a huge financial incentive for those people and companies in foreign countries to take advantage of Americans. I do not think that we should be giving foreign companies that kind of financial advantage. If it is wrong to do here, we should prohibit the importation of these materials.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. LOFGREN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 15-minute vote. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 164, noes 237, not voting 33, as follows:

[Roll No. 38]

AYES—164

Abercrombie
Allen
Andrews
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Case
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gibbons
Gonzalez
Gordon
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick
Kind
Kleczka
Kolbe
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Pelosi
Price (NC)
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sanchez, Linda T.
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—237

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss

Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCotter
McHugh
McIntyre
McKeon
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Northup
Norwood
Nunes
Nussle
Oberstar
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—33

Ackerman
Baca
Boyd
Brown, Corrine
Burton (IN)
Carson (IN)
Combest
DeFazio
Diaz-Balart, L.
Ford
Frost
Gallegly
Gephardt
Hinojosa
Hoeffel
Hyde
Lipinski
McCarthy (MO)
McCrery
McInnis
Millender-McDonald
Miller, Gary
Ney
Ortiz
Payne
Peterson (MN)
Ros-Lehtinen
Sanchez, Loretta
Sanders
Smith (MI)
Snyder
Waters
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1725

Mr. GILCHREST changed his vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. McCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 38, I was unavoidably detained. Had I been present, I would have voted ''aye.''

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 155, not voting 38, as follows:

[Roll No. 39]

YEAS—241

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Beauprez
Bereuter
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kucinich
LaHood
Langevin
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Lynch
Manzullo
Marshall
Matheson
McCotter
McHugh
McKeon
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pascrell
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)

NAYS—155

Abercrombie
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Bell
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Case
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Dooley (CA)
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gilchrest
Gonzalez
Green (TX)
Greenwood
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick
Kind
Kleczka
Kolbe
Lampson
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Majette
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ose
Owens
Pallone
Pastor
Paul
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sanchez, Linda T.
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—38

Ackerman
Baca
Barton (TX)
Boyd
Brown, Corrine
Burton (IN)
Carson (IN)
Combest
DeFazio
Diaz-Balart, L.
Ford
Frost
Gallegly
Gephardt
Hinojosa
Hoeffel
Hyde
Lipinski
McCarthy (MO)
McCarthy (NY)
McCrery
McInnis
McIntyre
Millender-McDonald
Miller, Gary
Ney
Oberstar
Ortiz
Payne
Peterson (MN)
Ros-Lehtinen
Sanchez, Loretta
Serrano
Smith (MI)
Snyder
Vitter
Waters
Young (FL)

The SPEAKER (during the vote). There are 2 minutes remaining in this vote.

□ 1732

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. VITTER. Mr. Speaker, I was inadvertently absent for rollcall vote 39. Were I present, I would have voted ''aye'' in support of H.R. 534, the Human Cloning Prohibition Act.

Stated against:

Ms. McCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 39, I was unavoidably detained. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Thursday, February 27, I was unavoidably detained due to a prior obligation in my district. I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted ''yes'' on rollcall No. 37, on ''yes'' rollcall No. 38, and on ''no'' rollcall No. 39.