

Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)

Weldon (PA)
Weller
Whitfield
Wicker
Wilson

Wolf
Wu
Young (AK)
Young (FL)

NAYS—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barrett
Bass
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost

Gephardt
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Gutierrez
Harman
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Kolbe
LaFalce
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (FL)
Miller, George
Mink
Moore
Moran (VA)

NOT VOTING—7

Hastings (FL)
Hutchinson
Jones (OH)

LaHood
Lipinski
Spence

□ 1442

Ms. BALDWIN and Mr. PASTOR changed their vote from “yea” to “nay.”

Mr. GARY G. MILLER of California and Mr. RADANOVICH changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS BENEFITS ACT OF 2001

The SPEAKER pro tempore (Mr. GIBBONS). The pending business is the

question of suspending the rules and passing the bill, H.R. 2540, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2540, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 301]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer

Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLaHunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman

Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-
Hill
McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Pelosi
Pence
Peterson (MN)

Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter

Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Trafigant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Gordon
Hastings (FL)
Hutchinson
Jones (OH)

Lipinski
Payne
Riley
Spence

□ 1453

So (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 301, H.R. 2540, the Veterans Benefits Act of 2001. Had I been present I would have voted “yea.”

HUMAN CLONING PROHIBITION ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 214, I call up the bill (H.R. 2505) to amend title 18, United States Code, to prohibit human cloning, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to House Resolution 214, the bill is considered read for amendment.

The text of H.R. 2505 is as follows:

H. R. 2505

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 2001".

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

"Sec.

"301. Definitions.

"302. Prohibition on 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 who violates this section shall be fined under this section 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 SPEAKER pro tempore. The amendments printed in the bill are adopted.

The text of H.R. 2505, as amended, is as follows:

H.R. 2505

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 2001".

SEC. 2. PROHIBITION ON HUMAN CLONING.

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

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"Sec.

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"302. Prohibition on human cloning.

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"In this chapter:

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"(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 [who] that violates this section shall be fined under this [section] 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 SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in House Report 107-172, if offered by the gentleman from Virginia (Mr. SCOTT), or his designee, which shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

After disposition of the amendment by the gentleman from Virginia (Mr. SCOTT), it shall be in order to consider the further amendment printed in the report by the gentleman from Pennsylvania (Mr. GREENWOOD), which shall be considered read and debatable for 1 hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes of debate on the bill.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2505, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, I rise in support of H.R. 2505, the Human Cloning Prohibition Act of 2001. This bill criminalizes the act of cloning humans, importing cloned humans, and importing products derived from cloned humans. It is what is needed, a comprehensive ban against cloning humans. It has bipartisan cosponsorship. It was reported favorably by the Committee on the Judiciary on July 24, and is supported by the Secretary of the Department of Health and Human Services, Tommy J. Thompson, and by President Bush.

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 that 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.

Meanwhile, there is a select group of privately funded scientists and religious sects who are prepared to begin cloning human embryos and attempting to produce a cloned child. While they believe this brave new world of Frankenstein science will benefit mankind, most would disagree. In fact, virtually every widely known and respected organization that has taken a position on reproductive human cloning flatly opposes this notion because of the extreme ethical and moral concerns.

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 cloning.

Let me be perfectly clear: H.R. 2505 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.

While H.R. 2505 does not prohibit the use of cloning techniques to produce molecules, DNA cells other than human embryos, tissues, organs, plants, 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. Therefore, any legislative attempt to ban human cloning must include embryos.

□ 1500

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 will have to weigh in to decide questions such as what rights do human clones hold, who is responsible for human clones, who will ensure their health, and what interaction will clones have with their genealogical parent.

Fortunately, Mr. Speaker, the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK) have introduced this legislation before a cloned human has been produced.

As most people know, Dolly the sheep was cloned in 1997. Since that time, scientists from around the globe have experimentally cloned a number of monkeys, mice, cows, goats, lambs, bulls and pigs. It took 276 attempts to clone Dolly, and 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 to their experimental list.

Human cloning is ethically and morally offensive and contradicts virtually everything America stands for. It diminishes the careful balance of humanity that Mother Nature has installed in each of us. If we want a society where life is respected, we should take whatever steps are necessary to prohibit human cloning.

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 support scientific research. This bill sends this message, that it permits cloning research on human DNA molecules, cells, tissues, organs or animals, but prevents the creation of cloned human embryos.

Mr. Speaker, support H.R. 2505. Stop human cloning and preserve the integrity of mankind and allow scientific research to continue.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend the Members for an excellent debate during the debate on the rule, as well as I hope this one will be constructive. I ask the Members, suppose you learned that you had contracted a deadly disease, Alzheimer's, multiple sclerosis, but the Congress had banned the single most promising avenue for curing the disease. And that is precisely what we will be doing if we pass the Weldon bill in its present form, because it is a sweeping bill.

Let us give it credit. It is half right, it is half wrong. But it is so sweeping that it would not only ban reproductive cloning, but all uses of nuclear cell transfer for experimental purposes. This would stop ongoing studies designed to help persons suffering from a whole litany of diseases. So far-reaching is this measure that it bans the importation even of lifesaving medicine from other countries if it has had anything to do with experimental cloning. What does it mean? If another nation's scientist developed a cure for cancer, it would be illegal for persons living in this country to benefit from the drug.

Question: Does this make good policy? Is this really what we want to do here this afternoon?

Besides that, the legislation would totally undermine lifesaving stem cell research that so many Members in both bodies strongly support. One need not be a surgeon to understand that it is far preferable to replace diseased and cancer-ridden cells with new cells based on a patient's own DNA. We simply cannot replicate the needed cells with adult cells only, and this is why

we need to keep experimenting with nuclear cell transfer.

That is why I am trying to give the gentleman from Florida (Mr. WELDON), as much credit as humanly possible. It is half right, it is half wrong; and we are trying, in this debate, to make that correction.

Now, if we really wanted to do something about cloning, about the problem of reproducing real people, then we invite the other side to join with us in passing the Greenwood-Deutsch substitute to criminalize reproductive cloning that will also be considered by the House today, for there is broad bipartisan support on both sides of the aisle for such a proposition, and we could come together and do something that I believe most of our citizens would like.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. HYDE), the distinguished former chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I rise in support of the Weldon-Stupak bill.

Every Member of this House casts thousands of votes in the course of a congressional career. Some of those votes we remember with satisfaction; others we remember with less pleasure. That is the burden we take on ourselves when we take the oath of our office: the burden of decision.

We should feel the gravity of that burden today. For no vote that any of us will ever cast is as fraught with consequence as our vote on whether or not to permit human cloning.

Advances in the life sciences have brought us to a decisive fork in the road. Will our new genetic knowledge and the biotechnologies it helps create, promote healing and genuine human flourishing? Or will we use this new knowledge to remanufacture the human condition by manufacturing human beings?

The first road leads us to a brighter future, in which lives are enhanced and possibilities are enlarged, for the betterment of individuals and humanity. The second road leads us into the brave new world so chillingly described by Aldous Huxley more than 60 years ago; a world of manufactured men and women, designed to someone else's specifications, for someone's else's benefit, in order to fulfill someone else's agenda.

When manufacture replaces begetting as the means to create the human future, the dehumanization of the future is here.

That is what is at stake in this vote. That is what we are being asked to decide today. Are we going to use the new knowledge given us by science for genuinely humane ends? Or are we going to slide slowly, inexorably into the brave new world?

When we succeeded in splitting the atom, an entire new world of knowledge about the physical universe opened before us. At the same time, as we remember all too well from the cold war, our new knowledge of physics, and the weapons it made possible, handed us the key to our own destruction. It continues to

take the most serious moral and political reflection to manage the knowledge that physics gave us six decades ago.

Now we face a similar, perhaps even greater, challenge. The mapping of the human genome and other advances in the life sciences have given humanity a range and breadth of knowledge just as potent in its possibility as the knowledge acquired by the great physicists of the mid-twentieth century. Our new knowledge in the life sciences contains within itself the seeds of good—for it is knowledge that could be used to cure the sick and enhance the lives of us all. But, like the knowledge gained by the physicists, the new knowledge acquired by biology and genetics can also be used to do great evil: and that is what human cloning is. It is a great evil. For it turns the gift of life into a product—a commodity.

We have just enough time, now, to create a set of legal boundaries to guide the deployment of the new genetic knowledge and the development of the new biotechnologies so that this good thing—enhanced understanding of the mysteries of life itself—serves good ends, not dehumanizing ends. We have just enough time to insure that we remain the masters of our technology, not its products. We should use that time well—which is to say, thoughtfully. The new knowledge from the life sciences demands of us a new moral seriousness and a new quality of public reflection. These are not issues to be resolved by politics-as-usual, any more than the issue of atomic energy could be resolved by politics-as-usual. These are issues that demand informed and courageous consciences.

As free people, we have the responsibility to make decisions about the deployment of our new genetic knowledge with full awareness of the profound moral issues at stake. The questions before us in this bill, and in setting the legal framework for the future development of biotechnology, are not questions that can be well-answered by a simple calculus of utility: will it “work?” The questions raised by our new biological and genetic knowledge summon us to remember that most ancient of moral teachings, enshrined in every moral system known to humankind: never, ever use another human being as a mere means to some other end. That principle is the foundation of human freedom.

When human life is special-ordered rather than conceived, “human life” will never be the same again. Begetting the human future, not manufacturing it, is the fork in the road before us. Indeed, to describe that fork in those terms is not quite right. For a manufactured human future is not a human, or humane, future.

The world is watching us, today. How the United States applies the moral wisdom of the ages to the new questions of the revolution in biotechnology will set an example, for good or for ill, for the rest of humankind. If we make the decision we should today, in support of Congressman's WELDON's bill, the world will know that there is nothing inexorable about human cloning, and that it is possible for us to guide, rather than be driven by, the new genetics. The world will know that there is a better, more humane way to deploy the power that science has put into our hands.

And the world will know that America still stands behind the pledge of our founding, a pledge to honor the integrity, the dignity, the sanctity, of every human life, as the foundation of our freedom.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Subcommittee on Crime.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding time.

Mr. Speaker, the manufacture of cloned human beings rightly alarms an overwhelming majority of Americans. Some 90 percent oppose human cloning, according to a recent Time/CNN poll. The National Bioethics Advisory Commission unanimously concluded that “Any attempt to clone a child is uncertain in its outcome, is unacceptably dangerous to the fetus and, therefore, morally unacceptable.” That is why this bill prohibits all human cloning.

A partial ban would allow for stockpiles of cloned human embryos to be produced, bought and sold without restrictions. Implantation of cloned embryos, a relatively easy procedure, would inevitably take place. Once cloned embryos are produced and available in laboratories, it is impossible to control what is done with them, so a partial ban is simply unenforceable.

It has been argued that this bill would have a negative impact on scientific research, but this assertion is unsupported, both by the language in the bill and by the testimony received by the Subcommittee on Crime during two hearings. The language in the bill allows for research in the use of nuclear transfer or other cloning techniques used to produce molecules, DNA, cells, tissues, organs, plants or animal. Furthermore, Mr. Speaker, there is no language in the bill that would interfere with the use of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures to assist a woman from becoming or remaining pregnant.

Mr. Speaker, I urge my colleagues to support this legislation and oppose the substitute.

Mr. CONYERS. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), a member of the committee.

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, this bill bans human cloning. Almost all of us agree with that. The problem is, the bill does much more. It makes cutting-edge science a crime. It would make somatic cell nuclear transfer a felony.

An egg is stripped of its 23 chromosomes, 46 chromosomes are taken from the cell, say, of a piece of skin, and inserted into the egg. In 2 weeks, there is a clump of cells, undifferentiated, without organs, internal structures, nerves. Each of these cells may grow into any kind of cell, to cure cancer, Parkinson's, Alzheimer's, even spinal cord injuries. Use of one's own DNA for the curing cells avoids the danger of rejection.

Just last week, as reported at the annual meeting at the Society for Neuro-

science in New Orleans, stem cells derived from somatic nuclear transfer technology were used with primates, paralyzed monkeys. Astonishingly, the monkeys were able to regain some movement. For paraplegics, this is a bright ray of hope.

Since when did outlawing research to cure awful diseases become the morally correct position? I believe that scientific research to save lives and ease suffering is highly moral and ethical and right. Some disagree and oppose this science. Well, they have the right to disagree, but nobody will force them to accept the cures that science may yield. If your religious beliefs will not let you accept a cure for your child's cancer, so be it. But do not expect the rest of America to let their loved ones suffer without cure.

Our job in Congress is not to pick the most restrictive religious view of science and then impose that view upon Federal law. We live in a Democracy, not a Theocracy.

Vote for the amendment that will save stem cell research and then we can all vote for a bill that bans cloning humans, and only that.

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

Ms. HART. Mr. Speaker, I rise in support of the Weldon-Stupak bill.

Simply put, cloning another human being, especially for the purpose of conducting experiments on the tiniest form of human being, is wrong. It is clear that it violates a principle that I think we all accept of human individuality and human dignity. That is why it is imperative that all of us support this bill. It is a responsible and reasoned proposal, and it will ensure that we maintain our strong ethical principles. We must have ethical principles to guide scientific research and inquiry.

No one who supports this bill suggests that we stop scientific research. In fact, cloning has been used and should continue to be used to produce tissues. It should not, however, be used to produce human beings.

If we do not draw a clear line now, when will we do so? There are so many very serious questions that human cloning raises, questions about conducting experiments on a human being bred essentially for that purpose; questions about the evils of social and genetic engineering; questions about the rights and liberties of living beings, of human beings.

What about a being that is created in the laboratory and patented as a product? It is still a human being.

There are too many serious questions that human cloning brings to the fore. They all have very serious consequences. The consequences that human cloning raises are all ethical questions. For us to move forward and allow science to be conducted without ethical and moral intervention is just crazy.

We need nothing short of a full and clear ban on human cloning; otherwise, we are not promoting responsible scientific inquiry, we are promoting bad science fiction and making it a reality.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. DELAHUNT), a member of the Committee on the Judiciary.

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

Mr. Speaker, I intend to vote against the underlying bill and against the alternative as well, because I do not believe that I know what I need to know before casting a vote of such profound consequence. I am not ready to decide the intricate and fundamental questions raised by this legislation on the basis of a single hearing held on a single afternoon at which the subcommittee heard only 5 minutes of testimony from only four witnesses, a hearing which many Members, myself included, were not even able to attend.

Proponents of the bill have warned, and I speak to the underlying bill, that this is but the "opening skirmish of a long battle against eugenics and the post-human future." They say that without this sweeping legislation, we will make inevitable the cloning of human beings, which I believe everyone in this Chamber deplores.

Supporters of the substitute respond that the bill is far broader than it needs to be to achieve its objective, and that a total ban on human somatic cell nuclear transfer could close off avenues of inquiry that offer benign and potentially lifesaving benefits for humanity.

□ 1515

They may both be right, but both bills have significant deficiencies.

The underlying bill raises the specter of subjecting researchers to substantial criminal penalties. It even goes so far as to create a kind of scientific exclusionary rule that would deny patients access to any lifesaving breakthroughs that may result from cloning research conducted outside of the United States. To continue the legal metaphor, it bars not only the tree but the fruit, as well. This seems to me to be of dubious morality.

The substitute would establish an elaborate registration and licensing regime to be sure experimenters do not cross the line from embryonic research to the cloning of a human being. Not only would that system be impossible to police, but it fails to address the question of whether we should be producing cloned human embryos for purposes of research at all.

I find this issue profoundly disturbing. I believe the issue deserves more than a cursory hearing and a 2-hour debate. It merits our sustained attention, and it requires a characteristic which does not come easily to people in our profession: humility and patience.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman

from Ohio (Mr. KUCINICH), who will show how bipartisan support is for this bill.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Wisconsin for yielding time to me.

Mr. Speaker, the pro-life pro-choice debate has centered on a disagreement about the rights of the mother and whether her fetus has legally recognized rights. But in this debate on human cloning, there is no woman. The reproduction and gestation of the human embryo takes place in the factory or laboratory; it does not take place in a woman's uterus.

Therefore, the concern for the protection of a woman's right does not arise in this debate on human cloning. There is no woman in this debate. There is no mother. There is no father. But there is a corporation functioning as creator, investor, manufacturer, and marketer of cloned human embryos. To the corporation, it is just another product with commercial value. This reduces the embryo to just another input.

What we are discussing today in the Greenwood bill is the right of a corporation to create human embryos for the marketplace, and perhaps they will be used for research, perhaps they will be just for profit, all taking place in a private lab.

But is this purely a private matter, this business of enucleating an egg and inserting DNA material from a donor cell, creating human embryos for research, for experimentation, for destruction, or perhaps, though not intended, for implantation? Is this just a matter between the clone and the corporation, or does society have a stake in this debate?

We are not talking about replicating skin cells for grafting purposes. We are not talking about replicating liver cells for transplants. We are talking about cloning whole embryos. The industry recognizes there is commercial value to the human life potential of an embryo, but does a human embryo have only commercial value? That is the philosophical and legal question we are deciding here today.

The Greenwood bill, which grants a superior cloning status to corporations, would have us believe that human embryos are products, the inputs of mechanization, like milling timber to create paper, or melting iron to create steel, or drilling oil to create gasoline. Are we ready to concede that human embryos are commercial products? Are we ready to license industry so it can proceed with the manufacturer of human embryos?

If this debate is about banning human cloning, we should not consider bills which do the opposite. The Greenwood substitute to ban cloning is really a bill to begin to license corporations to begin cloning. Though the substitute claims to be a ban on reproductive cloning, it makes this nearly possible by creating a system for the manufacturer of cloned embryos. It does not have a system for Federal over-

sight of what is produced and does not allow for public oversight. The substitute allows companies to proceed with controversial cloning with nearly complete confidentiality.

Cloning is not an issue for the profit-motivated biotech industry to charge ahead with; cloning is an issue for Congress to consider carefully, openly, and thoughtfully. That is why I support the Weldon bill. I urge that all others support it as well.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. NADLER), a senior member of the Committee on the Judiciary.

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

We all agree that the cloning of human beings should be banned. The cloning of individual cells is a different matter. We know that stem cells have the potential to cure many diseases, to save millions of lives, to enable the paralyzed to walk and feel again, potentially even to enable the maimed to grow new arms and legs.

We also know that nuclear cell transfer, cloning of individual cells, may be the best or only way to allow stem cell therapy to work to cure diseases, because by using stem cells produced by cloning one of the patient's own cells, we can avoid the immunological rejection of the stem cells used to treat the disease.

Why should we prohibit, as this bill does, the cloning of cells? Why should we prohibit the research to lead to these kinds of cures? Only because of the belief that a blastocyst, a clump of cells not yet even an embryo, with no nerves, no feelings, no brain, no heart, is entitled to the same rights and protections as a human being; that a blastocyst is a human being and cannot be destroyed, even if doing so would save the life of a 40-year-old woman with Alzheimer's disease.

I respect that point of view, but I do not share it. A clump of cells is not yet a person. It does not have feelings or sensations. If it is not implanted, if it is not implanted in a woman's uterus, it will never become a person. Yes, this clump of cells, like the sperm and the egg, contains a seed of life; but it is not yet a person.

