

people we are talking about don't have unlimited savings. The holidays are fast approaching, and this delay is a luxury they literally cannot afford.

Our Republican colleagues have a new mantra. They say, "We need paychecks, not unemployment checks."

I think they should talk to some laidoff workers. Yes, they need a paycheck. And like most hard-working Americans, they don't want the Government to do anything for them that they can do for themselves. But right now, many of them need just a little help to make it through one of the most difficult times in their lives.

As we return from Thanksgiving, we have an opportunity to honor the true meaning of the holiday—to remember those left behind and left out, to lift those who are suffering, and to make our Nation—this land for which we are all so thankful—even stronger in the future.

So when people ask me what the Senate intends to do in the next couple of weeks, that is my answer, and that is my goal.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Pennsylvania.

#### SENATE PROCEDURE

Mr. SPECTER. Mr. President, I ask the majority leader to stay in the Chamber for just a moment, if he would accord me that courtesy. I have sought to raise a procedural inquiry because of what has just happened. I have been in the Chamber for a little more than an hour waiting my turn. The majority leader took care of very important calendar business as we started the process, and then moved on to other important matters. I have been here for 21 years, and I know that who has the floor may yield for a question. There are also artful ways to ask a question.

I have sought a procedural ruling on whether they really were questions because when you make a statement for a protracted period of time and then end it with a question, the Chair may sustain that, especially when the majority leader is involved.

But I want to make a point with the majority leader's presence and one of the other Senators who was asking questions as a matter of our fair play and procedure. I don't think Senators have to wait for an hour while there are other people who gain recognition

where there really aren't questions but speeches.

I thank the majority leader for staying to listen to my point because it is just possible that this may reoccur sometime in the future.

#### STEM CELL RESEARCH

Mr. SPECTER. Mr. President, I have sought recognition to make a substantive—

Mr. BROWNBACK. Mr. President, I would like to ask the majority leader a question before he leaves the Chamber. Will the Senator yield?

Mr. SPECTER. No, I will not yield. I have been here for more than an hour. There is an issue which I want to raise; that is, a response to very extensive publicity on the cloning issue where there is generalized agreement, which this Senator concurs, in that there should not be human cloning. There is a confusion. I have sought recognition and, as I said, I have waited an hour to note the distinction on what "therapeutic" is and what is frequently used with cloning under the name of therapeutic cloning, which is, in fact, not cloning at all.

More accurately, it is denominated by the scientists as somatic cell nuclear transfer, which, while in the loose jargon is sometimes called therapeutic cloning is, in fact, not cloning at all.

Yesterday, the President spoke out against reproductive cloning. I am entirely in agreement with that. My distinguished colleague from Kansas, Mr. BROWNBACK, and I have had a number of discussions on this issue. I told Senator BROWNBACK that I was going to come to the floor at 10:30 to seek recognition because I wanted him to have the opportunity to be present. I am sorry I said 10:30. I should have said 11:30 to save an hour of time. But I think this is a distinction which needs to be made.

What is involved is a technique which involves taking the genetic material out of an unfertilized egg and inserting, in its place, the DNA of an adult cell. In theory, the egg then uses the genes from the adult cell to direct its development to turn an embryo into an exact genetic copy of the donor of the adult cell. This is done for the purpose of therapy.

If someone has Parkinson's or Alzheimer's, or if someone needs a stem cell replacement related to cancer or to heart disease, this procedure then enables that individual to get a stem cell which is consistent with the body which will not have an adverse impact on the person who is being treated.

Where you talk about the issue of embryos which then produce life, I would never support any approach which took an embryo that was capable of producing life or destined to produce life.

This issue of stem cell research came upon the scene in November of 1998. Then the Appropriations Subcommittee on Labor, Health and

Human Services, and Education took up the issue, which I chaired at the time, to take a look at what was involved with embryos being created for in vitro fertilization where, customarily, approximately a dozen are created, and three or four might be used. The rest would be subject to being discarded.

