

The door of opportunity to cure diseases, that have puzzled us since the beginning of medicine is now beginning to open. And while the full promise of biomedical research remains many years away from being realized, there is that opportunity, that hope, that we can find a cure for cancer, diabetes, heart disease, Parkinson's disease, spinal cord injuries, and many other illnesses. Mr. Speaker, I oppose H.R. 2505 because it would stifle important research and decrease the potential for new life-saving medical treatments. The Greenwood substitute strikes a careful balance between banning the immoral and unsafe practice of reproductive human cloning, while at the same time promoting important biomedical research.

I urge my colleagues to oppose H.R. 2505 and support the Greenwood substitute.

Mr. BLUMENAUER. Mr. Speaker, today's debate has much less to do with "cloning" human beings and everything about denying legitimate and important stem cell research. I am concerned that we are getting ahead of ourselves. The issue of stem cell research and its various clinical applications is incredibly complex and the technology very new. There is also the concern that other political issues, such as abortion, are really driving this debate. Until we can tame the rhetoric and focus on the underlying issues, we should not limit legitimate scientific research.

I will vote for the Greenwood/Deutsch amendment because it was better than the underlying bill, not because it represents a good long-term policy.

Ms. KILPATRICK. Mr. Speaker, I rise in opposition to H.R. 2505 offered by Mr. WELDON and in support of the alternative bill offered by Mr. GREENWOOD. We must not ban vital research and treatment for millions of suffering people. H.R. 2505 will severely limit the advancement of medical discovery and vital research.

There are strong feelings on both sides of this argument. Understandably, those on the other side are driven by what they describe as the degradation of human life that cloning proposes. I do not think that there is a member in this House who does not shudder at the sheer awesome scope of this research. On the one hand, we fear a world where human beings are created in a lab for the sole purpose of harvesting their organs, characteristics and other items for the benefit of other human beings. On the other hand, we fear foregoing a cure for many of the horrible afflictions that face man like diabetes, cancer, spinal cord injuries and Parkinson's Disease.

I do know that God has blessed us with the knowledge and the skill to do more than just ponder a cure for these afflictions. My concern is that with such a ban in place, as envisioned in this bill, there will be no opportunity to learn all that God might have us learn. All because we acted too quickly to ban research before there was a chance to truly ponder the ways to manage and control this research. For example, if the above research at some point allows us to create an embryo, a cell, a stem cell or any other viable alternative genetic material without the use of human genetic mate-

rial will this provision prevent its use? Is that human cloning or creating life?

I truly believe that prior to an outright ban of this research, Congress needs to make further efforts to educate every Member of this body. The knowledge that has been provided to us through this research is tremendous. We should do everything we can to understand it and manage its use. We should not, however, ban its use without careful circumspection.

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 off-track, 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 much 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 Presidential 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 a 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. BENTSEN. Mr. Speaker, I rise today in support of H.R. 2172, the Cloning Prohibition Act of 2001 and in opposition to H.R. 2505. I believe that the Cloning Prohibition Act of 2001 is the best approach to ensure that we will prohibit human cloning, while still maintaining our commitment to valuable research that will result in new treatments and therapies for many diseases including diabetes and Parkinson's Disease.

I am supporting the Cloning Prohibition Act of 2001 because I believe it includes more protections to ensure that humans are not cloned. For instance, this bill requires that all medical researchers must register with the Secretary of Health and Human Services (HHS) before they can conduct human somatic cells nuclear transfers. The HHS Secretary would also be required to maintain a database and additional information about all somatic cell research projects. Second, this bill requires that medical researchers must affirmatively attest that they are aware of the restrictions on such research and will adhere to such restrictions. Third, this bill requires that the HHS Secretary will maintain strict confidentiality about such information so that the public may only have access to such informa-

tion if the investigator conducting such research provides written authorization for such disclosure.

In addition, this measure would include two explicit penalties for those who violate this legislation. First, this bill would impose civil penalties of up to \$1 million or an amount equal to any gain related to this violation for those researchers who fails to register with the HHS to conduct such research. Second, researchers would be subject to a criminal penalty of ten years if they fail to comply with this act. Third, this measure would subject such medical researchers to forfeiture of property if they violate this act.

I believe that the alternative legislation is broadly written and will restrict the biomedical research which we all support. As the representative for the Texas Medical Center where much of this biomedical research is conducted, I believe we must proceed cautiously to ensure that no promising therapies are prohibited.