To anyone wrestling with this issue, I would point them to the comments of the distinguished senior Senator from Utah who is very much against choice and abortion, who has come out in strong support of stem cell research because he recognizes that a blastocyst not implanted in a woman's uterus is very different than an embryo that will develop into a person.

If one is pro-choice, one cannot believe a blastocyst is a human being. If they did, they would not be for choice. If one is anti-choice, one may believe, with Senators HATCH and STROM THURMOND, what I said a moment ago, that a clump of cells in a petri dish is not the same as an embryo in a woman.

But as a society we have already made this decision. We permit abortion. We permit in vitro fertilization, which creates nine or 10 embryos, of which all but one will be destroyed. We must not say to millions of sick or injured human beings, go ahead and die, stay paralyzed, because we believe the blastocyst, the clump of cells, is more important than you are.

Let us not go down in history with those bodies in the past who have tried to stop scientific research, to stop medical progress. Let us not be in a position of saying to Galileo, the sun goes around the world and not vice versa. That is what this bill does.

It is easier to prevent a human being from being cloned, to put people in jail if they try to do that. It is not a slippery slope. One cannot police the hundreds and thousands of biological labs which can produce clones of cells. Much easier to police the cloning of human beings. The slippery slope argument does not work.

Let us not put a stop to medical progress and to human hope.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the last two speakers, both of whom were on the Democratic side of the aisle, show very clearly the difference in values that are being enunciated in the two bills before the House today.

On one hand, we hear support for the Greenwood bill, which really allows the FDA to license an industry for profit and clone human embryos.

On the other hand, we hear those in favor of the Weldon bill, myself included, who say that we ought to ban the cloning of human embryos and the experimentation thereon.

This is a question of values. I would point out that the previous speaker, the gentleman from New York, during the Committee on the Judiciary debate, said, "I have no moral compunction about killing that embryo for therapeutic or experimental purposes at all."

Mr. Speaker, I think those who are interested in values should vote against Greenwood and should vote in favor of the Weldon bill.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, science is a wonderful thing. Who would have thought that polio could be cured or men could go to the Moon even a century ago?

But with the power that comes from science, we must also be ethical and exercise responsibility. The Nazis tried to create a race of supermen through the science of eugenics. They tried to create a perfect human being the same way a breeder creates a championship dog. That was immoral. We stopped it, and it has not been tried again since.

Now we have some scientists who want to create cloned human beings, some saying a cloned baby could be born as soon as next year. This is a

frightening and gruesome reality. Mr. Speaker, there is no ethical way to clone a human being. If we were to allow it at all, we would have to choose between allowing them to grow and be born or killing them, letting them die. This is a line we should not cross.

The simple question is: Is it right or wrong to clone human beings? Eighty-eight percent of the American people say it is wrong. The point is that even in science, the ends do not justify the means. The Nazis may in fact have been able to create a race of healthier and more capable Germans if they had been allowed to proceed, but eugenics and cloning are both wrong.

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, the distinguished chairman says that this bill, the distinction between those of us who support the Greenwood bill or support the Weldon bill is a matter of values.

I agree. Some of us believe that a clump of cells not implanted in a woman's uterus, and Senator HATCH agrees, do not have the same moral right and value as a person who is suffering from a disease; that it is our right and our duty to cure human diseases, to prolong human life. We value life.

A human being is not simply a clump of cells. At some point, that clump of cells may develop into a fetus and a human being; but the clump of cells at the beginning does not have the same moral value as a person. If one believes that, they should vote with us. If they do not, then they probably will not.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD), who had an excellent discussion during the Committee on Rules.

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

Mr. Speaker, this is a matter of values. It is a matter of how much one values our ability to end human suffering and to cure disease.

No one in this House should be so arrogant as to assume that they have a monopoly on values, that their side of an argument is the values side and the other's is not. This is a matter of how much we value saving little children's lives and saving our parents' lives.

There has been talk on the floor about creating embryo factories. Most of that talk I think has been conducted by people who do not understand the first thing about this research.

Here is how one could create an embryo factory. We would get a long line of women who line up in a laboratory and say, would you please put me through the extraordinarily painful process of superovulation because I would like to donate my eggs to science.

Does anybody think that is going to happen? Of course it is not going to happen. We are going to take this re-

search, and this research involves a very small handful of cells. In the natural world, every day millions of cells, millions of eggs, are fertilized, and they do not adhere to the wall of the uterus. They are flushed away. That is how God does God's work.

In in vitro fertilization clinics, every day thousands of eggs are fertilized, and most of them are discarded. That is the way loving parents build families who cannot do it otherwise. No one is here to object to that. Thousands of embryos are destroyed.

We are talking about a handful, a tiny handful of eggs that are utilized strictly for the purpose of understanding how cells transform themselves from somatic to stem and back to somatic, because when we understand that, we will not need any more embryonic material. We will not need any cloned eggs. We will have discovered the proteins and the growth factors that let us take the DNA of our own bodies to cure that which tortures us.

That is the value that I am here to stand for, because I care about those children, and I care about those parents, and I care about those loved ones who are suffering.

I am not prepared as a politician to stand on the floor of the House and say, I have a philosophical reason, probably stemmed in my religion, that makes me say, you cannot go there, science, because it violates my religious belief.

□ 1530

I think it violates the constitution to take that position.

And on the question of whether or not we can do stem cell research with the Weldon bill in place, I would quote the American Association of Medical Colleges. It says, "H.R. 2505 would have a chilling effect on vital areas of research that could prove to be of enormous public benefit." The Weldon bill would be responsible for having that chilling effect on research.

The Greenwood substitute stops reproductive cloning in its tracks, as it ought to be stopped, but allows the research to continue, and I would advocate its support.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. KERNS), who is an author of the bill.

Mr. KERNS. Mr. Speaker, I thank the gentleman for yielding me this time, and I come to the floor of this House today to urge my colleagues to support H.R. 2505, the Human Cloning Prohibition Act of 2001. Today we take an important step in the process to ban human cloning in the United States.

I commend the leadership of the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), as well as the coauthors, the gentleman from Florida (Mr. WELDON), the gentleman from Michigan (Mr. STUPAK), and the gentleman from Ohio (Mr. KUCINICH), because this is a bipartisan bill. I also appreciate the support and the efforts

of the Committee on the Judiciary in recognizing the important nature of this issue and making it a priority and moving it to the floor for consideration.

I am very pleased to be an original coauthor of this timely and important piece of legislation. As I said earlier today, human cloning is not a Republican or a Democrat issue, it is an issue for all of mankind. The prospect of cloning a human being raises serious moral, ethical, and human health implications. Other countries around the globe look to us for leadership, not only on this but on other important pressing issues, and I think we have a responsibility to take a stand and take a leadership position. That stand should reflect the respect for human dignity envisioned by our Founding Fathers.

Human cloning: what once was said to be impossible could become a reality if we do not take action today. I have spent a great deal of time back home in Indiana traveling up and down the highways and byways, attending county fairs, fire departments, little fish fries, church suppers; and I can tell my colleagues that overwhelmingly those people that I represent in Indiana are concerned at our racing towards cloning human beings. They have asked me to help with this effort to ban human cloning. I have received calls from all across the country from those that are concerned about this issue.

As we have heard today, most Americans are opposed to the re-creation of another human being. I am told overwhelmingly that it is our responsibility not only here in this body and at home but around the world that we move to enact this ban.

Mr. Speaker, let me close by saying this: I believe that God created us, and I do not believe we should play God. I urge my colleagues to support our legislation to ban human cloning.

Mr. CONYERS. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. McDERMOTT).

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

Mr. McDERMOTT. Mr. Speaker, I, like the gentleman from Massachusetts (Mr. DELAHUNT), want to say right off the bat that none of us believe in cloning of human beings. Nobody on either side. We get this values argument. None of us believe in that. So stop that.

The second thing is that we are here today to talk about a political issue. This is not a scientific issue. I am a doctor, and we will have another doctor get up here and tell us a lot of doctor stuff, but the real issue is a political one here.

We are like the 16th century Spanish king who went to the Pope and asked him if it was all right for human beings to drink coffee. The coffee bean had been brought from the New World. It had a drug in it that made people get

kind of excited and it was a great political controversy about whether or not it was right to drink coffee. And so the Spanish king went to the Pope and said, Pope, is it all right. Well, we had that just the other day, and the Pope said, this is not right.

The Pope also told Galileo to quit making those marks in his notebook. The Earth is the center of the universe, he said. We all know that. The Bible says it. What is it this stuff where you say the sun is the center of our universe? That is wrong.

Now, here we are making a decision like we were the house of cardinals on a religious issue when, in fact, scientists are struggling to find out how human beings actually work. We have mixed stem cells together with cloning all to confuse people. Everybody on this floor knows that the best way to stop something is to confuse people, and we have had confusion on this issue because basically people want it to be a value-laden issue that attracts one group of voters against others. That is all this is about, all this confusion.

This business about a few cells and working and figuring out how we can deal with diseases that affect everybody in this room, there is nobody who does not know somebody with juvenile diabetes or Alzheimer's disease or has had a spinal cord injury and is unable to walk, or who has Parkinsonism. There is nobody here. And my dear friends putting this bill forward say there is no way, no matter how it happens, that we want to help them if it involves a human cell.

Now, my good friend, the gentleman from Florida (Mr. WELDON) is going to get up here and tell us we have a section in this bill that says scientific research is not stopped. Read it. It says we can use monkey cells and put them into people who have Alzheimer's, or we can use hippopotamus cells and put them into people who have diabetes, but we cannot use a human cell. And even more so if the British or the Germans, who are more enlightened, do it and we bring it over. If the doctor gets the material from Germany or from England or some other place and gives it to my colleague's mother, he is subject to 10 years in prison and a fine of not less than \$1 million running up to twice whatever the value of it is.

Now, the gentleman from Wisconsin (Mr. SENSENBRENNER) is upset that there is licensing in the amendment, which I will vote for; not because I think we need it but because we have to have it as an antidote to this awful piece of legislation that is here. But the gentleman from Wisconsin says the free enterprise system is here. I thought he believed in the free enterprise system. Would the gentleman want that bill to say let us give it to the National Institutes of Health to make money; make it a government program? No, no, no, he would not want that. Well, who is going to manufacture this if it comes some day to

that point? It says the NIH can license at some point down the road.

Mr. Speaker, I think that the Greenwood amendment is necessary to stop this papal event that we are having here today.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, it is time to clarify the record after this last speech. Number one, there is nothing in the Weldon bill that prevents the use of adult stem cells or stem cells from live births, including umbilical cords and placentas from being used for the research that the gentleman describes.

The gentlewoman from California (Ms. LOFGREN) talked about a Yale study. I have the Yale Bulletin Calendar of December 1, 2000 about the research on monkeys that were used to cure a spinal cord injury. Those were adult stem cells. They would be completely legal under this bill.

Then we have heard from the gentleman from Washington State (Mr. McDERMOTT), who seems to think we are having a religious seance here. The fact of the matter is there have been a number of things that are in derogation of the free enterprise system that this Congress and the people of the country have banned, including slavery. And I think that perhaps the time has come to ban the cloning of human embryos.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the distinguished whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time. I think and I hope that Members will support the Weldon bill and oppose the Greenwood amendment.

Mr. Speaker, this is not about making fun of the Pope or making fun of the Bible. This is not about politics. It is not even about stem cell research. This is about a very real problem in this country, a potential problem, and that is cloning human beings. The connotations of this debate raise very broad and disturbing questions for our society.

So-called therapeutic cloning crosses a very bright-line ethical boundary that should give all of us pause. This technique would reduce some human beings to the level of an industrial commodity. Cloning treats human embryos, the basic elements of life itself, as a simple raw material. This exploitive unholly technique is no better than medical strip-mining.

The preservation of life is what is being lost here. The sanctity and precious nature of each and every human life is being obscured in this debate. Cloning supporters are trading upon the desperate hopes of people who struggle with illness. We should not draw medical solutions from the unwholesome well of an ungoverned monstrous science that lacks any reasonable consideration for the sanctity of human life.

Now, some people would doubtlessly argue if we use in vitro fertilization to

help infertile couples create life, then we ought to allow scientists the latitude to manufacture and destroy embryos to produce medical treatments. But these are far from the same thing. Cloning is different from organ transplantation. Cloning is different from in vitro fertility treatments.

Cloning is an unholy leap backwards because its intellectual lineage and justifications are evocative of some of the darkest hours during the 20th century. We should not stray down this road because it will surely take us to dark and unforeseen destinations.

Human beings should not be cloned to stock a medical junkyard of spare parts for experimentation. That is wrong, unethical, and unworthy of an enlightened society.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes.

I rise to merely point out to the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), that he may be over-reliant on adult stem cells as a viable alternative to embryonic stem cells, and I would like to explain why.

A National Institute of Health study examined the potential of adult and embryonic stem cells for curing disease, and they found that the embryonic stem cells have important advantages over adult stem cells. The embryonic stem cells can develop into many more different types of cells. They can potentially replace any cell in the human body. Adult stem cells, however, are not as flexible as embryonic ones. They cannot develop into many different types of cells. They cannot be duplicated in the same quantities in the laboratory. They are difficult and dangerous sometimes to extract from an adult patient. For instance, obtaining adult brain stem cells could require life-threatening surgery.

So the NIH found in its study that therapeutic cloning would allow us to create stem cell medical treatments that would not be rejected by the patient's immune system, because they have the patient's own DNA.

So for whatever it may be worth, I refer this study to my good friend, the chairman.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1½ minutes, again just to clarify the record.

I am certain that the study of the gentleman from Michigan is a very valuable one. The fact is that it is not in point to this debate. This bill does not prevent research on embryonic stem cells. What it does do is it prevents research on cloned embryonic stem cells. There is a big difference.

Secondly, once again going back to the adult stem cell research that was referred to by the gentlewoman from California (Ms. LOFGREN), at Yale University, those were adult stem cells. She brought the issue up. We did not. Those were adult stem cells. And if

they were human stem cells, they would not be banned by this bill.

□ 1545

Now, finally, adult stem cells are already being used successfully for therapeutic benefits in humans. This includes treatments associated with various types of cancer, to relieve systemic lupus, multiple sclerosis, rheumatoid arthritis, anemias, immunodeficiency disease, and restoration of sight through generation of corneas.

Further, initial clinical trials have begun to repair heart damage using the patient's own adult stem cells. Somehow the word is out that adult stem cells are no good. I think this very clearly shows that adult stem cells are very useful for research, and furthermore, the bill does allow research on embryonic stem cells, just not the cloned ones.

Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, here we are in the U.S. Congress talking about somatic cell nuclear transfer and I think it is deeply rewarding to see how fast Members of Congress can get up to speed on complex, complicated issues.

Let me say that I am strongly, strongly pro-choice. I am also strongly in favor of stem cell research. But I view these as very separate issues. With all the scientists that I have spoken with, there are no laboratories which are currently using a human model for somatic cell nuclear transfer. In fact, the NIH rules on stem cell research, the same rules that we, as Democrats, have been strongly advocating, these rules, III, specific item D, specifically prohibits the technology that we are banning today. Research in which human pluripotent stem cells are derived using somatic cell nuclear transfer. These are the rules that we have been advocating.

Let me say that ultimately this is not an issue of science or biology. Almost exactly 30 years ago in May of 1971 James D. Watson, of Watson and Crick DNA fame, said that some day soon we will be able to clone human beings. This is too important a decision to be left to scientists and the medical specialists. We must play a role in this.

This is what this Congress is doing today. This is about the limits of human wisdom and not about the limits of human technology. The question that we must ask ourselves is whether it is proper to create potential human life for merely mechanistic purposes.

Mr. CONYERS. Mr. Speaker, I yield myself 25 seconds to point out to my dear friend, the chairman of the committee, that it was the University of Wisconsin where we first isolated embryonic stem cells.

This bill before us would render their path-breaking research to be worthless.

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

Ms. LOFGREN. Mr. Speaker, the Committee on the Judiciary and the

Speaker received a letter signed by 44 scientific institutions and this is what they said:

This bill bans all use of cloning technology including those for research where a child cannot and will not be created. Therefore, this legislation puts at risk critical biomedical research that is vital to finding the cures for disease and disabilities that affect millions of Americans. Diabetes, cancers, HIV, spinal cord injuries and the like are likely to benefit from the advances achieved by biomedical researchers using therapeutic cloning technology.

This was signed by the American Academy of Optometry, the American Association for Cancer Research, the American Association of American Medical Colleges, the Association of Professors of Medicine, the Association of Subspecialty Professors, Harvard University, the Juvenile Diabetes Research Foundation International, and the Medical College of Wisconsin.

I will take my advice on medicine and research from the scientists, not from the chairman of the Committee on the Judiciary.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself another 30 seconds.

The statement that the gentlewoman from California (Ms. LOFGREN) mentioned, did not say why they need to have cloned embryonic stem cells. I think we are talking about two different things here.

What this bill does is, it prohibits research on cloned embryonic stem cells, not on uncloned embryonic stem cells.

If there is a shortage of uncloned embryonic stem cells, I would like the people on the other side to let the House know about it. We have had not one scintilla of evidence either in this debate or the hearings or markup on the Committee on the Judiciary.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I just want to clarify a few things about my legislation. It is a pretty short bill. It has four pages and I would encourage anybody who has any uncertainty about this issue to take the time to read it.

I specifically want to refer them to section 302(d). It says, under Scientific Research, nothing in this section restricts areas of scientific research not specifically prohibited by this section.

What they are talking about there is somatic cell nuclear transfer to create an embryo as was used to create Dolly.

I go on in this section to say, nothing specifically prohibiting, 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. Basically what this means is all the scientific research that is currently going on today can continue.

What cannot continue is what people want to start doing now. It is not being done, but they want to start doing it; and that is to create cloned human embryos for the purpose of research.

Now, there are people putting forward this notion that if we were able to

go ahead with this, all these huge breakthroughs would occur. I want to reiterate, I am a doctor. I just saw patients a week ago. I have treated all these diseases. I have reviewed the medical literature. It is real pie in the sky to say there are going to be all these huge breakthroughs.

I have a letter from a member of the biotech industry, and I just want to read some of it. It says, "I am a biotech scientist and founder of a genomic research company. As a scientist and cofounder and officer of the Biotechnology Association of Alabama that is an affiliate of the Biotechnology Industry Association, BIO, the group that is opposing my language," he says, "there is no scientific imperative for proceeding with this manipulation of human life, and there are no valid or moral justifications for cloning human beings."

Mr. Speaker, I can state that is indeed the case.

I further want to dismiss this notion that has been put forward by some of the speakers here in general debate that a cloned human embryo is somehow not alive or it is not human. There is just literally no basis in science to make that sort of a claim. I did my undergraduate degree in biochemistry. I studied cell biology, and I did basic research in molecular genetics.

I have a quote from another scientist that I would be happy to read. "There is nothing synthetic about cells used in cloning." This is a researcher from Princeton. He says, "An embryo formed from human cloning is very much a human embryo."