The controversy arose because of legislation that had been inserted in an appropriations bill, which originated in our subcommittee, which prohibited Federal funding to extract stem cells from the embryos. But under the ruling of the Department of Health and Human Services several years ago, Federal funding could be used on the research of stem cells after they were extracted. There had been considerable sentiment in the Congress, including the Senate, to use Federal funding on stem cell research because of the tremendous funding which is available to the National Institutes of Health.

Therefore, some 64 Senators last spring and summer signed letters in one form or another saying that they thought there ought to be Federal funding on these stem cell lines. In addition to those 64 Senators, some 12 other Senators had expressed privately to me their view that there should be Federal funding on the stem cells but thought it not advisable, from their own point of view, to put it in writing.

A fair sized ground swell was noted in the Senate to that effect—64 and 12, 76. The President then, as well known, on August 9 at 9 p.m. came down with the decision that the 64 stem cell lines then in existence would be used with Federal funding for stem cell research, and that drew objections from people who thought it went too far on Federal funding to utilize the product of embryos, and others thought it did not go far enough, questioning whether those 64 stem cell lines really would support the necessary research.

What we are dealing with here is stem cells which have the capacity to be used for people who have Parkinson's, to replace diseased cells and cure Parkinson's or, in Alzheimer's, to replace diseased cells and delay the onset of Alzheimer's, if not to cure it, or who have heart disease, to take these stem cells and inject the cells in place of diseased cells, and the potential to save millions upon millions of lives where these embryos were otherwise going to be discarded.

For those who have said these embryos have the potential to create life, my response has been to insert in our appropriations bill \$1 million as a starter to promote adoption of these embryos so that if these embryos can be used to produce life, that would be the highest calling, and if they could all be adopted and used to produce life, then there would not be any embryos available for stem cell extraction, and that would be the preferable course.

If there are to be discarded embryos that are going to be thrown away, then it seems to me obvious it would make

better sense to save lives as opposed to discarding.

When the appropriations bill came up to the Senate floor, a provision was inserted on my motion that the President of the United States would have the authority to designate the use of Federal funding on existing stem cell lines. Now that was precisely what President Bush had done. But I wanted to codify it. He had taken the position, to repeat, on August 9, that Federal funding could be used on the existing 64 stem cell lines, which was a step beyond what the Federal Government had done before and I think, candidly, was in response to the ground swell of the 64 Senators who had signed letters and, as I represented, another 12 Senators who thought that medical research ought to be undertaken.

Senator BROWNBACK, with whom I have had a difference of opinion on a cordial senatorial level, on a number of debates in the Chamber and a number of appearances in the media, objected to that provision because some future President might have a different view. President Bush had said he was not going to allow Federal funding on stem cell lines created after August 9, at 9 p.m., which is the time he made his speech. But there might be another President after President Bush's two terms who might take a different point of view, which I think was the motivation for the opposition to this codification of what President Bush had done.

Senator BROWNBACK then proposed a series of amendments to prohibit cloning and also to prohibit somatic cell nuclear transfer—which has been inappropriately named as therapeutic cloning, which has created a confusion. To repeat, that we are opposed to reproductive cloning to make another human being but if these scientific procedures are to be used to create cells which can be accepted by a patient, for example, who has Parkinson's without having an adverse reaction, this was the line which I thought and many thought ought to be maintained. And the scientific community is up in arms about the prospect of having somatic cell nuclear transfer prohibited because there is some mistaken name calling, calling it therapeutic cloning which is mistaken for reproductive cloning.

So Senator BROWNBACK—and I wanted him here to hear me make this presentation—said to me he would withdraw his amendments if I would delete the provision in the bill which codified what President Bush had done. And I decided to agree with that proposal which Senator BROWNBACK made because, as the manager of the bill, it seemed to me it would take many days of additional debate if we were to resolve the issue. Then, with the majority leader and the Republican leader, an agreement was worked out—and it is on the record—that we would have a freestanding bill in February or March. I wanted it earlier rather than later, but the majority leader would not com-

mit to February but said it would have to go to March, and so it was February or March. And then in the interim, our subcommittee has planned a series of three hearings to go into some detail as to what is really involved, to have some public discussion and public understanding that what is called therapeutic cloning is not cloning at all and certainly in no way related to reproductive cloning.