Under the alternative bill, H.R. 2505, there would be a strict prohibition of all importation of human embryos as well as any product derived from cloned embryos. However, we already know that the human cloning research is being conducted in England and that some of this therapeutic cloning research may be available to clinical trials with three years for Parkinson's patients. I believe that a strict prohibition of importation to such therapies will negative impact such patients and restrict access to new treatments which will extend and save lives. This bill would not only ban reproductive cloning but also any therapeutic cloning for research or medical treatment. I am also concerned that this measure would make it more difficult to fund federal research on stem cell research. As you know, the National Institutes of Health has described stem cell research as having "enormous" medical potential and we must proceed cautiously to ensure that such stem cell research continues.

I want to be clear. I believe that Congress can and should outlaw human cloning to create a child. But a ban on human cloning does not need to include a ban on nuclear transfer research. This nuclear transfer research will focus only on the study of embryonic development and curing disease. We can prohibit the transfer of such embryos to humans while still allowing medical researchers to conduct valuable medical research. I urge the defeat of H.R. 2505 and urge my colleague to support the alternative legislation, H.R. 2172, the Cloning Prohibition Act of 2001.

Mr. TIAHRT. Mr. Speaker, I rise today in strong support of Dr. WELDON's Human Cloning Prohibition Act. Today scientific advances have unleashed a whole host of bioethical issues that our society must face. Recently we have faced controversy over medical research on human subjects, as well as whether we should destroy embryos for the purpose of stem cell research. The questions posed focus on how far we will allow science to push the limits on tampering with human lives. Personally whether it's innocent African-Americans at the Tuskegee Institute or unborn human embryos, I do not think the government should be allowed to risk lives.

The debate before us today, however, is completely different in my mind. Those who are for and against abortion, even for and

against embryonic stem cell research, have joined together to say that we cannot clone humans. In the words of esteemed columnist Charles Krauthammer, the thought of cloning humans—whether for research or reproductive purposes—is ghoulish, dangerous, perverse, nightmarish. I do not think the language can be strong enough. Eugenics is an abominable practice. We do not have the right to create life in order to destroy it. We do not have the right to create life in order to tamper with genes.

It does not take a fan of science-fiction to imagine the scenarios that would ensue from legalized cloning—headless humans used as organ farms, malformed humans killed because they were viewed as an experiment not a person, gene selection to create a supposed inferior species to become slaves, societal values used to create a supposed superior species. We do not have the right to play God. We may have the technology to clone humans, but our sense of morality should prevent us from doing it. We should not create life for research purposes. We should not pick and choose genes to make up humans.

I am sorry that our society has drifted so far from our core values that we even have to debate this. It is a sad day when Congress has to enact legislation in order to prevent man from manipulating human life.

Mr. HYDE. Mr. Speaker, I submit the following article for the RECORD.

[From the Washington Post, July 27, 2001]

(By Charles Krauthammer)

A NIGHTMARE OF A BILL

Hadn't we all agreed—we supporters of stem cell research—that it was morally okay to destroy a tiny human embryo for its possibly curative stem cells because these embryos from fertility clinics were going to be discarded anyway? Hadn't we also agreed that human embryos should not be created solely for the purpose of being dismembered and then destroyed for the benefit of others?

Indeed, when Sen. Bill Frist made that brilliant presentation on the floor of the Senate supporting stem cell research, he included among his conditions a total ban on creating human embryos just to be stem cell farms. Why, then, are so many stem cell supporters in Congress lining up behind a supposedly "anti-cloning bill" that would, in fact, legalize the creation of cloned human embryos solely for purposes of research and destruction?

Sound surreal? It is.

There are two bills in Congress regarding cloning. The Weldon bill bans the creation of cloned human embryos for any purpose, whether for growing them into cloned human children or for using them for research or for their parts and then destroying them.

The competing Greenwood "Cloning Prohibition Act of 2001" prohibits only the creation of a cloned child. It protects and indeed codifies the creation of cloned human embryos for industrial and research purposes.

Under Greenwood, points out the distinguished bioethicist Leon Kass, "embryo production is explicitly licensed and treated like drug manufacture." It becomes an industry, complete with industrial secrecy protections. Greenwood, he says correctly, should really be called the "Human Embryo Cloning Registration and Industry Facilitation and Protection Act of 2001."

Greenwood is a nightmare and an abomination. First of all, once the industry of