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, the scientific research exception is meaningless. It allows for research, except that which is not specifically prohibited. If Members read section 301 of the bill, it prohibits somatic cell nuclear transfer, so any kind of representation that research is accepted is incorrect. It is tautological and it is bogus.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I would answer two things that were said, one by the gentleman from Wisconsin (Mr. SENSENBRENNER) when the gentleman stated that this did not speak at all about cloning, it only spoke about stem cell research.

The point is that it may very well be true that once stem cell research is exploited and we know how to cure diseases or give people back the use of their arms and legs through stem cells, it may very well be true that that can only be done by the use of cloned stem cells in order to get around the rejection by the patient of stem cells from somebody else. It may be necessary to use the patient's own cloned stem cells.

The second point is in answer to what the gentleman from Florida (Mr. WELDON) said. The point is, we do not

know a lot of things. We do not know exactly what scientific research will show. We do not know exactly what adult stem cells can do, what embryonic stem cells can do, or cloned stem cells can do.

That is why it is a sentence of death to millions of Americans, to ban medical research which is what my colleagues are trying to do with this bill.

Mr. SENSENBRENNER. Mr. Speaker, I have one remaining speaker, so I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I rise in opposition to the base bill and in support of the substitute, the Greenwood-Deutsch substitute.

Generally speaking, there are three types of stem cell research. There is adult stem cell research which shows great promise, but with limitations in that adult stem cells cannot be differentiated into each and every type of cell.

There is embryonic stem cell work which shows even more promise because it does have the ability to be differentiated into a variety of stem cell lines for therapy and treatment.

But perhaps the most promising is embryonic stem cell research that employs the technique of somatic cell nuclear transfer. The primary benefit of this research and therapy is simple: It is not rejected by the patient. What that means for a child who is diabetic, you can use that child's own DNA, place it into a fertilized egg, develop Islet cells that will help that child produce insulin with the benefit it will not be rejected by the child.

What we are saying, if we allow stem cell research but we prohibit the research in this bill, we are saying we will allow stem cell research, but only if the patient will reject the therapy. What sense does that make when the substitute prohibits cloning for reproduction, prohibits the implantation of a fertilized egg with a donated set of DNA into a uterus for the purpose of giving birth to a child? That is prohibited under both bill and substitute.

But we need the research. We are losing scientists who are going overseas to conduct this research. The base bill even precludes us from benefiting from the research done in other countries. This cannot be allowed to go on.

Mr. Speaker, this is important to all of our futures. We must preserve this vital science research. I urge adoption of the substitute and rejection of the base bill.

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, everyone in this Chamber agrees, and we have been here for about an hour and three-quarters, everyone in this Chamber agrees that we should ban human cloning, period. Everyone. There is consensus here.

Mr. Speaker, both pieces of legislation do that, but there is a divergence.

The Weldon bill goes further to ban the somatic cell nuclear transfer. I would like to focus in response to what has been going on in the debate.

There is no longer a debate about stem cell research. This Congress collectively, both the House and the other body and the American people have made a decision. Whether the President has made his decision or not is irrelevant. The Congress and the American people have made our decision that we want to continue embryonic stem cell research. We collectively, as Americans, understand that issue, and it will continue regardless of what the President decides on this issue. My colleagues know that and understand that.

Let us talk about why there is a serious debate about it, though, and why I take it very seriously as well. When you have an egg and a sperm joining and the potentiality is to create a new unique human being, there are ethical issues involved regarding a transcendental event that could occur in the creation of a unique soul. That is what people find troubling and should find troubling, and should think about it and understand it.

Yet we understand the other issues and collectively we have made our decision that we are willing, that we want to continue with embryonic stem cell research because of the issues that we have talked about.

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But let us talk about what somatic nuclear transfer is all about. It is not about that sperm and egg joining together. It is not about the potentiality to create a unique human being. It is not about a transcendental event that could occur. It is not about all those issues that some people correctly have struggled with and have come to conclusions and significant, serious moral-ethical issues.

What is going on here? What is going on here is an egg where the DNA is taken out, 23 chromosomes taken out from literally trillions of cells, trillions of cells, not billions, trillions of cells. Within the human body, one cell is taken out and 46 chromosomes are implanted. Not to create life, not to create an embryo, but to continue life, to save life for literally tens of millions of people, for potentially everyone in this Chamber and everyone in the country.

None of us know who is going to be stricken by one of these horrific diseases. No one knows who is going to get Alzheimer's or Parkinson's or cancer. It literally could be any of us in this Chamber or anyone watching on C-SPAN. It could be any of us. If we think about that, it could be any of us who have relatives, loved ones, who have these horrific diseases. Yet what this legislation would do would be to stop the research, to take one of those trillions of cells in the body, take out 46 chromosomes, put it in, so that you could survive, so that someone who is a

quadriplegic could walk, so that someone who has Alzheimer's. We have heard Nancy Reagan speak directly about the stem cell research, I think a woman who is universally loved everywhere in this country and her husband whom I think is universally loved as well.

This chart remains up here. I have put it up here, because the numbers are 24 million. For diabetes, 15 million people, not just numbers; 6 million Alzheimer's, 1 million Parkinson's. People. People. People. Individuals.

Again, I ask my colleagues, this should not be a difficult issue. We should reject the bill and approve the substitute.

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. Mr. Speaker, I rise in opposition to the substitute and in support of the gentleman from Florida's Human Cloning Prohibition Act.

Members in opposition are using the substitute amendment and are trying to confuse the issue with medical research and stem cell research. The underlying bill bans cloning human beings. It is straightforward and narrowly drawn. It prohibits somatic cell nucleus transfer. The underlying bill does nothing to hinder medical research and in fact, it specifically permits technology to clone tissue, DNA, and non-embryonic cells in humans, and cloning of plants and animals.

I urge my colleagues not to confuse a straightforward ban on banning cloning of human beings, with medical research. H.R. 2505 would prohibit human cloned embryos from being used as human guinea pigs. Without this legislation, human life could be copied, manufactured in a laboratory, in a petri dish. Cloned embryos would be devoid of all sense of humanity, treated as objects. The mass production of human clones solely for the purpose of human experimentation degrades us all.

The simple, most effective, way to stop this process is to ban it. In the area of human embryo cloning, the end does not justify the means.

I urge the defeat of the substitute and the adoption of H.R. 2505.

Mr. SENSENBRENNER. Mr. Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH).

The SPEAKER pro tempore (Mr. QUINN). The gentleman from New Jersey (Mr. SMITH) is recognized for 4 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, late last week Washington Post columnist Charles Krauthammer called Congressman GREENWOOD's legislative approach to human cloning "a nightmare of a bill." He went on to write that the Greenwood substitute "sanctions, licenses and protects the launching of the most ghoulish and dangerous enterprise in modern scientific history: the creation of nascent cloned human life for the sole purpose of its exploitation and destruction."

Charles Krauthammer, Mr. Speaker, nailed it precisely.

The Greenwood substitute would for the first time in 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 it is experimented upon and exploited. For the small inconvenience of registering your name and your business address, 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, headless human clones, or anything else science might one day allow to be created outside the womb; and in the end only failure to kill what you had created would be against the law.

A few moments ago, the gentleman from Florida (Mr. DEUTSCH) said that cloning doesn't result in the creation of a unique human being. That's ludicrous. That is exactly what the Weldon bill speaks to. That unique human being that would be created if left unfettered and untouched would grow, given nourishment and nurturing, into a baby, a toddler into an adolescent adulthood and right through the continuum of life. That is what we are talking about. Mr. WELDON's bill doesn't preclude other potentially legislative processes.

Mr. Speaker, amazingly the only new crime created by the Greenwood amendment is the failure to kill all human lives once they are created. Federal law would say that it is permissible to create as many human lives as you want to for research just so long as you eventually kill them. That, my colleagues, is the stated intent of the Greenwood substitute. And Mr. Greenwood's substitute would not even stop the birth of a human clone, which it purports to do. Because his approach would encourage the creation of cloned human embryo stockpiles and cloned human embryo farms, it would make the hard part of human cloning completely legal and try to make the relatively easy part, implantation, illegal.

So once these cloned human embryos are stockpiled in a lab, Mr. Speaker, who, or what is going to stop somebody from implanting one of those cloned humans? The Greenwood substitute has no tracking provisions. Greenwood would open Pandora's box and verification would be a joke.

The bottom line is this, Mr. Speaker, the Greenwood substitute permits the cloning of human life to do anything you would like to for research purposes just as long as you kill that human life. Mr. Speaker, to implement this debate some Members have taken to the well to say that everybody is against human cloning. Oh really? Just because we say it's so doesn't make it necessarily so. The simple—and sad—fact of the matter is that Greenwood is pro-cloning. The Weldon bill, the underlying bill, would end human cloning and would prescribe certain criminal as well as civil penalties for those who commit that offense.

We are really at a crossroads, Mr. Speaker. This is a major ethical issue. And make no mistake about it I want to find cures to the devastating disease that afflicts people. I am cochairman of the Alzheimer's Caucus. I am co-chairman of the Autism Caucus. I chair the Veterans Committee and have just today gotten legislation passed to help Gulf War Vets. I believe desperately we have got to find cures. But creating human embryos for research purposes is unethical, it is wrong, and it ought to be made illegal.

I hope Members will support the Weldon bill and will vote "no" on the substitute when it is offered.

Mr. ETHERIDGE. Mr. Speaker, I rise in opposition to H.R. 2505, the Human Cloning Prohibition Act and in support of the Greenwood-Deutsch substitute.

I am absolutely opposed to reproductive human cloning. Reproductive human cloning is morally wrong and fundamentally opposed to the values held by our society. I am sure that every Member in this chamber today agree, that reproductive human cloning should be banned. That conclusion is easy to come by Mr. Speaker, however, this debate, unfortunately, is not so simple.

Today we are considering a complex issue, and I share the concerns raised by several other Members that the House is rushing to judgment. We have had too little time to debate and consider the merits and implications that Mr. WELDON's bill and Mr. GREENWOOD's substitute present. The Weldon bill and the Greenwood Substitute ban reproductive human cloning and both set criminal penalties for those who violate such a ban. But the similarities end there. Mr. WELDON's bill goes too far, including banning therapeutic cloning for research or medical treatment, while the Greenwood substitute allows an exception regarding therapeutic cloning. The Weldon bill would ban all forms of cloning, and in essence, stop all research associated with it, just as we are beginning to see the first fruits of biomedical research. By supporting the Greenwood alternative, we have the opportunity to ban reproductive cloning while allowing important research to continue.

As a member of the Science Committee and as a Representative from the Research Triangle Park region, I understand the importance of the research that our scientists are conducting. This research has the potential to save the lives of hundreds of thousands of North Carolinians, Americans, and people throughout the globe who suffer from debilitating and degenerative diseases. We are on the verge of a significant return on our biomedical research investment. Indeed, our scientists may one day solve the mysteries of disease as the result of work involving therapeutic cloning technology. We must not allow this opportunity to pass by us.

Mr. Speaker, let me be clear, I support banning reproductive human cloning, and I will continue to oppose any type of cloning that would attempt to intentionally create a human clone. However, I also support the important biomedical research that our nation's scientists are nobly conducting today. I cannot support a bill that denies those scientists, and the people whose lives they are working to improve, a chance to find a cure.

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

cloning human embryos has begun and thousands are being created, grown, bought and sold, who is going to prevent them from being implanted in a woman and developed into a cloned child?

Even more perversely, when that inevitably occurs, what is the federal government going to do: Force that woman to abort the clone?

Greenwood sanctions, licenses and protects the launching of the most ghoulish and dangerous enterprise in modern scientific history: the creation of nascent cloned human life for the sole purpose of its exploitation and destruction.

What does one say to stem cell opponents? They warned about the slippery slope. They said: Once you start using discarded embryos, the next step is creating embryos for their parts. Frist and I and others have argued: No, we can draw the line.

Why should anyone believe us? Even before the president has decided on federal support for stem cell research, we find stem cell supporters and their biotech industry allies trying to pass a bill that would cross that line—not in some slippery-slope future, but right now.

Apologists for Greenwood will say: Science will march on anyway. Human cloning will be performed. Might as well give in and just regulate it, because a full ban will fail in any event.

Wrong. Very wrong. Why? Simple: You're a brilliant young scientist graduating from medical school. You have a glowing future in biotechnology, where peer recognition, publications, honors, financial rewards, maybe even a Nobel Prize await you. Where are you going to spend your life? Working on an outlawed procedure? If cloning is outlawed, will you devote yourself to research that cannot see the light of day, that will leave you ostracized and working in shadow, that will render you liable to arrest, prosecution and disgrace?

True, some will make that choice. Every generation has its Kevorkian. But they will be very small in number. And like Kevorkian, they will not be very bright.

The movies have it wrong. The mad scientist is no genius. Dr. Frankenstein's invariably produce lousy science. What is Kevorkian's great contribution to science? A suicide machine that your average Hitler Youth could have turned out as a summer camp project.

Of course you cannot stop cloning completely. But make it illegal and you will have robbed it of its most important resource: great young minds. If we act now by passing Weldon, we can retard this monstrosity by decades. Enough time to regain our moral equilibrium—and the recognition that the human embryo, cloned or not, is not to be created for the sole purpose of being poked and prodded, strip-minded for parts and then destroyed.

If Weldon is stopped, the game is up. If Congress cannot pass the Weldon ban on cloning, then stem cell research itself must not be supported either—because then all the vaunted promises about not permitting the creation of human embryos solely for their exploitation and destruction will have been shown in advance to be a fraud.

Mr. BAKER. Mr. Speaker, I rise to express my support for H.R. 2505, "The Human Cloning Prohibition Act of 2001." Let me begin my saying that I am unequivocally opposed to the cloning of human beings either for reproduction or for research. The moral and ethical issues posed by human cloning are profound and cannot be ignored in the quest for scientific discovery. I intend to support this legislation and will vote against the Greenwood amendment.

Let me be clear. Passage of H.R. 2505 will not stop medical research on the promising use of stem cells. This is an exciting area of research and I am confident this technology will produce results the significance of which we cannot fathom. Stem cell research will continue, but it does not have to continue at the expense of our human ethics or our religious morals.

There is not ever a time, in my opinion, where it is proper for medical science to wholly create or clone a human being. The ethical and moral implications of such an act are staggering, and I believe my colleagues understand that. So if we can agree on the human cloning issue, we must now address the fears some of my colleagues have expressed on the future of stem cell research.

The scientific objective in today's debate over stem cell research is having the ability to produce massive quantities of quality transplantable, tissue-matched pluripotent cell that provide extended therapeutic benefits without triggering immune rejection in the recipient. It has come to my attention that efforts have been underway for companies to conduct stem cell research using placentas from live births. I have become aware of at least one company that has pioneered the recovery of non-adult human pluripotent and multipotent stem cell from human afterbirth, traditionally regarded as medical waste.

Importantly, the pluripotent stem cells discovered in postnatal placentas were not heretofore known to be present in human afterbirth, and can be collected in abundant quantities via a proprietary recovery method. These non-controversial cells are known as "placental" and "umbilical" stem cells, because they come from postnatal placentas, umbilical cords, and cord blood, from full-term births, and are classified separately and distinctly from those stem cells recovered from adults and embryos.

The strength of this option is that it meets both the policy and scientific objectives while transcending ethical or moral controversy. We can solve the dilemma by building bipartisan coalition and simply turning the argument from "What we oppose" to "What we all support."

What I'm suggesting is a non-controversial, abundant source of high-quality stem cells that will significantly accelerate the pace at which stem cell therapies can be integrated into clinical use. They would offer the hope of renewable sources of replacement cells and tissues to treat a myriad of diseases, conditions and disabilities, including ALS (Lou Gehrig's Disease), Parkinson's and Alzheimer's, spinal cord injury, stroke, burns, heart disease, diabetes, osteoarthritis, rheumatoid arthritis, liver diseases and cancers.

I would say to all of my colleagues, let's move forward to stop human cloning before it starts. Let's move forward with stem cell research using a source of stem cells that is both in abundant supply and in conformity with our respective ethical and moral beliefs.

Mr. RUSH. Mr. Speaker, in an old blues song, B.B. King provides some sound advice: "don't make your move too soon." Clearly, Congress should heed Mr. King's advice on the issue of human cloning and act with prudence.

Based on my own personal, moral and religious views, I firmly believe that human cloning should be banned. I sincerely believe that the majority of my colleagues agree with

me. However, in our zeal to pass a ban on human cloning we may be needlessly impeding the legitimate use of stem cell research.

Even more frightening, instead of holding extensive hearings with scientists, ethicists and patient groups on how to develop a narrowly tailored ban on human cloning, we are rushing to a vote on a bill which was heard in one committee, the Judiciary Committee.

What ever happened to prudence? What ever happened to reasoning things out? What ever happened to looking before you leap? What is clear from the debate on this floor today is there are serious questions and confusion as to whether the Human Cloning Prohibition Act will merely ban human cloning or halt life saving stem cell research. The fact that there is confusion necessitates further debate and discussion, not a vote.

We must act with caution to ensure the future scientific successes which will make this world healthier and more productive while tightly regulating those practices which pose a clear threat to the health and safety of our citizens.

Clearly, we are making a move too soon, without facts, without an understanding of what the Human Cloning Prohibition Act does, and without an understanding of the science involved. I would urge my colleagues to not make a move too soon. Let's debate this issue further and vote on a bill when the implications of the legislation is clear.

Mr. BARR of Georgia. Mr. Speaker, the practice of either embryo splitting or nuclear replacement technology, deliberately for the purposes of human reproductive cloning, raises serious ethical issues we, as policy makers, must address.

Having participated, as a member of the Judiciary Committee, in hearings on the ethics and practice of human cloning, I am pleased to support Congressman WELDON and STUPAK's bill, H.R. 2505—the Human Cloning Prohibition Act of 2001. This bill provides for an absolute prohibition on human cloning. The bill bans all forms of adult human and embryonic cloning, while not restricting areas of scientific 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. In fact, the bill specifically protects and encourages the cloning of human tissues, so long as such procedures do not involve the creation of a cloned human embryo.

The ability to produce an exact genetic replica of a human being, alive or deceased, carries with it an incredible responsibility. Beyond the fact the scientific community has yet to confirm the safety and efficacy of the procedure, human cloning is human experimentation taken to the furthest extreme. In fact, the National Bioethics Commission has quite clearly stated the creation of a human being by somatic cell nuclear transfer is both scientifically and ethically objectionable.

This is why I have serious reservations with Representative GREENWOOD's bill, H.R. 2172. This bill would prohibit human somatic cell nuclear transfer technology with the intent to initiate a pregnancy. Of critical importance, however, is the fact that would allow somatic cell nuclear transfer technology to clone molecules, DNA, cells, tissues; in the practice of in vitro fertilization, the administration of fertility-enhancing drugs, or the use of other medical procedures to assist a woman in becoming or remaining pregnant; or any other

activity (including biomedical, microbiological, or agricultural research or practices) not expressly prohibited.