Then we had the event last weekend—

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired. The order reserved 10 minutes each.

Mr. SPECTER. I ask unanimous consent to proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. As I was starting to say, Advanced Cell Technology came out with a news release which has received publicity including a U.S. News and World Report cover which has raised concern about human cloning and reproductive cloning, and I do not believe that is realistic at this time because we know cloning exists. All of the embryos that were created in the Massachusetts experiment by Advanced Cell Technology died before they even grew to aged cells.

I note in the morning's press Senator BROWNBACK at his news conference yesterday—and I respect his right to have a news conference and respect his position—said he would like to have the debate now, would like to have action before the end of the year.

Speaking for myself, it is fine to have the debate now and to have action by the Senate before the end of the year. We will not have the benefit of the three planned hearings which we have had, but the Senate can act without additional hearings. But it is not going to be an easy matter.

When Senator BROWNBACK and I talked about this several weeks ago when the appropriations bill was in the Chamber, it was obvious to me it would take several days. And as the manager of the bill, if I had been in a position other than manager of the bill, Senators who have issues, things they would like to raise, sometimes without too much regard for what happens to a bill—if it takes a little more time, so be it. But a manager is in a somewhat different position.

I have spoken at some length because I think it is very important that there be a public understanding that somatic cell nuclear transfer does not relate to cloning, and the people who called it therapeutic cloning are creating a lot of confusion because it is not cloning at all. And it is certainly not reproductive cloning.

Scientists are, as I say, up in arms about the prospect of having a prohibition of this kind of research which has the potential to cure millions of people who have Parkinson's or Alzheimer's, heart disease, or cancer or many other maladies.

So the public ought to understand that the opposition to cloning a human being is not in issue when we talk about somatic cell nuclear transfer. And I am delighted to proceed to debate the issue, to vote on it at the earliest possible time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—  
H.R. 2505

Mr. BROWNBACK. Mr. President, I rise to discuss the issue of human cloning and the need to address it in this Congress this year. I was hopeful of getting the majority leader's attention while he was on the floor; maybe we will get the attention of the Senator from Nevada about addressing the issue this year.

As the Senator from Pennsylvania was pointing out, we now have the first human clone. People are calling it different names. Some are calling it an "activated egg," rather than a human embryo or clone. U.S. News and World Report doesn't seem to have a problem with calling it the first human clone, as most of the newspapers were calling it. It is identical to an embryo. It now exists. It lived for a couple of days, then died. The technology has been used and exercised.

It is something about which I have been warning this body for months—that we should address this issue before we get to the point in time where we are going to see human clones out there. And then we will have to wrestle with the question, Is this person or property? Is this a person or is it a piece of property that is owned by somebody? What do we do with a clone? This is capable of being implanted into a woman and of growing to be a full, identifiable person by anybody's definition. Now we have the technology being broached.

We have at the desk H.R. 2505, the Human Cloning Prohibition Act of 2001 that the House of Representatives passed. The President is calling for this body to act upon that. He is saying we should not be waiting longer for this.

It is my intention at the end of my comments to call up H.R. 2505 and ask unanimous consent that we immediately proceed to its consideration. This is a bill that is here. This is an issue that is right on top of us. It needs to be considered. We should deal with it now. We can deal with it. We can limit the amount of debate time that we will have on the bill. We can limit it to a period of 5 hours. We can limit it to two amendments. We can go all of those routes. If the majority leader would agree to do that, we can get this issue dealt with.

Short of that, I submit to my colleagues what we can also do is take up this bill, only let's have a human cloning moratorium for 6 months, saying we will not allow human cloning of any type under any definition for a period of 6 months so Senator SPECTER