Representative GREENWOOD's bill purportedly advances the benefits of "therapeutic cloning"; that is, the cloning of embryos for the purpose of scientific research. While we may hear endless examples of how this technology may lead to advanced cancer therapies, solve infertility problems, and end juvenile diabetes, in reality, not one reputable research organization has provided any hard evidence that cloned embryos will provide any such miracles. To date, not one disease has been cured, or one treatment developed based on this technology. Furthermore, there is abundant evidence that alternatives to this procedure already exist. Stem cells, which can be harvested from placentas and umbilical cords, even from human fat cells, have yielded far more results than embryonic stem cells.

What is most objectionable to the bill is that it will take us in an entirely new and inhumane direction, whereby the United States government will be condoning, indeed encouraging, the creation of embryos for the purpose of destruction.

There is nothing humanitarian or compassionate about creating and destroying human life for some theoretical, technical benefit that is far from established. To create a cloned human embryo solely to harvest its cells is just as abhorrent as cloning a human embryo for implantation.

To not provide an outright and complete ban on embryonic cloning would set a dangerous precedent. Once the Federal government permits such dubious and mischievous research practices, regardless of how strict the guidelines and regulations are drawn, human cloning will undoubtedly occur.

Mr. Speaker, nothing scientifically or medically important would be lost by banning embryonic cloning. Indeed, at this time, there is no clinical, scientific, therapeutic or moral justification for it. I urge all House Members to join a vast majority of American citizens and members of the scientific community in support of H.R. 2505, the true Human Cloning Prohibition Act of 2001.

Mr. DEMINT. Mr. Speaker, it is July 31st, the year 2001. Once upon a time, the discussions about cloning human beings were about a hypothetical point in the future.

America has not paid too much attention to the scientific, legal, and ethical issues surrounding cloning because it was always something so far off in the future that it seemed surreal.

Well, the future is upon us and today we discuss an issue of utmost importance in determining what sort of world we live in.

We all want to secure America's future—to live in a land of prosperity, good health, and great opportunity.

However, our future will very much be shaped by our present decisions and fundamental questions about human life and human identity.

I rise today, Mr. Speaker, in support of H.R. 2505—the Weldon/Stupak bill to enact a true ban on human cloning. I rise in opposition to the Greenwood/Deutsch bill which purports to be a ban, but will allow the industrial exploitation of human life.

Mr. Speaker, you and I and every other person on the face of this earth have unique features—things that make us not only human, but individuals.

Our fingerprints are like snowflakes—there is not, nor has there ever been, an exact replica of another human being.

Cloning is a whole new world. What is a clone? Who is close? What is the identity of a clone? Who is responsible for the clone? Why would clones be brought into existence? Should they become human organ farms, created specifically to try to save the life of another human being? Would clones have different rights than 'natural' human beings? Would they be a subservient class of human beings?

Supporters of the Greenwood Substitute might claim that this is far-fetched, that their language has no intention of allowing the creation of actual cloned living, breathing human beings.

As columnist Charles Krauthammer puts so eloquently, "... once the industry of cloning human embryos has begun and thousands are being created, grown, bought and sold, who is going to prevent them from being implanted in a woman and developed into a cloned child?"

Well, Mr. Speaker, I ask at what point do we say NO? At what point do we say that we refuse to walk down that slippery slope?

When do we have the strength to stand up for the wonder of life and human experience and say that we will not allow the creation of cloned human embryos for industrial exploitation?

Krauthammer calls the Greenwood bill "a nightmare and an abomination . . . the launching of the most ghoulish and dangerous enterprise in modern scientific history."

Mr. Speaker, I hope we will all be able to look back on this day—July 31, 2001—and recognize that it was a day in which we affirmed human life and rejected those wishing to exploit life in a most horrific way.

Mr. Speaker, I urge my colleagues to take those words to heart and reject the Greenwood substitute and vote in favor of the underlying bipartisan bill.

As we work together in this body to secure the future for America, let us march forward on our strongest ideals of hope, democracy, and freedom. Let us show the utmost respect for human life and this human experience which we all share.

Mr. LARGENT. Mr. Speaker, I rise in strong support of H.R. 2505, the Human Cloning Prohibition Act of 2001.

This bill has an amazingly wide range of support. Opponents of the bill have tried to portray it as a piece of pro-life legislation, and have made it hard for pro-choice members to support it. But anyone who has followed the series of cloning hearings has seen some of the most unusual alliances in recent political history, including many pro-choice activists and organizations who see the common sense in banning the ghoulish practice of cloning. Even they see that embryo cloning will, with virtual certainty, lead to the production of experimental human beings.

Scientists acknowledge the ethical questions cloning raises. As recently as the December 27, 2000 issue of the Journal of the American Medical Association, three bioethicists co-authored a major paper on human cloning that freely acknowledged that somatic cell nuclear transfer creates human embryos and noted that it raises complex ethical questions.

Some have stated that life begins in the womb, not a petri dish or a refrigerator. I believe, however, that human life is created

when an egg and a sperm meet. The miracle of life cannot be denied, whether it begins in a womb or a petri dish. Even scientists and bioethicists realize the moral and ethical implications that cloning brings about. Twisting this reality is disingenuous.

Do we really want Uncle Sam cloning human beings? Do we really want the federal government to play God in such an undeniable way? I certainly don't. The Greenwood substitute is a moral and practical disaster, however you look at it. I urge my colleagues to vote in favor of H.R. 2505 and against the Greenwood substitute and the motion to recommit.

Mr. HOSTETTLER. Mr. Speaker, I submit the following information on the subject of Cloning.

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.

Washington, DC, July 26, 2001.

SCIENTISTS SAY "THERAPEUTIC CLONING"
CREATES A HUMAN EMBRYO

President Clinton's National Bioethics Advisory Commission, in its 1997 report *Cloning Human Beings*, explicitly stated: "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 National Institutes of Health Human Embryo Research Panel also assumed in its September 27, 1994 Final Report, that cloning results in embryos. In listing research proposals that "should not be funded for the foreseeable future" because of "serious ethical concerns," the NIH panel included cloning: "Such research includes: . . . Studies designed to transplant embryonic or adult nuclei into an enucleated egg, including nuclear cloning, in order to duplicate a genome or to increase the number of embryos with the same genotype, with transfer."

A group of scientists, ethicists, and biotechnology executives advocating "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—confirmed in the December 27, 2000 issue of the *Journal of the American Medical Association* that a human embryo is created and destroyed through "therapeutic cloning": "CRNT [cell replacement through nuclear transfer, another term for "therapeutic cloning"] requires the deliberate creation and disaggregation of a human embryo." "... because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions."

On September 7, 2000, the European Parliament adopted a resolution on human cloning. The Parliament's press release defined and commented on "therapeutic cloning": "... 'Therapeutic cloning,' which involves the creation of human embryos purely for research purposes, poses an ethical dilemma and crosses a boundary in research norms."

Lee M. Silver, professor of molecular biology and evolutionary biology at Princeton University, argues in his 1997 book, *Remaking Eden: Cloning and Beyond in a Brave New World*. "Yet there is nothing synthetic about the cells used in cloning. . . . The newly created embryo can only develop inside the womb of a woman in the same way that all embryos and fetuses develop. Cloned children will be full-fledged human beings,

indistinguishable in biological terms from all other members of the species."

The President and CEO of the biotechnology firm that recently announced its intentions to clone human embryos for research purposes, Michael D. West, Ph.D. of Advanced Cell Technology, testified before a Senate Appropriations Subcommittee on December 2, 1998: "In this . . . procedure, body cells from a patient would be fused with an egg cell that has had its nucleus (including the nuclear DNA) removed. This would theoretically allow the production of a blastocyst-staged embryo genetically identical to the patient. . . ."

Dr. Ian Wilmut of PPL Technologies, leader of the team that cloned Dolly the sheep, describes in the spring 1988 issue of Cambridge Quarterly of Healthcare Ethics how embryos are used in the process now referred to as "therapeutic cloning": "One potential use for this technique would be to take cells—skin cells, for example—from a human patient who had a genetic disease . . . You take this and get them back to the beginning of their life by nuclear transfer into an oocyte to produce a new embryo. From that new embryo, you would be able to obtain relatively simple, undifferentiated cells, which would retain the ability to colonize the tissues of the patient."

As documented in the American Medical News, February 23, 1998, University of Colorado human embryologist Jonathan Van Blerkom expressed disbelief that some deny that human cloning produces an embryo, commenting: "If it's not an embryo, what is it?"

Mr. BARR of Georgia. Mr. Speaker, today the House of Representatives took an important step in banning the cloning of human embryos. As this debate moves forward in Congress, I believe the National Right to Life Committee has made some very important points which we need to keep in mind:

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.

Washington, DC, July 26, 2001.

AMERICANS OPPOSE CLONING HUMAN EMBRYOS
FOR RESEARCH

The biotechnology industry is pushing for a deceptive "cloning ban" sponsored by James Greenwood. This bill actually permits, protects, and licenses the unlimited creation of cloned human embryos for experimentation as long as those embryos are destroyed before being implanted in a mother's womb. It would more accurately be termed a "clone and kill" bill.

In the past, even major defenders of harmful research on human embryos have rejected the idea of special creation of embryos for research.

"The creation of human embryos specifically for research that will destroy them is unconscionable."—Editorial, "Embryos: Drawing the Line," Washington Post, October 2, 1994, C6.

"What the NIH must decide is whether to put a seal of approval on . . . creating embryos when necessary through in vitro fertilization, conducting experiments on them and throwing them away when the experiments are finished. . . . The price for this potential progress is to disregard in the case of embryos the basic ethical principal that no human's bodily integrity may be violated involuntarily, no matter how much good may result for others." Editorial, "Life is precious, even in the lab," Chicago Tribune, November 30, 1994.

" . . . We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score."—Rep. Nancy Pelosi (D-CA), 142 Congressional Record at H7343, July 11, 1996.

" . . . I do not believe that federal funds should be used to support the creation of human embryos for research purposes, and I have directed that NIH not allocate any resources for such research."—President Bill Clinton, Statement by the President, December 2, 1994.

"We can all be assured that the research at the National Institutes of Health will be conducted with the highest level of integrity. No embryos will be created for research purposes. . . ."—Rep. Nita Lowey (D-NY), 142 Congressional Record at H7343, July 11, 1996.

" . . . The manufacture of embryos for stem cell research . . . may be morally suspect because it violates our desire to accord special standing and status to human conception, procreation, and sexuality."—Arthur Caplan, Director, University of Pennsylvania Center for Bioethics, Testimony before Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies, December 2, 1998.

PUBLIC OPINION SPEAKS

"Should scientists be allowed to use human cloning to create a supply of human embryos to be destroyed in medical research?" (International Communications Research Poll, June 2001): No—86%, Don't Know/Refused—4.3%, Yes—9.8%.

"Do you think scientists should be allowed to clone human beings or don't you think so?" (Time/CNN Poll, April 30, 2001): No—88%, Not Sure—2%, Yes—10%.

So-called "therapeutic cloning," just like "reproductive cloning," creates a human embryo. These embryos are killed when their stem cells are harvested in the name of "medical research."

" . . . 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."—Cloning Human Beings: Report and Recommendations of the National Bioethics Advisory Commission (Rockville, MD: June 1997, Executive Summary).

"We can debate all day whether an embryo is or isn't a person. But it is unquestionably human life, complete with its own unique set of human genes that inform and drive its own development. The idea of the manufacture of such a magnificent thing as a human life purely for the purpose of conducting research is grotesque, at best. Whether or not it is federally funded."—Editorial, "Embryo Research is Inhuman," Chicago Sun-Times, October 10, 1994, 25.

The SPEAKER pro tempore. All time for debate on the bill, as amended, has expired.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 107-172 offered by Mr. SCOTT:

Page 4, after line 8, insert the following:

SEC. 3. STUDY BY 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, cur-

rent 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 4 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 it considers appropriate.

The SPEAKER pro tempore. Pursuant to House Resolution 214, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

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

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

This amendment would provide for a study by the General Accounting Office of this issue. That study would include a discussion of new developments in medical technology, the need if any for somatic cell nuclear transfer, the public attitudes and prevailing ethical views, and potential legal implications.

The developments in stem cell research are proceeding at a very rapid pace; and it is difficult for Congress, which moves very slowly, to take them into account. This amendment would keep Congress informed of the changes in technology and its potential for medical advance. It would also keep us advised of any need for technical changes to the bill to keep its prohibition on cloning effective and narrowly drawn.

Furthermore, this is an area where public attitudes and ethical views are often confused and uncertain. The study will be helpful in summarizing and clarifying those issues.

Mr. Speaker, some of the issues that we have to deal with have been reflected in the questions that have been raised on what the bill actually does: the potential for embryonic versus adult cell research, and issues such as the impact of the bill which would be in effect in the United States on medical treatments which may be available everywhere else in the world except in the United States.

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

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

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Mr. Speaker, I believe that this is an extremely constructive amendment. The gentleman from Virginia offered it during Judiciary Committee consideration and withdrew it because of jurisdictional concerns. I would hope that the House would adopt this amendment because I believe it would put additional information on the table to help further clarify this very contentious debate.

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

The SPEAKER pro tempore. Pursuant to House Resolution 214, the previous question is ordered on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

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

The amendment was agreed to.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. GREENWOOD

Mr. GREENWOOD. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute printed in House Report 107-172 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 2001".

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 2001, the individual shall so reg-

ister 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.—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) 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 2001.

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

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

"(g) SUNSET.—This section and section 301(bb) 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 2001."

(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:

"(bb) 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(bb) shall be imprisoned not more than 10 years or fined in accordance with title 18, United States Code, or both."

(3) CIVIL PENALTY.—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(bb) shall be liable to the United States for a civil penalty in an amount not to exceed the greater of—

"(A) \$1,000,000; 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 paragraph (1) of 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 paragraph (1) or (2) of 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(bb), 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 SPEAKER pro tempore. Pursuant to House Resolution 214, the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 30 minutes.

PARLIAMENTARY INQUIRY

Mr. GREENWOOD. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GREENWOOD. Would it be appropriate for me or permissible under the rules for me to yield 15 minutes of my time to the gentleman from Florida (Mr. DEUTSCH)?

The SPEAKER pro tempore. By unanimous consent, the gentleman from Florida could control those 15 minutes.

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. DEUTSCH) be permitted to control 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DEUTSCH. Mr. Speaker, if I could just inquire, how would we be going in terms of order of speakers?

The SPEAKER pro tempore. The Chair would allow the proponent of the amendment to speak first.

Mr. DEUTSCH. And then to the opposition, and then it will revert back and forth?

The SPEAKER pro tempore. That is correct.

Mr. DEUTSCH. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I have been attempting to personalize this issue as much as I can. One of the things I would ask my colleagues to do is look at some of the lists of groups that are supporting the Greenwood-Deutsch amendment in opposition to the Weldon bill: the Parkinson's Action Network, the Juvenile Diabetes Research Foundation, Alliance for Aging, American Infertility Association, American Liver Foundation, International Kidney Cancer Foundation.

I mention several of these organizations because as I have said, and I think what we all acknowledge, that the issue of using embryonic stem cell research is over. And why is it over? Because of the 435 Members in this Chamber, we have heard from our friends, from our families, from our neighbors, from our constituents about real people who are suffering real diseases. That suffering is incalculable. None of us would want that to happen to anyone. Yet we know it exists and we feel pain when we talk to people. Many of us experience that pain ourselves. I put up these numbers again to note that the individuals added collectively together add up to tens of millions of Americans and to hundreds of millions of family Members.

Mr. GREENWOOD. Mr. Speaker, I yield myself such time as I may consume.

We have had a good 2 hours of debate, and it has been encouraging to see the extent to which Members of Congress have been able to grapple with this very complicated issue.

Unfortunately, the Members who are speaking are the ones who have mastered it. We will have a vote within the hour and unfortunately most Members will come here pretty confused about the issue.

Let me try to simplify the issue once again and ask that we try to avoid some of the ad hominem argument that I think is beginning, and the hostility, frankly, that is beginning to develop on the floor on this issue. This is not a question about who has values and who stands for human life and who does not. It is a very legitimate and important and historic debate about how it is that we are able to use the DNA that God put into our own bodies, use the brain that God gave us to think creatively, and to employ this research to save the lives of men, women and children in this country and throughout the world and to rescue them from terribly debilitating and life-shortening diseases.

□ 1615

We have an extraordinary opportunity to do this with the research technique that does not involve con-

ception. It is an interesting question to look at, when is it that people over history have defined the onset of life.

The Catholic Church used to say that it began with quickening, when a woman could feel the motion of the fetus in her womb, and that was when ensoulment occurred. When scientists discovered how fertilization worked, the Church changed its opinion and said life actually begins at conception, at fertilization, and for those who adhere to that position, they have my utmost respect. I do not think they ought to put their position into the statutes of the Federal Government, but they certainly should be respected for that belief that they have.

But now we have moved the goalposts again, and now somehow we are supposed to be required to, A, believe that ensoulment occurs when a somatic cell taken from someone's skin divides in a petri dish, and for those who want to make that leap of faith, or leap of whatever it is, belief, they are welcome to do that.

But to put into the statutes of the Federal Government a prohibition against using the state of the art research that is wonderfully brilliant, fine and inspired, and noble researchers are trying to employ in the laboratory for the very purpose of saving the lives of people, to put into law a Federal ban against that, I think, is immoral. I think it is wrong, and we should not do it.

Now, the Greenwood-Deutsch substitute is very simple. All we have been trying to do from the very beginning is prohibit reproductive cloning. That is all we do. That is all we do, is say thou shalt not create new babies using cloning, because it is not safe and it is not ethical.

I said months ago to the leadership of this House, if you want to do what we all agree on, we all want to stop that, then we need to shoot a silver bullet and a rifle shot and stop that legislatively. We could do that.

I said then but if we get mired down into the stem cell debate, the result is predictable. The legislation will go nowhere, this bill when it passes the House today will not be taken up in the Senate. I cannot believe the Senate is going to get into this issue.

So what will we have done at the end of the day? We will have done nothing. We will not have banned reproductive cloning, because it is more interesting to get into this extraordinary metaphysical debate whether life does or does not begin when a skin cell divides in a petri dish.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I rise in opposition to the substitute that has been offered by my friend, the gentleman from Pennsylvania (Mr. GREENWOOD). This substitute is a big mistake for a number of reasons, and it should not be supported. Most notably, it would make

the prohibition against human cloning virtually impossible to enforce, it would foster the creation of cloned human embryos through the Department of Health and Human Services, and 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 is no mechanism for tracking them.

In fact, one would logically expect an organization authorized to clone 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 embryos, could easily implant any of the legally cloned embryos, if they had the opportunity, and a child would develop.

Furthermore, those who do want to clone humans for reproductive purposes are very well funded and may have the capability to clone embryos. Would they be banned from registering with HHS under this amendment, or would they be authorized to create cloned embryos under the watchful eye of the Federal Government? If not, what would prevent any of these privately funded groups from creating a new organization with unknown intentions? If they did attempt human cloning for reproductive purposes, who would be held accountable? The lead scientists or others, or would the impregnated mother?

The fact is, any legislative effort to prohibit cloning must allow enforcement to occur before a cloned embryo is implanted. Otherwise, it is too late, and that is the big deficiency in the Greenwood substitute.

The substitute attempts to draw a distinction between necessary scientific research and human cloning by authorizing HHS 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, the crux of this substitute is to invoke a debate on stem cell research, a political knuckle ball, and this debate on stem cell research is a red herring.

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, the bill allows for the production of cloned embryos for stem cell research. Again, H.R. 2505 does not prohibit stem cell research. It does not prohibit stem cell research. Currently private organizations are able to conduct unfettered research on embryonic stem cells. While this research is ethically and morally controversial, it has been heralded, because embryonic stem

cells multiply faster and live longer in petri dishes than adult stem cells.

Cloned embryo cells and normal embryo cells provide the same cellular tissue for research purposes. However, Mr. Speaker, these embryonic stem cells have failed in many clinical tests because they multiply too rapidly, causing cysts and cancers. Adult stem cells are the other area of stem cell research, which is much less controversial and which has been successful in over 45 trials. In fact, adult stem cells have been utilized to treat multiple sclerosis, bone marrow disorders, leukemias, anemias, and cartilage defects and immuno-deficiency in children.

Adult stem cells have been extracted from bone marrow, blood, skeletal muscle, the gastro-intestinal tract, the placenta, and brain tissue, to form bone marrow, bone, cartilage, tendon, muscle, fat, liver, brain, nerve, blood, heart, skeletal muscle, smooth muscle, esophagus, stomach, small intestine, large intestine, and colon cells. H.R. 2505 would not interfere with this work, but it prohibits the production of cloned embryos. It is a cloning bill; it is not a stem cell research bill.

Furthermore, H.R. 2505 allows for cloning research on various molecules, DNA, cells from other human embryos, tissues, organs, plants, animals or animals other than humans. In fact, it allows for cloning research on RNA, ribonucleic acid, which has been used in genetic therapy.

Fourth, the substitute prohibits States from adopting laws that prohibit or more strictly regulate cloning within their borders. It is a Federal preemption. This portion of the substitute raises even more ethical concerns which speak for themselves. Try telling my constituents they cannot ban human cloning, and I will tell you they disagree.

Finally, Mr. Speaker, 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. 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.

This is why Members on both sides of the aisle should rise in opposition to the substitute, defeat it, and pass H.R. 2505.

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

Mr. GREENWOOD. Mr. Speaker, I yield 5 minutes to the distinguished and scholarly gentleman from California (Mr. HORN).

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

First I ask everyone to take a deep breath and step back for a moment.

The House of Representatives is debating a bill that prohibits human cloning. I agree that cloning human

beings is ethically unacceptable. In fact, I think just about everyone will reach this conclusion, which leads me to question whether we actually need to legislate something that is so common sense.

Now, let me ask people to imagine the conditions under which Jonas Salk developed a vaccine to prevent polio. Presumably, Dr. Salk spent many hours in his research laboratory, growing tissue cultures, and implanting within those cultures foreign agents to stimulate and ultimately prevent polio. How many of us then questioned the scientific techniques being used by Dr. Salk, and thousands of other researchers since then to discover new medicines and treatments for debilitating illnesses that plague our society? Can anyone actually say that the polio vaccine is bad because it was developed using tissue samples?

The problems with the discussions surrounding the human cloning bill advanced by the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK) are two-fold. First, it cloaks a worthwhile and necessary debate in grossly overblown rhetoric; and, second, it is such a broad-brush effort that it would absolutely prohibit potentially life-saving therapies that may prevent and cure diseases such as Alzheimer's, cancer, Lou Gehrig's disease, cardiovascular damage, diabetes, and spinal cord injuries. At 5 o'clock I will be meeting with a group on Hunter's Syndrome. These various diseases could probably very well be researched by NIH and the great universities of this land.

What we are talking about, in short, is watching cells divide in a petri dish. Could this group of cells develop into a human embryo? Maybe, but only if implanted in a womb, and then its development is questionable.

The Greenwood bill permits the technology, but ensures that the group of cells never develops into anything remotely resembling a human being.

So, let me ask, is this cell group really any different from the tissue cultures grown by Dr. Salk? Is this group of cells so special that they deserve all of the moral, ethical, and legal protections that we afford fully developed, fully functional, and fully cognitive emotive human beings?

Is this group of cells so different and so much more important from the frozen fertilized eggs that we are considering using for stem cell research that they deserve more proscriptive treatment? Why are we less concerned about the sanctity of life with eggs that were harvested and fertilized for purposes of creating a human life than in the situation where we have neither of these purposes?

Although I am not convinced that the Greenwood substitute is a perfect alternative, it is certainly a superior alternative to an approach that would stop any sort of life-affirming therapies to advance. I think what has all of us ill at ease is that this technology

immediately conjures up images of Dr. Frankenstein or the chemist fiddling with his or her chemistry set creating solutions and potions of unknown characteristics.

I am not a biological scientist myself. I have been a Dean of Graduate Studies and Research. I do know what goes on in universities, and in this Nation we have a great number of laboratories, and this government has helped fund bright young people. We need to encourage them and not limit them.

Honestly, I cannot say I remember much from my own school biology class, and I think a lot of us are in the same way. We were dealing with leaves and not molecular objects. Like most people, I find these images to be disconcerting. But I want to live in a world in which science can be allowed to proceed to find a cure for polio, for Alzheimer's, for any host of tragic diseases, and that treatments might be possible for any of them. We can only do this by letting the science move forward. The Greenwood alternative permits this; Weldon does not.

□ 1630

Ultimately, the debate and science are too complicated to leave to a group of unsophisticated legislators with instruments too blunt to be effective. I am concerned that the House leadership has allowed this debate to proceed in this hasty, reckless fashion.

For this reason alone, we should be the first to follow the Hippocratic Oath: First, do no harm. That means, oppose the Weldon bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

With all due respect to my friend, the gentleman from California (Mr. HORN), I do not think the gentleman has read the bill and I do not think he has been listening to the debate.

This bill does not stop scientific research. This bill does not stop stem cell research. This bill stops research in destruction of cloned embryonic stem cells, no other stem cells whatsoever.

I do not think Dr. Salk used cloned material when he developed the polio vaccine. Nobody even thought of cloning 45, 50 years ago when Dr. Salk was using his research.

Please, let us talk about what is in the bill and what is in the Greenwood substitute, rather than bringing up issues that are completely irrelevant to both.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. STUPAK), the coauthor of the bill.

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

I rise today in strong support of the Weldon-Stupak Human Cloning Prohibition Act of 2001, and I would like to thank the gentleman from Florida (Mr. WELDON) for his leadership on this issue.

We are in the midst of a tremendous new debate, a tremendous new policy direction, a tremendous new revolution. 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. A cult has publicly announced its intention to begin human cloning for profit. Research firms have announced their intentions to clone embryos for research purposes and then discard what is not needed. Whatever your beliefs, pro-life, pro-choice, Democrat or Republican, the fact is embryos are the building blocks of human life and human life itself. We must ask ourselves, what will our message be here today? What makes us up as human beings? What is the human spirit? What moves us? What separates us from animals?

That is what we are debating here today.

What message will the United States 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 the color of the eyes or the hair of their children, or create super babies? We need to consider all aspects of cloning and not just what the researchers tell us is good.

Opposition to the Weldon-Stupak bill has based its objections on arguments that we will stifle research, discourage free thinking, put science back in the Dark Ages. How ridiculous. 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. All of this is not seen as stifling research. The fact is, there is no research being done on cloned human embryos, so how can we stifle it?

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

A prominent researcher working for a bioresearch company has admitted scientists do not know how or what happens in cloned embryos allowing these deformed embryos. In fact, he calls the procedure when an egg reprograms DNA "magic." Magic? That is hardly a comforting or a hard-hitting scientific term, but it is accurate. It is magic.

Opponents of our bill have said embryonic research is the Holy Grail of science and holds the key to untold medical wonders. I say to these oppo-

nents, 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 this: Simply because we can do something, does that mean we should do it? What is the better path to take? One of haste and a rush into the benefits that are, at best, years in the future, entrusting cloned human embryos to scientists who do not know what they are doing with cloned animal embryos; or one urging caution, urging a step back, urging deliberation?

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

The Holy Grail? The magic? How about the human soul? Scientists and medical researchers cannot find it, they 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 soul, reject the substitute and support the Weldon-Stupak bill.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

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

Mr. WAXMAN. Mr. Speaker, I rise in support of the Greenwood substitute and in opposition to H.R. 2505.

This debate involves research that holds a great deal of promise for defeating disease and repairing damaged organs. It also involves a great deal of confusion.

In order to tilt the debate about genetic cell replication research, some opponents lump it with Dolly the sheep. No one supports reproductive cloning and no one benefits from such confusion, except those who hope to spur an overreaction. The Greenwood substitute would prohibit reproductive cloning without shutting down valuable research.

Some argue to prohibit genetic cell replication research because it might, in the wrong hands, be turned into reproductive cloning research. I cannot support this argument. All research can be misused. That is why we regulate research, investigate abuse of subjects, and prosecute scientific fraud and misconduct. If researchers give drug overdoses in clinical trials, the law requires that they be disbarred and punished. If someone were to traffic in organs, the law requires they be prosecuted, and if someone were to develop reproductive cloning under the Greenwood substitute, they would be prosecuted for a felony. The Greenwood ban

on reproductive cloning will be every bit as effective as the Weldon ban on all research. If someone is deterred by one felony penalty, they will be deterred by the other.

Finally, let me point out that the Greenwood substitute cleans up two major drafting mistakes in the Weldon bill, mistakes that, in and of themselves, should be enough to make Members oppose the Weldon bill.

First, as the dissenting views in the committee report note, this bill criminalizes some forms of infertility treatments. These are not the science fiction clones that people have been talking about today; this is a woman and a man who want to have a child using her egg and his sperm and some other genetic materials to make up for flaws in one or the other; and this bill would make this couple and their doctors felons. That is wrong. They do not want Dolly the sheep, they want a child of their own.

Second, the Weldon bill makes criminal all products that are derived from this research. This means that if an advance in research leads to a new protein or enzyme or chemical, that protein or enzyme or chemical cannot be brought into this country, even if it requires no creation of new fertilized eggs and is the cure for dreaded diseases. That is wrong. It is an overreaction and does not serve any useful end.

I urge my colleagues to support the Greenwood amendment. We should clearly define what is wrongdoing, prohibit it, and enforce that prohibition, but we should not shut down beneficial work, clinical trials, organ transplants, or genetic cell replication because of a risk of wrongdoing; and we should not ban some things by the accident of bad drafting.

Mr. Speaker, I rise in support of the Greenwood substitute and in opposition to H.R. 2505. This debate involves research that holds a great deal of promise for defeating disease and repairing damaged organs. It also involves a great deal of confusion.

Let me try to clear up that confusion by clarifying what we mean by "cloning research," because the term means different things to different people. Some "cloning" research involves, for example, using genetic material to generate one adult skin cell from another adult skin cell. I know of no serious opposition to such research.

Some "cloning" research starts with a human egg cell, inserts a donor's complete genetic material into its core, and allows this cell to multiply to produce new cells, genetically identical to the donor's cells. This is genetic cell replication. These cells can, in theory, be transplanted to be used for organ repair or tissue regeneration—without risk of allergic reaction or rejection. H.R. 2505 would ban that—for no good reason.

Some "cloning" research is for reproduction. It starts with the human egg and donated genetic material, but it is intended to go further, in an effort to create what is essentially a human version of Dolly the sheep, a full-scale

living replica of the donor of the genetic material. I know of no serious support for such research and the Greenwood amendment would ban that.

In order to tilt the debate about genetic cell replication research, some opponents lump it with Dolly the sheep. No one supports reproductive cloning, and no one benefits from such confusion except those who hope to spur an overreaction. The Greenwood amendment would prohibit reproductive cloning without shutting down valuable research.

Some also argue to prohibit genetic cell replication research because it might—in the wrong hands—be turned into reproductive cloning research. I cannot support this argument.

Such a prohibition is no more reasonable than to prohibit all clinical trials because researchers might give overdoses deliberately. It is as much overreaching as prohibiting all organ transplant studies because an unscrupulous person might buy or sell organs for profit.

All research can be misused. That's why we regulate research, investigate abuse of subjects, and prosecute scientific fraud and misconduct.

If researchers give drug overdoses in clinical trials, the law requires that they be disbarred and punished. If someone were to traffick in organs, the law requires that they be prosecuted. And if someone were to develop reproductive cloning, under the Greenwood amendment, they could be prosecuted for a felony.

And the Greenwood ban will be every bit as effective as the Weldon ban on all research. If someone is deterred by one felony penalty, they will be deterred by the other.

Finally, let me point out that the Greenwood amendment cleans up two major drafting mistakes in the Weldon bill—mistakes that in and of themselves should be enough to make Members oppose the Weldon bill.

First, as the dissenting views in the Committee Report note, this bill criminalizes some forms of infertility treatments. These are not the science fiction clones that people have been talking about today; this is a woman and a man who want to have a child—using her egg and his sperm and some other genetic materials to make up for flaws in one or the other. And this bill would make this couple and their doctor felons. That's wrong. They only want a healthy child of their own—but the Weldon bill would stop that.

Second, the Weldon bill makes criminal all products that are derived from this research. This means that if an advance in research elsewhere leads to a new protein or enzyme or chemical, that protein or enzyme or chemical cannot be brought into the country—even if it requires no creation of new fertilized eggs and is the cure for dreaded diseases. That's wrong. It is an over-reaction that does not serve any useful end.

I urge my colleagues to support the Greenwood amendment. We should clearly define what we believe is wrongdoing, prohibit it, and enforce that prohibition. The Greenwood amendment does that.

But we should not shut down beneficial work—clinical trials, organ transplants, or genetic cell replication—because of a risk of wrongdoing, and we should not ban some things by the accident of bad drafting.

The Congress should not prohibit potentially life-saving research on genetic cell replication

because it accords a cell—a special cell, but only a cell—the same rights and protections as a person. No one supports creating a cloned human being, but we should allow research on how cells work to continue.

Mr. GREENWOOD. Mr. Speaker, I yield myself 30 seconds.

The gentleman from Wisconsin (Mr. STUPAK) asked for an example of how this research is working. Dr. Okarma, who testified at our hearings, spoke of how they have taken mice who had damaged hearts, they used somatic cell nuclear transfer to take the cells of the mice, turn them into pluripotent stem cells, and then into heart cells, and then they injected those heart cells into the heart of the mouse. What happened? Those cells behaved like heart cells. They pumped blood and kept the mouse alive.

All we are asking for here today is to give the people of the world, the people of this country, the same chance that the mouse had.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, John Porter, the former chairman of Labor-HHS, asked me to do a terrible thing once. He asked me to chair a committee with children with exotic diseases. I had to shut down the committee it hurt so much. One little girl said, Congressman, you are the only person that can save my life, and that little child died, and there are thousands of these children.

I am 100 percent pro-life, 11 years, but I support stem cell research of discarded cells. The concern that all of us have is, if we go along with the gentleman from Pennsylvania (Mr. GREENWOOD), the same thing will happen that happened in England. They started with stem cell research, then they expanded it to nuclear transfer of the somatic cells. Then they went to human cloning, and even a subspecies so that they can use body parts.

Where does it stop? The only way that we can control this research through the Federal Government is to make sure that these ethical and moral values are adhered to. We have to stop it here.

Support the Weldon bill, oppose the Greenwood bill.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes 15 seconds 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. Speaker, the Human Cloning Prohibition Act is a bill we should not be debating with such brevity and haste. Cloning is manifestly not the same issue as stem cell research, much less abortion, and 2-minute snippets fail to do justice to the complex issues involved.

I am tempted to vote against both the bill and the substitute on the grounds that neither has been sufficiently refined or adequately debated.

But that could be interpreted as a failure to take seriously the ethical issues that cloning raises and the need to block the path to reproductive cloning. That is the last thing we should want to do, for as Leon Kass and Daniel Callahan have argued in a recent article, reproductive cloning would threaten individuality and confuse identity, confounding our very definition of personhood, and it would represent a giant step toward turning procreation into manufacture.

I will vote for the Greenwood substitute as the best of the available alternatives. We are not certain of the promise of somatic cell nuclear transfer, or therapeutic cloning, research for the treatment or cure of diseases such as Alzheimer's, diabetes, Parkinson's or stroke. But we simply must take the enormous potential for human benefit seriously.

In moving to head off morally unacceptable reproductive cloning, we must take great care not to block research for treatments which have great potential for good and could run afoul of the ban included in H.R. 2505.

Critics such as Kass and Callahan argue persuasively that the ban on reproductive cloning contained in the Greenwood substitute would be difficult to enforce. But would the ban of nuclear transfer contained in H.R. 2505 be more easily enforced? As the dissenting views of the Committee on the Judiciary report argue,

If a ban on the surgical procedure of implanting embryos into the uterus is unenforceable, a ban on a procedure that takes place in a petri dish in the privacy of a scientific laboratory is even more so.

Mr. Speaker, these are very difficult matters. We should not suppose that our votes here today, whatever the result, will resolve them. We must do the best we can, drawing the moral lines that must be drawn, while weighing conscientiously the possible benefits of new lines of research for the entire human family.

I believe the Greenwood substitute is the best among imperfect alternatives, and I urge its adoption.

□ 1645

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, we need to clarify something here. This issue is not about what the other side called a group of cells or insoulment or a leap of faith; it is about human life at its very beginning.

This amendment is not a cloning ban. It has a 10-year moratorium in it; but, in fact, for the first time this amendment would specifically make cloning legal, and it would require that human clones be killed after they are made, which is even more unethical.

Now, some have suggested that cloned embryos are not really embryos at all. That is ridiculous. We might as well say that Dolly, who began as a cloned sheep embryo, is not really a

sheep, even though now she is 5 years old.

Even President Clinton's Bioethics Advisory Commission was clear. The commission began its discussion fully recognizing that any effort in humans to transfer somatic cell nucleus into an enucleated egg, in other words, cloning, involves the creation of an embryo. Eighty-eight percent of the American people want cloning banned, not merely because they believe it is bad science, but because they think it is morally wrong.

Let us stop playing games with words. Reject the Greenwood amendment. Support Weldon-Stupak.

Mr. Speaker, I include for the RECORD a letter from the National Right to Life Committee, Inc., and a copy of a letter written by Mr. Douglas Johnson:

NATIONAL RIGHT TO LIFE
COMMITTEE, INC.,
Washington, DC, July 30, 2001.

FEDERAL PANELS AND RESEARCHERS AGREE:
HUMAN CLONING CREATES HUMAN EMBRYOS

DEAR MEMBER OF CONGRESS: At a press conference today, Congressman Greenwood and Congressman Deutsch asserted that the Greenwood-Deutsch substitute amendment to the Weldon-Stupak bill (H.R. 2505) would allow "therapeutic cloning," but they asserted that this process would not involve the creation of any human embryos.

This "argument," if it can be called that, shows a breathtaking lack of candor. For years, federal bio-ethics review bodies have acknowledged that the process of somatic cell nuclear transfer would indeed produce human embryos. For example, President Clinton's handpicked National Bioethics Advisory Commission acknowledged in its 1997 report *Cloning Human Beings*, "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." [emphasis added]

Earlier this month, Michael West, the head of the major biotech firm Advanced Cell Technology (ACT) of Worcester, Massachusetts, told journalists that the firm intends to start cloning "soon." As recently as the December 27, 2000 issue of the *Journal of the American Medical Association*, three members of the ACT team, including Dr. West, along with bioethicist Ronald Green of Dartmouth University and two other bioethicists, co-authored a major paper on human cloning that freely acknowledged that the method creates human embryos. They wrote, "... because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions." [emphasis added]

The attached factsheet includes numerous such admissions from diverse researchers and public bodies. Thus, it is past time for Mr. Greenwood and Mr. Deutsch to drop their disinformation campaign and engage in an honest debate over whether human embryo farms should be allowed in this country. If you oppose the establishment of human embryo farms, vote no on the Greenwood-Deutsch substitute.

Sincerely,

DOUGLAS JOHNSON,
Legislative Director.

SCIENTISTS SAY "THERAPEUTIC CLONING"
CREATES A HUMAN EMBRYO—JULY 26, 2001

President Clinton's National Bioethics Advisory Commission, in its 1997 report *Cloning Human Beings*, explicitly stated:

"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 National Institutes of Health Human Embryo Research Panel also assumed in its September 27, 1994 Final Report, that cloning results in embryos. In listing research proposals that "should not be funded for the foreseeable future" because of "serious ethical concerns," the NIH panel included cloning:

"Such research includes: . . . Studies designed to transplant embryonic or adult nuclei into an enucleated egg, including nuclear cloning, in order to duplicate a genome or to increase the number of embryos with the same genotype, with transfer."

A group of scientists, ethicists, and biotechnology executives advocating "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—confirmed in the December 27, 2000 issue of the *Journal of the American Medical Association* that a human embryo is created and destroyed through "therapeutic cloning":

"CRNT [cell replacement through nuclear transfer, another term for "therapeutic cloning"] requires the deliberate creation and disaggregation of a human embryo."

"... because therapeutic cloning requires the creation and disaggregation ex utero of blastocyst stage embryos, this technique raises complex ethical questions."

On September 7, 2000, the European Parliament adopted a resolution on human cloning. The Parliament's press release defined and commented on "therapeutic cloning":

"... 'Therapeutic cloning,' which involves the creation of human embryos purely for research purposes, poses an ethical dilemma and crosses a boundary in research norms."

Lee M. Silver, professor of molecular biology and evolutionary biology at Princeton University, argues in his 1997 book, *Remarkable Eden: Cloning and Beyond in a Brave New World*:

"Yet there is nothing synthetic about the cells used in cloning. . . . The newly created embryo can only develop inside the womb of a woman in the same way that all embryos and fetuses develop. Cloned children will be full-fledged human beings, indistinguishable in biological terms from all other members of the species."

The President and CEO of the biotechnology firm that recently announced its intentions to clone human embryos for research purposes, Michael D. West, Ph.D. of Advanced Cell Technology, testified before a Senate Appropriations Subcommittee on December 2, 1998:

"In this . . . procedure, body cells from a patient would be fused with an egg cell that has had its nucleus (including the nuclear DNA) removed. This would theoretically allow the production of a blastocyst-staged embryo genetically identical to the patient . . ."

Dr. Ian Wilmut of PPL Technologies, leader of the team that cloned Dolly the sheep, describes in the Spring 1998 issue of *Cambridge Quarterly of Healthcare Ethics* how embryos are used in the process now referred to as "therapeutic cloning":

"One potential use for this technique would be to take cells—skin cells, for example—from a human patient who had a genetic disease. . . . You take this and get them

back to the beginning of their life by nuclear transfer into an oocyte to produce a new embryo. From that new embryo, you would be able to obtain relatively simple, undifferentiated cells, which would retain the ability to colonize the tissues of the patient."

As documented in the *American Medical News*, February 23, 1998, University of Colorado human embryologist Jonathan Van Blerkom expressed disbelief that some deny that human cloning produces an embryo, commenting: "If it's not an embryo, what is it?"

Mr. Speaker, I commend to the House the following article written by Mr. Douglas Johnson of the National Right to Life Committee.

THE AMAZING VANISHING EMBRYO TRICK

It was revealed last week that Advanced Cell Technology (ACT) of Worcester, Massachusetts, a prominent privately owned biotechnology firm, has a plan to mass-produce human embryos. The firm also has a plan to render those same embryos nonexistent.

ACT is attempting to develop a technique to produce "cloned human entities," who would then be killed in order to harvest their stem cells, as first reported by Washington Post science writer Rick Weiss (July 13).

As Associated Press biotechnology writer Paul Elias explained in a July 13 report, "Many scientists consider the [anticipated] results of Advanced Cell's technique to be human embryos, since theoretically, they could be implanted into a womb and grown into a fetus. [ACT chief executive Michael] West himself has used the term 'embryo.'"

But it looks like West and his colleagues will not be saying "embryo" in the future. ACT's executives are smart people who anticipated that many outsiders would see their embryo-farm project as an ethical nightmare. So ACT assembled a special task force of scientists and "ethicists" to develop linguistic stealth devices, with which they hope to slip under the public's moral radar.

As Weiss reported it, "Before starting, the company created an independent ethics board with nationally recognized scientists and ethicists. . . . The group has debated at length whether there needs to be a new term developed for the embryo-like entity created by cloning. Some believe that since it is not produced by fertilization and is not going to be allowed to develop into a fetus, it would be useful to call the cells something less inflammatory than an embryo."

"Embryo" is merely a technical term for a human being at the earliest stages of development. Until now, even the most rabid defenders of abortion on demand had not objected to the term "embryo" as being "inflammatory." But apparently ACT's experts have concluded that before the corporation actually begins to mass-produce human embryos in order to kill them, it would be prudent to erect a shield of biobabble euphemisms.

Thus, "These are not embryos," the chair of the ACT ethics advisory board, Dartmouth University religion professor Ronald Green, told the AP. "They are not the result of fertilization and there is no intent to implant these in women and grow them."

Further details on the ACT linguistic-engineering project were provided in an essay by Weiss in the July 15 *Washington Post*. It disclosed that one member of the ethics panel, Harvard professor Ann Kieffling, favors dubbing the cloned embryo as an "ovasome," which is a blending of words for "egg" and "body." But Michael West currently likes "nuclear transfer-derived blastocyst."

Green revealed his own favorite in the *New York Times* for July 13. "I'm tending personally to steer toward the term 'activated egg,'" he told reporter Sheryl Gay Stolberg.

In my mind's eye, I imagine Green at ACT corporate headquarters, somewhere in the marketing department, stroking his beard and peering through a one-way window into a room in which a scientifically selected focus group of non-bioethicist citizens have been assembled to test-market "ovasome," "activated egg," "nuclear transfer-derived blastocyst," and other freshly minted euphemisms.

But setting that image aside, Green's statement to the AP has me seriously confused. He said that the anticipated cloned entities are "not embryos" because (1) "they are not the result of fertilization," and (2) "there is no intent to implant these in women."

Let's consider the "intent" criteria first. Green seems to suggest that a living and developing embryonic being, who is genetically a member of the species *homo sapiens*, can somehow be transformed into something else on the basis of the "intent" of those who conceived him or her. This seems more akin to magical thinking than to science.

If "intent" is what determines the clone's intrinsic nature, then what if a human clone is created by someone who actually does have "intent" to implant him or her in a womb? In that case, would Green consider that particular clone to be a "embryo" from the beginning? If so, an ACT scientist hypothetically could create two cloned individuals at the same time, with intent to destroy one and intent to implant the other, but only the latter would be a "human embryo" in Green's eyes.

Or—since "intent" may be uncertain, or could change—does the magical transformation into an "embryo" occur if and when the embryonic entity actually is implanted in a womb?

It seems, however, that Green may not regard the clone to be a human embryo even after implantation in a womb, because the in-utero clone—although he or she would appear to the layman to be an unborn human child—would still bear the burden of not being "the result of fertilization." Perhaps Green would prefer to refer to such an unborn-baby-like entity as an "extrapolated activated egg."

But what if that clone is actually carried to term and born? Would Green then consider him or her to be a "human being"? Could be, but I fear that the professor's logic might lead him to perceive a need for a new term for any baby-like entities and grown-up-people-like entities who were not "the result of fertilization."

How about calling them "activites" (pronounced "AC-tiv-ites")? That would link "activated egg" with "vita," which is Latin for "life," and it even smuggles in the ACT corporate acronym, I think I'm getting the hang of this.

Green is a liberal-minded fellow, so I'll bet he would allow such activated human-like entities to vote, obtain Ph.D.s, and maybe even be awarded tenure. But perhaps they would be required to sign their letters "Ph.D. (act.)," so that they would not be confused with other tenured entities, such as Professor Green, who are fully fertilized.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. Speaker, Congress, I hope, will soon ban the drilling for oil in the Alaska National Wildlife Refuge. In the very same week, are we really ready to license industry so it can proceed with the manufacture of cloned human embryos? Do human embryos count less

than the pristine wilderness of Alaska, or do they at least have a common claim to protection under law from exploitation and destruction?

We ban the hunting of bald eagles. Communities ban open-air burning. We have banned chlorofluorocarbons. We ban PCBs. Congress voted to ban drilling in the Great Lakes. A ban on human cloning is a transcendent issue which requires no less vigilance.

The question remains, are we ready to stand up to the corporations, which have their eye on human embryos as the next natural resource to exploit? I believe that we are up to this challenge. I know my colleagues believe that government has to draw a line; that the unfettered marketplace has neither morals nor responsibility nor accountability when it comes to cloning of human embryos; and that at this moment, we have an opportunity for the future of this country and for the destiny of our society to take a strong stand to protect human dignity and human uniqueness by banning embryonic human cloning.

I say support the Weldon amendment, the Weldon bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the chairman of the Committee for yielding time to me. I certainly commend him on his command of the issues. I think all those years on the Committee on Science have served him well.

This is a complicated issue; but to distill it down to its simplest essence, we have two choices before us: the underlying bill, introduced by my colleague, the gentleman from Michigan (Mr. STUPAK), and I and others, which bans the creation of human embryos, either for the purpose of trying to produce a child or for destructive research purposes; or the approach being proposed under this substitute, which is to essentially sanction and register those people who want to create embryos for research purposes, embryos that will ultimately be destroyed.

I would challenge everyone on the critical question of does the slippery slope exist. We had a debate in this body several years ago on the issue of funding embryonic stem cell research at the NIH. Many people rose to speak in support of funding embryonic stem cell research. They said some interesting things.

Here is a quote from our colleague, the gentlewoman from California (Ms. PELOSI): "Let me say that I agree with our colleagues who say that we should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score."

Here is another quote from the gentlewoman from New York (Mrs. LOWEY): "We can all be assured that the research at the National Institutes of Health will be conducted with the highest level of integrity. No embryos will be created for research purposes."

Here is a quote from the gentlewoman from Connecticut, Mrs. JOHNSON: "Lifting this ban would not allow the creation of human embryos solely for research purposes."

I have other quotes. Yet, that is where we are today. We are having a debate on whether we should now create human embryos for research purposes.

We have had a lot of discussion about whether or not these embryos are alive, whether they have a soul. The biological fact is, and I say this as a scientist and as a physician, that they are indistinguishable from a human embryo that has been created by sexual fertilization. Indeed, if we look at all the prominent researchers in this area, they say that it has the full potential to develop into a human being.

I think, and rightly so, the majority of Americans, and we have seen the numbers, they have been put up here for everyone to see on display charts, about 86 percent of Americans say, We do not want to take that step. It is one thing to talk about stem cell research using embryos that are slated for destruction. It is a whole separate issue to say, we are going to now sanction an industry that creates human embryos.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman for yielding time to me. I would like to thank the gentleman from Florida (Mr. DEUTSCH) and the gentleman from Pennsylvania (Mr. GREENWOOD) for the work they have done on this amendment, which I rise in support of.

Let me say why, Mr. Speaker. For years, U.S. physicians, researchers, and scientists have searched for cures to the diseases that have afflicted so many of our families and our friends, and friends of our friends. These physicians, these scientists, and these researchers in my view are the real, true American heroes of our era.

As we stand on the brink of finding the cures to diseases that have plagued so many, so many millions of Americans, unfortunately, the Congress today in my view is on the brink of prohibiting this critical research.

As we debate this bill, scientists in my congressional district in the heart of Silicon Valley are using one method of research, therapeutic cloning, to make critical breakthroughs that could lead to cures for Alzheimer's, for Parkinson's, even for spinal cord injury. Without therapeutic cloning, there is no way to move stem cell therapies from the lab to the doctor's office. Stem cell research, as most Americans know, is not about destroying lives, but about saving them.

My friends on the other side of this issue keep talking about embryos, embryos, embryos, embryos. Well, if one is embryocentric, this is not the bill. Neither is the Stupak-Weldon approach about that. The only reason they used the word "embryos" is to try to do an

overlay to the debate. This is not about embryos and embryos coming out of stem cells. There is not any such thing.

The Weldon-Stupak bill goes in another direction. It actually places an outright ban on this critical work, and it makes the research that could cure some of these diseases even illegal.

Are we going to take these great American heroes, and in fact, Dr. O'Connor from my district, and throw him in jail? I think not. I think that is going too far. It is unconscionable for us not to continue to be the merchants of hope in terms of the business that we are in.

So I think we need to support the GREENWOOD-DEUTSCH approach and throw out the other. It is a march to folly.

Mr. GREENWOOD. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HORN).

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

The letter here is from the Association of American Medical Colleges, more than 100 fine medical schools. They back the Deutsch-Greenwood bill for the bipartisan effort that it has made.

Let me just cite a few things: "As such, we want to urge Mr. GREENWOOD to reject the approach embodied" in the other form here, and "we agree with the American public that the cloning of human beings should not proceed."

According to the National Institutes of Health, somatic cell nuclear transfer technology could provide an invaluable approach on which to study how cells become specialized.

I cited some of those earlier, with Alzheimer's, Parkinson's disease, brain and spinal cord. But there are other types of specialized cells that could be created to create skin grafts for burn victims, bone marrow, stem cells to treat leukemia and other blood diseases; nerve stem cells to treat many of the diseases such as multiple sclerosis and Lou Gehrig's disease, Alzheimer's, Parkinson's, and to repair spinal cord injury; muscle cell precursors, to treat muscular dystrophy and heart disease.

Mr. Speaker, the president, Jordan J. Cohen, of the Association of American Medical Colleges, says, "We will never see the fulfillment of any of these promising areas if we choose to take the perilous path of banning outright the use of somatic cell nuclear transfer technology through legislation."

Mr. Speaker, I include for the RECORD the letter from Dr. Cohen.

The letter referred to is as follows:

Hon. JIM GREENWOOD,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE GREENWOOD: The current opportunities in medical research are unparalleled in our nation's history. To help ensure the fulfillment of these opportunities, the Association of American Medical Colleges urges Congress to oppose legislation that would prohibit the use of somatic cell nuclear transfer. Such a blanket prohibition

would have grave implications for future advances in medical research and human healing.

As such, we urge you to reject the approach embodied in H.R. 2505, the "Human Cloning Prohibition Act of 2001." H.R. 2505 would have a chilling effect on vital areas of research that could prove to be of enormous public benefit. Instead, we urge you to adopt the approach taken in H.R. 2608, the "Cloning Prohibition Act of 2001," introduced by Representatives Jim Greenwood (R-Pa.) and Peter Deutsch (D-Fla.). This bill would permit potentially life-saving research to continue, but prohibit the use of somatic cell nuclear transfer "to initiate a pregnancy or with the intent to initiate a pregnancy."

We agree with the American public that the cloning of human beings should not proceed. However, it is important to recognize the difference between reproductive cloning and the use of cloning technology that does not create a human being. Non-reproductive cloning technology has potentially important applications in research, medicine and industry, including genetically engineered human cell cultures that would serve as "therapeutic tissues" in the treatment of currently intractable human diseases. These uses of somatic cell nuclear transfer technology do not lead to a cloned human being.

According to the National Institutes of Health, somatic cell nuclear transfer technology could provide an invaluable approach by which to study how cells become specialized, which in turn could provide new understanding of the mechanisms that lead to the development of the abnormal cells responsible for cancers and certain birth defects. Improved understanding of cell specialization may also provide answers to how cells age or are regulated—leading to new insights into the treatment or cure of Alzheimer's and Parkinson's diseases, or other incapacitating degenerative disease of the brain and spinal cord. The technology might also help us understand how to activate certain genes to permit the creation of customized cells for transplantation or grafting. Such cells would be * * * could therefore be transplanted into that donor without fear of immune rejection, the major biological barrier to organ and tissue transplantation at this time.

Other types of specialized cells could be created to enable skin grafts for burn victims; bone marrow stem cells to treat leukemia and other blood diseases; nerve stem cells to treat neurodegenerative diseases such as multiple sclerosis, amyotrophic lateral sclerosis (Lou Gehrig's disease), Alzheimer's and Parkinson's disease, and to repair spinal cord injuries; muscle cell precursors to treat muscular dystrophy and heart disease; and cartilage-forming cells to reconstruct joints damaged by injury or arthritis. Somatic cell nuclear transfer technology could also be used potentially to accomplish remarkable increases in the efficiency and efficacy of gene therapy by permitting the creation of pure populations of genetically "corrected" cells that could then be delivered back into the patient, again with no risk of immune rejection. Indeed, this technology could well lead to the operationalization of gene therapy as a practicable and effective therapeutic modality—a goal which to date has proved elusive.

We will never see the fulfillment of any of these promising areas if we choose to take the perilous path of banning outright the use of somatic cell nuclear transfer technology through legislation. Thus, the AAMC respectfully urges the Congress to reject H.R. 2505 and adopt H.R. 2608. We thank you for your consideration of this vital issue.

Sincerely,

JORDAN J. COHEN, M.D.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me note that I believe the gentleman from Pennsylvania (Mr. GREENWOOD) has injected what I really believe to be a straw man argument when he suggests the issue of insoulment is part of this debate. It is not relevant. We are not talking about insoulment. The real issue before us is the simple but highly profound issue of whether or not it will be legally permissible to create human life for research purposes.

Mr. Speaker, human cloning, if it is not already here, it is certainly on the fast track. It is not a matter of if, it is a matter of when. It seems to me we have to make sure that these newly created human beings are not created for the purpose of exploitation, abuse, and destructive experimentation.

Human life, Mr. Speaker, can survive a few days, a few minutes, a few seconds, a few weeks, a few months, a few years, perhaps to old age. We need to understand and understand the profound truth that life is a continuum.

Earlier in the debate, the gentleman from Pennsylvania (Mr. GREENWOOD) stated that the scientists would simply stop the process, stop the process. Think about those words. What does that mean, stop the process? Stop that human life. That is what we are talking about.

Mr. Speaker, I remember the debate we had some years back in 1996 when some of our colleagues stood up and pounded the tables before them and said, and this is the gentlewoman from California (Ms. PELOSI), "We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score."

I remember that debate. I was here, as were some of my other colleagues. Everyone said they were against the creation of human embryos for human research.

Today, Member after Member gets up and says, I am against human cloning. As I said before, just because we say we are does not mean that we really are.

The only bill that stops human cloning is the Weldon-Stupak bill. I would respectfully say the bill that is offered by my friend and colleague from Pennsylvania will do nothing of the kind. It will perhaps stop some implantation but will not stop human cloning. We must vote for the underlying bill.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding time to me.

Let me note that I believe the gentleman from Pennsylvania (Mr. GREENWOOD) has injected what I really believe to be a straw man argument when he suggests the issue of insoulment is part of this debate. It is not relevant. We are not talking about insoulment. The real issue before us is the simple but highly profound issue of whether or not it will be legally permissible to create human life for research purposes.

Mr. Speaker, human cloning, if it is not already here, it is certainly on the fast track. It is not a matter of if, it is a matter of when. It seems to me we have to make sure that just because science possesses the capability to create cloned human beings that it not be permitted to carry out such plans, especially when the newly created humans would be used for the purpose of exploitation, abuse, and destructive experimentation.

Once created human life, Mr. Speaker, can survive a few seconds, a few minutes, a few days, a few weeks, a few months, a few years, perhaps many years to old age. We need to understand the profound truth that life is a continuum.

Earlier in the debate, the gentleman from Pennsylvania (Mr. GREENWOOD) stated that research scientists would simply "stop the process," so the newly created human life couldn't mature. Think about those words—stop the process. What does that mean, stop the process? It's a euphemistic way of saying stop the life process—kill it.

Mr. Speaker, finally I remember the debate we had in 1996 when some of our colleagues who routinely vote against the wellbeing of unborn children assured us that they would never support creating human embryos for experimentation. One colleague, the gentleman from California (Ms. PELOSI), said "We should not be involved in the creation of embryos for research. I completely agree with my colleagues on that score."

Well, not anymore. Now the ever expendable human embryo is to be cloned and abused for the benefit of mankind. And that vigorous opposition to embryo research by colleagues like Mrs. PELOSI exists no more, Such a pity.

In like manner, members who say they oppose human cloning and then vote for Greenwood are either kidding themselves—or us—or both.

Reject Greenwood.

□ 1700

The SPEAKER pro tempore (Mr. QUINN). The Chair would inform the gentleman from Pennsylvania (Mr. GREENWOOD) that he has 4 minutes remaining, the gentleman from Wisconsin (Mr. SENSENBRENNER) has 10 minutes remaining, and the gentleman from Florida (Mr. DEUTSCH) has 6¾ minutes remaining.

Mr. DEUTSCH. Mr. Speaker, I yield myself 5 seconds just to respond, both bills absolutely, positively stop human cloning, period.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL). Mr. ENGEL. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I agonized over this, researched it, and know the heartfelt feelings on both sides of the issue. I am unequivocally against human cloning, but I am for a continuation of the research. And I rise in support of the Greenwood-Deutsch amendment because I am convinced that that is the only way that research can continue.

We are on the verge of lifesaving treatments and cures that affect our children and our parents, and to stifle this research now would be an injustice

to so many suffering with juvenile and adult diabetes, Alzheimer's, Parkinson's, and other debilitating diseases that claim our loved ones every day.

Some people will say this is not about research; that there is a moral and ethical obligation to protect the sanctity of life, and I respect that. But the sanctity of life is helped, I think, by allowing cutting edge research to move forward that will free diabetic children of their hourly ritual of finger pricks, glucose testing, and insulin shots; that will allow those paralyzed or suffering from spinal cord injuries to walk and resume their normal lives; and that will allow our seniors to fulfill their golden years without suffering the effects of Alzheimer's.

So I will cast my vote for Greenwood-Deutsch, which does ban cloning, and urge my colleagues to do so as well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for yielding me this time; and I rise in opposition to the Greenwood substitute and for the base bill introduced by the gentleman from Florida (Mr. WELDON) and the gentleman from Michigan (Mr. STUPAK).

The Committee on Commerce held several hearings on cloning, including one in the Subcommittee on Health, which I chair. There is no doubt, as has already been stated so many times, that this is a difficult issue, and it involves many new and complex concepts. However, we should all be clear about the controversies related to human cloning. While this debate claims to be about therapeutic cloning, which is used to refer to cloned human cells not intended to result in a pregnancy, there is a fine line between creation and implantation.

The Committee on Commerce heard testimony from the Geron Corporation. They claim to be interested in therapeutic cloning and not implementing implanting those embryos into a surrogate mother. I think we all agree it would be a disaster to allow the implantation of cloned human embryos. Yet, if we allow therapeutic cloning, how can we truly prevent illegal implantation? We cannot.

Several years ago, the world marveled at the creation of Dolly, the cloned sheep. What most people did not realize was that it took some 270 cloning attempts before there was a successful live birth. Many of the other attempts resulted in early and grotesque deaths. Imagine repeating that scenario with human life. I am confident that none of us want that. Human cloning rises to the most essential question of who we are and what we might become if we open this Pandora's box.

Finally, I would like to applaud President Bush more for his strong

support of this important base legislation. The administration strongly supports a ban on human cloning. The statement of the administration position reads, and I quote, "The administration unequivocally is opposed to the cloning of human beings either for reproduction or for research. The moral and ethical issues posed by human cloning are profound and cannot be ignored in the quest for scientific discovery."

I commend my colleagues, the gentleman from Florida and the gentleman from Michigan; and I hope my colleagues will join me in supporting H.R. 250 and opposing the substitute.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. SAWYER).

Mr. SAWYER. Mr. Speaker, I thank the gentleman for his work on this measure. In fact, I thank all four primary sponsors of the measures that are before us today for their concern and for the effective ban on cloning of human beings.

The central issue, it seems to me, that is before us this afternoon was brought home to me by a prayer for healing that I heard in a service a couple of weeks ago. It goes like this. "May the source of strength who blessed the ones before us help us find the courage to make our lives a blessing, and let us say amen."

It struck me that giving human beings the potential of using one's own DNA, one's own life itself to derive the cure for one's own malady, without fear of rejection, without risk of a fruitless national search for a match, is the deepest benefit and most profound blessing conceivable. We should not waste this deepest of gifts.

Help us find the courage to make our lives, our life itself, a blessing.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, during the Nuremberg war crime trials, the Nuremberg Code was drafted as a set of standards for judging physicians and scientists who had conducted biomedical experiments on concentration camp prisoners. I bring this to my colleagues' attention because part of the code, I think, is applicable to our debate today.

The code states that any experiment should yield results that are "unprocurable by other methods or means of study." Because stem cells can be obtained from other tissues and fluids of adult subjects without harm, perhaps it is unnecessary to perform cell extraction from embryos that would result in their death. This would be an argument, I think, that would support the Weldon bill; and so I reluctantly, because the gentleman from Pennsylvania (Mr. GREENWOOD) is making a very good and strong case, I oppose his amendment.

In a recent editorial, Ann Coulter talked about the great demand on the House floor for solving all problems using aborted fetuses. Remember that discussion? We have had that discussion here. And they claimed that we had to have experiments on aborted fetuses because they were crucial to potential cures for Parkinson's disease. Remember that? Well, The New York Times ran a story about a year later about experiments where they actually described the results of those experiments on Parkinson patients. Not only was there no positive effect, but about 15 percent of the patients had nightmarish side effects. The unfortunate patients writhed and twisted, jerked their heads, flung their arms around, and in the words of one scientist, "They chew constantly, their fingers go up and down, their wrists flex and distend," and the scientists could not turn them off.

So I just bring that example that we have been on the floor talking about how much we need to take aborted fetuses and study them to bring about all these panaceas and cures which never came about.

Again, this debate comes down to one about life. A human embryo is life, and to quote Ann Coulter from an article that appeared in a local paper in my district "So what great advance are we to expect from experimentation on human embryos? They don't know. It's just a theory. But they definitely need to slaughter the unborn."

In other words cloning research creates life—then systematically slaughters that life in the effort to find something of which we are unsure that exists.

My colleagues, the Weldon bill does not oppose science and research, rather, it opposes what Ms. Coulter termed as "harvest and slaughter." I urge you to ponder the consequences—oppose the substitute—and vote for the Weldon bill. In doing so, you are preventing the reduction of human life down to a simple process of planting and harvesting.

Mr. Speaker, I provide the entire article I referred to above for the RECORD.

RESEARCH IS NEWEST 'CURE-ALL' CRAZE

I've nearly died waiting, but it can finally be said: The feminists were right about one thing. Some portion of pro-life men would be pro-choice if they were capable of getting pregnant. They are the ones who think life begins at conception unless Grandma has Alzheimer's and scientists allege that stem-cell research on human embryos might possibly yield a cure.

It's either a life or it's not a life, and it's not much of an argument to say the embryo is going to die anyway. What kind of principle is that? Prisoners on death row are going to die anyway, the homeless are going to die anyway, prisoners in Nazi death camps were going to die anyway. Why not start disemboweling prisoners for these elusive "cures"?

The last great advance for human experimentation in this country was the federal government's acquiescence to the scientific community's demands for money to experiment on aborted fetuses. Denouncing the "Christian right" for opposing the needs of science, Anthony Lewis of the New York Times claimed the experiments were "crucial to potential cures for Parkinson's disease."

Almost exactly a year later, the Times ran a front-page story describing the results of those experiments on Parkinson's patients: Not only was there no positive effect, but about 15 percent of the patients had nightmarish side effects. The unfortunate patients "writhe and twist, jerk their heads, fling their arms about." In the words of one scientist: "They chew constantly, their fingers go up and down, their wrists flex and distend." And the scientists couldn't "turn it off."

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to possibly restate what has been stated throughout this debate.

Those of us who believe in the Greenwood-Deutsch substitute are not proposing or are not proponents of human cloning. What we are proponents of are the Bush administration's NIH report entitled Stem Cells, done in June of 2001, that acknowledges the importance of therapeutic cloning.

None of us want to ensure that human beings come out of the laboratory. In fact, I am very delighted to note that language in the legislation that I am supporting, the Greenwood-Deutsch legislation, specifically says that it is unlawful to use or attempt to use human somatic cell nuclear transfer technology or the product of such technology to initiate a pregnancy to create a human being. But what we can do is save lives.

The people that have come into my office, those suffering from Parkinson's disease, Alzheimer's, neurological paralysis, diabetes, stroke, Lou Gehrig's disease, and cancer, and all those who are desirous of having babies with in vitro fertilization, the Weldon bill questions whether that science can continue. I believe it is important to support the substitute, and I would ask my colleagues to do so.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oklahoma (Mr. WATTS), the chairman of the House Republican conference.

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time.

Mr. Speaker, there is no greater group of people who would benefit from human cloning more than Members of the House of Representatives. What a Congressman or Congresswoman would not give to have a clone sit in a committee hearing while the Member meets with a visiting family from back home in the District, or the clone could do a fund-raiser while the Congressman leads a town hall meeting back home. But doing what is right does not always mean doing what is easy.

Mr. Speaker, we ought to ban all forms of human cloning, and that is why I support the Weldon-Stupak bill and oppose the Deutsch-Greenwood substitute amendment. This House should not be giving the green light to mad scientists to tinker with the gift

of life. Life is precious, life is sacred, life is not ours to arbitrarily decide who is to live and who is to die.

The "brave new world" should not be born in America. Cloning is an insult to humanity. It is science gone crazy, like a bad B-movie from the 1960s. And as bad as human cloning is, it would lead to even worse atrocities, such as eugenics.

Congress needs to pass a complete ban on human cloning, including what some people call therapeutic cloning. Creating life with the intent to fiddle with it, then destroy it, is not good. We are going down a dangerous road of human manipulation.

Mr. Speaker, I urge Members of the House to vote against the substitute amendment and for the Weldon-Stupak bill. Dolly the sheep should learn to fly before this Congress allows human cloning.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the Greenwood-Deutsch amendment that bans the cloning of humans. I am concerned that the Weldon bill could negatively impact future research and bring current research that offers great promise to a halt.

I cannot support an all-out ban on this important technology. The Weldon bill would not allow therapeutic cloning to go forward. A ban on all cloning would have a dramatic impact on research using human pluripotent stem cells, and stem cell research really holds the greatest promise for cures for some of our most devastating diseases.

The possibilities of therapeutic cloning should not be barred in the United States. This research is being conducted overseas in Great Britain and other places. Do we want to become a society where our scientists have to move abroad to do their work? This important bill allows important groundbreaking, lifesaving research to go forward. We should support it. It is in the tradition of our country to support research and not send our scientists abroad to conduct it.

Mr. Speaker, The Washington Post agrees, and I will place in the RECORD an editorial of today against the Weldon amendment and in support of the Greenwood-Deutsch amendment.

[From the Washington Post, July 31, 2001]

CLONING OVERKILL

In the rush that precedes August recess, the House of Representatives has found time to schedule a vote today on a bill to ban human cloning. Hardly anyone dissents from the proposition that cloning a human being is a bad idea; large ethical questions about human identity aside, the state of cloning technology in animals at present ensures that all but 3 percent to 5 percent are born with fatal or horrendously disabling defects. But the bill to ban all human cloning, proposed by Rep. David Weldon (R-Fla.), goes well beyond any consensus society has yet reached. It levies heavy criminal penalties not only on the actual cloning of a human

baby, termed "reproductive" cloning, but also on any scientific or medical use of the underlying technique—which many support as holding valuable potential for the treatment of disease.

The bill's prohibitions go well beyond those under debate for the separate though related research involving human embryonic stem cells. At issue is not the withholding of federal funding from research some find morally troubling; rather, the Weldon bill would criminalize the field of cloning entirely. Such a ban would have ripple effects across the cutting edge of medical research. A complete cloning ban could block many possible clinical applications of stem cell research, and could curb even the usefulness of the adult stem cell research many conservatives claim to favor. (Without the ability to "reprogram" an adult stem cell, which can be done by the cloning technique, adult stem cells' use may remain limited.) The bill bans the import from abroad of any materials "derived" from the cellular cloning technique; that could block not only tissues but even medicines derived from such research in other countries.

A competing bill likely to be offered as an amendment bans reproductive cloning but creates a complex system for regulating so-called "therapeutic" cloning, registering and licensing experimenters to make sure that none would implant a cloned embryo into the womb. A House committee split closely on the question of whether to ban therapeutic along with reproductive cloning, with Republican supporters of the Weldon bill voting down amendments that would have carved out some room for stem cell therapies.

The prospect of human cloning is a cause for real concern, but it is not an imminent danger. There is still time and good cause for discussion over whether some limited and therapeutic use of cloned embryos is justified. The Weldon bill is a blunt instrument that rules out such possibilities, prematurely, and in doing so, goes too far. Congress should wait.

Mr. SENSENBRENNER. Mr. Speaker, I have only one speaker remaining, and since I have the right to close, I will reserve the balance of my time.

□ 1715

Mr. DEUTSCH. Mr. Speaker, I only have one speaker remaining. I would inquire of the gentleman from Pennsylvania how many speakers he has remaining.

Mr. GREENWOOD. Mr. Speaker, I have 4 minutes which I will use in my closing.

Mr. DEUTSCH. Mr. Speaker, I yield 2-3/4 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I rise in support of the Greenwood-Deutsch substitute and commend them for bringing this alternative to the floor.

During the debate on stem cell research 5 years ago, I made it clear that opponents of stem cell research who claim that it requires the creation of embryos were mistaken, and I agreed with them that Federal funds should not be used for that purpose. Today we debating a much broader ban on therapeutic cloning.

The context is much different. We have learned a great deal about the promise of stem cell research and gene therapy over the past 5 years, and I am

opposed to any ban on therapeutic cloning. I just wanted to make the record clear because some quotes were taken out of context about where some of us who had participated in that debate were on this subject.

It is true that embryonic stem cell research can go forward without therapeutic cloning. However, the ability of patients to benefit from stem cell research would be negatively impacted if such a ban were enacted.

Once we learn how to make embryonic stem cells differentiate, for example, into brain tissue for people with Alzheimer's or Parkinson's disease, we must be sure that the body will not reject these stem cells when they are implanted.

We are empowering the body to clone itself, to heal itself. It is a very real concern because transplanted organs or tissues are rejected when the body identifies them as foreign. We all know that.

In a report on stem cell research released by the National Institutes of Health last month, the NIH describes therapeutic cloning's potential to create stem cell tissue with an immunological profile that exactly matches the patient. This customized therapy would dramatically reduce the risk of rejection.

I am opposed to cloning of humans. How many of us have said that today over and over again? Many of my colleagues have already mentioned the chilling possibilities created by the idea of designer children with genetically engineered traits. That is ridiculous. That is not what this debate is about.

Both the Weldon-Stupak bill and the Greenwood-Deutsch substitute agree on this point. The cloning of humans is not the issue at hand. Therapeutic cloning does not and cannot create a child.

Mr. Speaker, the National Institutes of Health and Science hold the biblical power of a cure for us. Where we see scientific opportunity and based on high ethical standards, I believe we have a moral responsibility to have the science proceed, again under the highest ethical standards.

I urge my colleagues to support the Greenwood-Deutsch substitute because it prohibits human cloning, but maintains the opportunity for patients to benefit from therapeutic cloning that could lead to cures for Parkinson's disease, cancer, spinal cord injuries and diabetes. I urge my colleagues to support the substitute.

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

Mr. Speaker, the House of Representatives has debated this issue for nearly 3 hours today. It has been a good debate. Again, as has been said, it is impressive how many Members have become knowledgeable about this subject. It is time to summarize that debate. Let us think about where it is we agree and where it is we fundamentally disagree.

We all agree that we want to ban reproductive cloning, that it is not safe, it is not ethical to bring a child into this world as a replica of someone else. A child deserves to be the unique product of a mother and father and should not be created by cloning. We agree. It is unanimous.

We all agree that stem cell research holds promise. The gentleman from Florida (Mr. WELDON) did not bring a bill to the floor to ban embryonic stem cell research. He did not do that on purpose, because it would not fly with the American people. The American people understand that stem cell research holds enormous potential. I do not think we have heard disagreement about that on the floor today.

The question seems to be, and it has been reiterated repeatedly, is it ethical and should it be legal to create in a petri dish an embryo, or in a petri dish to allow the process of human cell division to begin?

Interestingly enough, that is not part of this bill either. The Weldon bill does not say one cannot create a embryo, that it should be illegal. Why is that? Because the American people would never stand for that because it would be the end of in vitro fertilization.

We are not here to say we will never create an embryo. People have said it, but they did not mean it because nobody has brought to the floor a bill to ban in vitro fertilization. There are too many Members of this body who have benefited from it.

So we say it is okay to create embryos because there are couples in this country and around the world who have not been blessed with a child born of their relationship in the normal way. So they are able to avail themselves of this wonderful technology where we can create their child for them, in vitro in a petri dish, implanted in the woman and out comes a beautiful child. So many families in this country are now blessed by beautiful children who are now brought into the world in this way. It started in a petri dish. What a magnificent thing for mankind to do.

Children get sick and when those same children find themselves stalked with a disease that fills them with pain, that wracks their bodies, that tortures their parents with the predictability that they will watch their children slowly suffer and die. These same children whose lives had begun in petri dishes, who were created by in vitro fertilization, get sick.

Now the question is, would we stop the research in petri dishes in laboratories that would save their lives, these same children, that would end their suffering, that would bring miracle cures to them and bless their families with the continued miracle of their own children? That is what the gentleman from Florida (Mr. WELDON) and his supporters would have us do today.

Over and over again it has been said, I am not against stem cell research. I think a majority of Members of this House are not opposed to stem cell research. They have told me that. I have

talked to pretty strong pro-lifers who say, I am going to vote, if I have to, for stem cell research. What they do not understand is that stem cell research, whether it is done with embryonic stem cells or adult stem cells, needs somatic nuclear cell transfer research to make it work.

What do Members think is done with a stem cell from an embryo? It needs to be made into the kind of cell that cures these children, and somatic nuclear transfer technology is needed to do it; and if Members kill this substitute, they kill that hope. Please do not do that.

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

Mr. Speaker, after 3 hours of debate, I am glad that the gentleman from Pennsylvania (Mr. GREENWOOD) has finally cleared up one of the principal items we have been debating. He said the gentleman from Florida (Mr. WELDON) did not bring a bill to the floor to ban stem cell research.

He is right. The Weldon bill does not ban stem cell research. It does not ban it on adult stem cells, it does not ban it on embryonic stem cells, it bans it on cloned stem cells.

This bill is a cloning bill. The substitute amendment is not. It will allow the creation of cloned embryos to be regulated and sold, and once a cloned embryo is implanted into the uterus of a woman and develops into a child, there really is not anything anybody can do about it. So the Weldon substitute has a loophole a mile wide to allow the creation of cloned human beings because they cannot keep track of the cloned embryos that the Weldon bill attempts to regulate. That is the fatal flaw of the Greenwood substitute.

We heard quotes from three of our colleagues 5 years ago when we were debating a Labor-Health and Human Services bill. I have those quotes in front of me. The gentlewoman from California (Ms. PELOSI) said, "I agree with our colleagues who say we should not be involved in the creation of embryos for research."

The gentlewoman from New York (Mrs. LOWEY) said, "No embryos will be created for research purposes."

And the gentlewoman from Connecticut (Mrs. JOHNSON) said, "Lifting this ban would not allow for the creation of human embryos solely for research purposes."

They were right 5 years ago. We should not be using cloned human embryos for research purposes. I ask Members to vote with them the way they voted 5 years ago and to adhere to that position, because if we do allow cloned human embryos to be used for research purposes, some of them will eventually become human beings.

Mr. Speaker, the way to stop the slippery slope, going down this road into the ethical and moral abyss, is to reject the loophole-filled Greenwood substitute and pass the Weldon bill.

Mr. CONYERS. Mr. Speaker, finally we have a reasonable approach to prohibiting

human cloning without prohibiting the ability to conduct valuable medical research.

Although H.R. 2505 bans reproductive cloning, it goes too far by banning necessary therapeutic research which could grant new hope to patients who have been told there is no cure for their illnesses. We all agree that reproductive cloning, cloning to produce a pregnancy, should be prohibited. But, in prohibiting reproductive cloning, we must not exclude valuable research cloning that could lead to significant medical advances.

The Greenwood/Deutsch Substitute Amendment narrows the prohibition and focuses on actions which would result in a cloned child by limiting the prohibition to cloning to initiate or the intent to initiate a pregnancy. This would ensure that the cloning of humans is prohibited, while the use of cloning for medical purposes is preserved. The substitute also protects state laws on human cloning that have been enacted prior to the passage of this legislation.

The Greenwood/Deutsch Substitute includes a registration provision for performing a human somatic cell nuclear transfer, so that the Secretary of Health and Human Services is able to monitor the use of the technology and enforce the prohibition against reproductive cloning.

In addition, this substitute would contain a sunset provision as recommended by the National Bioethics Advisory Commission. According to their report, this provision is essential because it guarantees that Congress will return to this issue and reconsider it in light of new scientific advancements.

Finally, the Greenwood/Deutsch substitute includes a study by the Institute of Medicine to review, evaluate, and assess the current state of knowledge regarding therapeutic cloning.

Join me in supporting this logical approach to cloning technology. This substitute takes a narrower approach by simply prohibiting the use or attempted use of DNA transfer technology with intent to initiate a pregnancy. Adopting the Greenwood/Deutsch alternative preserves the scientific use of the embryonic stem cells and at the same time prevents the unsafe practice of human cloning.

Mr. STARK. Mr. Speaker, I rise in support of H.R. 2608, the Greenwood-Deutsch Cloning Prohibition Act of 2001, and in opposition to H.R. 2505.

Cloning technology has been the subject of heated debate since 1997, when news of the successful cloning of Dolly the sheep rocked the scientific community. The resulting ethical discussions have raised many important questions of scientific development. Perhaps the most important discussions have centered on the lengths to which science can and should go in the future. What remained true throughout the debate, however, is that the vast majority of the American public vehemently opposes the creation of cloned human beings. The Greenwood-Deutsch bill respects that feeling to the utmost.

H.R. 2608 would criminalize reproductive cloning of human beings while simultaneously protecting the rights of scientists to perform somatic cell nuclear transfer. Somatic cell nuclear transfer is a technology that holds great promise for medicine by permitting the creation of stem cells that are genetically identical to the donor. This is valuable because many of the potential medical therapies involving stem cells could be stymied when the immune

systems of therapy recipients reject the transferred tissue. Using cloning technology to create stem cells could circumvent this problem. Newly cloned nerve cells, for example, could be used to treat patients with neural degeneration without concern for rejection because the cells would be genetically identical to those already in the brain.

Opponents of this technology repeatedly claim that any therapies involving cloning are merely hypothetical. In this they are absolutely correct. These treatments are hypothetical today, but therapies for Parkinson's, Alzheimer's, and a myriad of other diseases will only remain so if this research is banned, as it is in H.R. 2505, the underlying bill.

In addition to preventing this promising research, the underlying bill would prohibit the importation of the products of clonal research. Such a ban would force the scientific community to turn its back on therapies developed abroad. It would deny the American people promising new therapies available elsewhere for which there may be no alternate treatment.

At some point in our lives, most of us will be touched in some way by Parkinson's Disease, Alzheimer's Disease, spinal cord injury, Juvenile Diabetes, and other maladies for which this technology holds promise. How can we stand in the way of scientific research that has the potential to cure these afflictions? I urge my colleagues to join me in support of the Greenwood-Deutsch substitute, and against the underlying bill.

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

The SPEAKER pro tempore (Mr. QUINN). Pursuant to House Resolution 214, the previous question is ordered on the bill, as amended, and on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania (Mr. GREENWOOD).

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 Speaker pro tempore announced that the yeas appeared to have it.

Mr. GREENWOOD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 178, nays 249, not voting 6, as follows:

[Roll No. 302]

YEAS—178

| | | |
|-------------|-------------|------------|
| Ackerman | Boehlert | Condit |
| Allen | Bono | Conyers |
| Andrews | Boswell | Coyne |
| Baca | Boucher | Crowley |
| Baird | Boyd | Cummings |
| Baldacci | Brady (PA) | Davis (CA) |
| Baldwin | Brown (FL) | Davis (FL) |
| Barrett | Brown (OH) | Davis (IL) |
| Bass | Capps | DeGette |
| Becerra | Capuano | DeLauro |
| Bentsen | Cardin | Deutsch |
| Berkley | Carson (IN) | Dicks |
| Berman | Castle | Dingell |
| Biggert | Clay | Doggett |
| Blagojevich | Clayton | Dooley |
| Blumenauer | Clyburn | Engel |

Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gilchrest
Gilman
Gonzalez
Granger
Green (TX)
Greenwood
Gutierrez
Harman
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (RI)
Kilpatrick
Kind (WI)
Kirk
Klecza
Kolbe
Lampson
Lantos

Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (FL)
Miller, George
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Oliver
Ose
Owens
Pallone
Pastor
Payne
Pelosi
Price (NC)
Pryce (OH)
Ramstad
Rangel

Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Strickland
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Wilson
Woolsey
Wynn

NAYS—249

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bereuter
Berry
Bilirakis
Bishop
Blunt
Boehner
Bonilla
Bonior
Borski
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Chabot
Chambliss
Clement
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt

DeLay
DeMint
Diaz-Balart
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde

Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
King (NY)
Kingston
Knollenberg
Kucinich
LaFalce
LaHood
Langevin
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matheson
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Gary
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle

Oberstar
Ortiz
Osborne
Otter
Oxley
Pascarell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher

Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skeltton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu

Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Hastings (FL)
Hutchinson

Jones (OH)
Lipinski

Spence
Stark

□ 1749

Mr. SKEEN and Mr. ABERCROMBIE changed their vote from “yea” to “nay.”

Messrs. FORD, REYES, THOMAS, and ROSS changed their vote from “nay” to “yea.”

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. QUINN). The question is on 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.

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 am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. LOFGREN moves to recommit the bill, H.R. 2505, to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment: Page 4, after line 10, insert the following subsection:

“(e) EXEMPTION FOR MEDICAL TREATMENTS.—Nothing in this section shall prohibit the use of human somatic cell nuclear transfer in connection with the development or application of treatments designed to address 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. 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 yield myself such time as I may consume.

Mr. Speaker, as we close the debate on this research issue, there were several Members of the House in opposition to the Greenwood amendment who said that we dare not allow for the possibility of research, there was a slippery slope; that if we allowed research to occur, inevitably there would be those who would then go ahead and clone a human being, which all of us oppose.

I think that that is a fallacious argument. It is a defective argument, because what that argument says is people will violate the law. Well, if that is why we cannot stand up for research today, if the worry is that if we allow for research, that some will violate the law that we passed prohibiting the cloning of human beings, then we would have to go and prohibit the selling of petri dishes and other scientific equipment.

No, that is a defective argument. The real issue is whether or not the House of Representatives intends to allow stem cell research, the somatic cell nuclear transfer technology.

We received in the Committee on the Judiciary a letter from a person who is the Director of the Ethics Institute, the Chair of the Department of Religion at Dartmouth College. This person was the founding director of the Office of Genome Ethics at the NIH National Human Genome Research Institute, a past president of the Society of Christian Ethics, the largest association of religious ethicists.

This is what he told us: “I wish to draw your attention to the devastating implications for medical science of H.R. 2505. As written, the bill would prohibit several research directions of possibly great medical benefit. Nuclear transfer for cell replacement would permit us to produce immunologically compatible cell lines for tissue repair. There is no intention on the part of those researching this technology to clone a person. Using this technology, a child suffering from diabetes could receive a replacement set of insulin producing cells. These would not be rejected by the child because they would be produced via a nuclear transfer procedure from the child’s own body cells. Neither would the implantation of these cells require the use of dangerous immuno-suppression drugs. Using this same technology, paralyzed individuals might receive a graft of nervous system cells that would restore spinal cord function. Burn victims could receive their own skin tissue back for wound healing, and so on.”

Dr. Green goes on to say, “As presently drafted, H.R. 2505 will shut down this research in this country. This would represent an unparalleled loss to biomedical research, and for no good reason. H.R. 2505, if it is passed in its present form, the United States will turn its back on thousands or millions of sufferers of severe diseases. It will become a research backwater in one of science’s most promising areas.”

He goes on to ask that we amend the bill, and that is what this motion to recommit would do. It would allow for an exemption from the bill for medical treatments.

The NIH has been discussed a lot to today, and they produced a primer on stem cell research in May of last year. They point out on page 4 of their primer that the transplant of healthy heart muscle could provide new hope for patients with chronic heart disease whose hearts can no longer pump adequately. The hope is to develop heart muscles from human pluripotent stem cells.

The problem is, while this research shows extraordinary promise, there is much to be done before we can realize these innovations. First, we must do basic research, says the NIH, to understand the cellular events that lead to cell specialization in humans. But, second, before we can use these cells for transplantation, we must overcome the well-known problem of immune rejection, because human pluripotent stem cells would be genetically no different than the recipient. Future research needs to focus on this, and the use of somatic cell nuclear transfer is the way to overcome this tissue incompatibility.

Some have talked about their religious beliefs today, and that is fine. We all have religious beliefs. But I ask Members to look at this chart. We have a cell that is fused, they become totipotent cells, a blastocyst, and then a handful of cells, undifferentiated, no organs, no nerves, a handful of cells that is put in a petri dish and becomes cultured to pluripotent stem cells.

□ 1800

Now, some have asked me to consider that this clump of cells in the petri dish deserves more respect than human beings needing the therapy that will be derived from those cultured cells.

My father is 82 years old. He suffers from heart disease and pulmonary disorder. He lived through the Depression, he volunteered for World War II. Do not ask me to put a clump of cells ahead of my dad's health.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, the motion to recommit allows for the production of cloned embryos for the development of treatments designed to address a number of diseases. We just voted this down. This is a reworded Greenwood substitute amendment.

The motion to recommit would allow the practice of creating human embryos solely for the purpose of destroying them for experimentation. This approach to prohibit human cloning would be ineffective and unenforceable.

Once cloned embryos were produced and available in laboratories, it would be virtually impossible to control what is done with them. Stockpiles of cloned embryos would be produced, bought and sold without anyone knowing about it. Implantation of cloned em-

bryos into a woman's uterus, a relatively easy procedure, would take place out of sight. At that point, governmental attempts to enforce a reproductive cloning ban would prove impossible to police or regulate.

Creating cloned human children necessarily begins by producing cloned human embryos. If we want to prevent the latter, we should prevent the former.

The gentlewoman from California (Ms. LOFGREN) says that cloned embryos are necessary to prevent rejection during transplantation for diseases. That is not what the testimony before the Committee on the Judiciary says. Dr. Leon Kass, professor of bioethics at the University of Chicago, said that the clone is not an exact copy of the nucleus donor, and that its antigens, therefore, would provoke an immune reaction when transplanted and there still would be the problem of immunological rejection that cloning is said to be indispensable for solving. So the very argument in her amendment was refuted by Professor Kass's testimony.

Mr. Speaker, H.R. 2505, by banning human cloning at any stage of development, provides the most effective protection from the dangers of abuse inherent in this rapidly developing field. By preventing the cloning of human embryos, there can be no possibility of cloning a human being.

The bill specifically states that nothing shall restrict areas of scientific research not specifically prohibited by this bill, 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.

Mr. Speaker, this bill is a cloning bill; it is not a stem cell research bill. The scientific research is already preserved by H.R. 2505, which is the only real proposal before us that will prevent human cloning.

Oppose the motion to recommit; pass the bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore (Mr. QUINN). 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. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the time for an electronic vote on final passage.

The vote was taken by electronic device, and there were—ayes 175, noes 251, not voting 7, as follows:

[Roll No. 303]

AYES—175

| | | |
|-------------|----------------|---------------|
| Abercrombie | Gilman | Morella |
| Ackerman | Gonzalez | Nadler |
| Allen | Green (TX) | Napolitano |
| Andrews | Greenwood | Neal |
| Baca | Gutierrez | Obey |
| Baird | Harman | Oliver |
| Baldacci | Hilliard | Ose |
| Baldwin | Hinchey | Owens |
| Barrett | Hinojosa | Pallone |
| Bass | Hoeffel | Pastor |
| Becerra | Holt | Payne |
| Bentsen | Honda | Pelosi |
| Berkley | Hooley | Price (NC) |
| Berman | Horn | Ramstad |
| Blagojevich | Houghton | Rangel |
| Blumenauer | Hoyer | Reyes |
| Boehlert | Inslee | Rivers |
| Bono | Israel | Rodriguez |
| Boswell | Jackson (IL) | Ross |
| Boucher | Jackson-Lee | Rothman |
| Boyd | (TX) | Roybal-Allard |
| Brady (PA) | Jefferson | Rush |
| Brown (FL) | Johnson (CT) | Sabo |
| Brown (OH) | Johnson, E. B. | Sanchez |
| Capps | Kelly | Sandlin |
| Capuano | Kennedy (RI) | Sawyer |
| Cardin | Kilpatrick | Schakowsky |
| Carson (IN) | Kind (WI) | Schiff |
| Castle | Klecza | Scott |
| Clay | Kolbe | Serrano |
| Clayton | Lampson | Shaw |
| Clyburn | Lantos | Shays |
| Condit | Larson (CT) | Sherman |
| Conyers | Leach | Simmons |
| Coyne | Lee | Slaughter |
| Crowley | Levin | Smith (WA) |
| Cummings | Lewis (GA) | Snyder |
| Davis (CA) | Lofgren | Solis |
| Davis (FL) | Lowey | Spratt |
| Davis (IL) | Luther | Strickland |
| DeFazio | Maloney (CT) | Tanner |
| DeGette | Maloney (NY) | Tauscher |
| DeLauro | Markey | Thompson (CA) |
| Deutsch | Matsui | Thompson (MS) |
| Dicks | McCarthy (MO) | Thurman |
| Dingell | McCarthy (NY) | Tierney |
| Doggett | McCollum | Towns |
| Dooley | McDermott | Udall (CO) |
| Engel | McGovern | Udall (NM) |
| Eshoo | Meehan | Velazquez |
| Etheridge | Meek (FL) | Visclosky |
| Evans | Meeks (NY) | Waters |
| Farr | Menendez | Watson (CA) |
| Fattah | Millender | Watt (NC) |
| Finler | McDonald | Waxman |
| Ford | Miller (FL) | Weiner |
| Frank | Miller, George | Wexler |
| Frost | Moore | Woolsey |
| Gephardt | Moran (VA) | Wynn |

NOES—251

| | | |
|-------------|---------------|---------------|
| Aderholt | Clement | Forbes |
| Akin | Coble | Fossella |
| Armey | Collins | Frelinghuysen |
| Bachus | Combest | Gallegly |
| Baker | Cooksey | Ganske |
| Ballenger | Costello | Gekas |
| Barcia | Cox | Gibbons |
| Barr | Cramer | Gilchrest |
| Bartlett | Crane | Gillmor |
| Barton | Crenshaw | Goode |
| Bereuter | Cubin | Goodlatte |
| Berry | Culberson | Gordon |
| Biggert | Cunningham | Goss |
| Bilirakis | Davis, Jo Ann | Graham |
| Bishop | Davis, Tom | Granger |
| Blunt | Deal | Graves |
| Boehner | Delahunt | Green (WI) |
| Bonilla | DeLay | Grucci |
| Bonior | DeMint | Gutknecht |
| Borski | Diaz-Balart | Hall (OH) |
| Brady (TX) | Doolittle | Hall (TX) |
| Brown (SC) | Doyle | Hansen |
| Bryant | Dreier | Hart |
| Burr | Duncan | Hastings (WA) |
| Burton | Dunn | Hayes |
| Buyer | Edwards | Hayworth |
| Callahan | Ehlers | Hefley |
| Calvert | Ehrlich | Herger |
| Camp | Emerson | Hill |
| Cannon | English | Hilleary |
| Cantor | Everett | Hobson |
| Capito | Ferguson | Hoekstra |
| Carson (OK) | Flake | Holden |
| Chabot | Fletcher | Hostetler |
| Chambliss | Foley | Hulshof |

NOT VOTING—7

□ 1821

RECORDED VOTE

NOT VOTING—6

□ 1830

A motion to reconsider was laid on the table.

Mrs. JONES of Ohio (at the request of Mr. GEPHARDT) for today on account of official business.