

of safeguards, is both moral and ethical.

Nuclear transplantation technologies hold enormous promise for the future of medicine. For example, this research may help those suffering from defective organs. Scientists may one day have the ability to use a patient's own body cells to grow tissues with identical genetic material, thereby eliminating the risk of rejection. Regenerative medicine also has the potential to provide treatments for diseases such as cancer, heart disease, Parkinson's, diabetes, ALS, multiple sclerosis, and many others. Experts estimate that over 100 million Americans suffer from diseases that are candidates for regenerative medicine research using nuclear transplantation.

While some critics of this research claim that we cannot be sure of its benefits, we will certainly not know the answer unless we try. Scientific discoveries are never predictable, and we must not hamper the abilities of our sharpest minds to explore the universe, down to the tiniest cell. We do not know the full potential of this research. These scientific advances may help us gain insight into how undifferentiated stem cells begin to develop into the more than 200 specialized cells and tissues that make up the human body. There are untold benefits to be gained from knowledge of the earliest development of these cells. In addition to the advances that may be made in the treatment of common diseases, we may also learn more about human health, how disease develops, and other conditions ranging from birth defects to genetically-inherited illnesses.

All of us know people who have suffered from incurable diseases. I believe that we must make every effort, within ethical bounds, to help those afflicted with life-threatening illness. While I respect those who disagree with me, I believe that support for regenerative medicine is the essence of the pro-life position. We must help those living in the shadow of sickness, whether they are cancer patients receiving chemotherapy treatments or diabetics facing the loss of vision or kidney failure.

Nuclear transplantation research, if performed under strict ethical guidelines and with appropriate oversight, is an entirely appropriate and morally sound activity. For instance, during nuclear transplantation, an egg is never fertilized by a sperm. Rather, the genetic material from a non-reproductive human cell is placed into an egg cell. Additionally, the resulting embryo is never implanted into a woman's womb or an artificial womb. The result is that a human being can never be born from this carefully controlled research.

I want to assure my colleagues and constituents that I am committed to ensuring the safety and morality of scientific research. I feel confident that nuclear transplantation technologies can be performed in a controlled and regulated environment which will pre-

vent abuse. While the bill as introduced includes stringent ethical guidelines, I am open to amending the bill to ensure that the strongest protections are put in place. For example, women who donate eggs and those who donate body cells must only do so in a voluntary manner. Additionally, the development of the unfertilized embryo in the lab must be restricted. Therefore, the embryo will not grow past a certain time threshold. I will also gladly consider any other appropriate and reasonable guidelines to ensure the safety of nuclear transplantation technologies.

I hope that my colleagues will join me in supporting this legislation that will ban human reproductive cloning but will promote the development of regenerative medicine. We must make reproductive cloning illegal and provide for stiff criminal penalties. This bill accomplishes these all-important goals. Also, this legislation allows invaluable scientific research to go forward under strict ethical standards, thereby establishing a policy that both respects human life and encourages the advancement of medicine.

Regenerative medicine technologies such as nuclear transplantation hold out significant hope for those people who suffer from devastating and debilitating medical conditions. Cures for horrific diseases may one day be a reality. We should not allow these promising areas of research to go untapped, and we should pursue scientific breakthroughs that will improve the quality of life for millions of people. I am pleased to stand in support of regenerative medicine alongside former President Ford, former First Lady Nancy Reagan, the American Pediatric Association, the Juvenile Diabetes Research Foundation, and 40 American Nobel Prize winners.

#### LT. CMDR. A. JASON BAYER

MR. ENSIGN. Mr. President, I stand before you today with a heavy heart. On Thursday, March 28, this country lost one of its prized sons. Lt. Cmdr. A. Jason Bayer was killed during a search and rescue training mission on a rugged Sierra Nevada Ridge.

The son of Arthur Bayer of Carson City, NV, and the late Merry Ann Bayer, Jason's success as a fighter pilot was determined early in life. As his father recalls, the very first word out of his mouth was "jet."

Growing up in Carson City, Jason was a star student, an avid athlete, and a loyal friend. Jason graduated from Carson City High School in 1986 and the University of Southern California in 1990. Commissioned to the Navy later the same year, he was accepted to the Naval Aviators Officer Candidate School, from which he was an honor graduate. He graduated first in his class from Intermediate Jet Flight Training, and then first in his class from Advanced Jet Training. Jason was stationed in Japan then was a flight instructor at Cecil Field in Florida and

graduated from the Navy Test Pilot School in Maryland. Most recently, he was a test pilot in the Naval Weapons Test Squadron at China Lake. Jason's career was distinguished. He earned the VT 22 Eagle "Top Hook" award, the Meritorious Service Medal, and the Navy and Marine Corps Achievement Medal. Each achievement in his career took him closer to his ultimate goal of becoming an astronaut. His love for flying and the military and his devotion to God and this country never wavered and was only paralleled by his love for his family and friends. His lifelong friend, Dan Bernal, described him as "a true patriot."

I share these details of Jason's life with you so that his wife Anne, their one-year-old daughter, Gabriella, and their unborn son, Jason Christian, will have one more thing by which to remember him. Anne and Jason were blessed with 6 years of marriage. Although cut short, they were filled with many wonderful memories. But for Gabriella and her brother, stories and pictures of their father are all that they will have. In speaking to Anne about her husband, I quickly learned what a remarkable and strong person she is as well. Jason's legacy and their children are in wonderful hands.

As an F/A-18 Hornet fighter pilot, Jason was prepared to fight for his country no matter what the cost. He was focused on his mission as a pilot, and he never lost sight of his dream to challenge the sky's limits and be the first man on Mars. With our loss of Jason, I am reminded of our loss of seven valiant astronauts on January 28, 1986, on these space shuttle *Challenger*. Jason was a senior in high school with a bright future when President Reagan spoke of the astronauts' final journey in which they "slipped the surly bonds of earth" to "touch the face of God."

Jason is surely touching the face of God today. His service and dedication earn him a place among the outstanding men and women who risked their lives in the name of freedom and in the end made the ultimate sacrifice. Jason's life was cut tragically short, but his time here is an inspiration to me and an example of a true American hero for us all.

God bless Lt. Cmdr. Jason Bayer, and God bless his family.

MR. REID. Mr. President, I applaud my colleague from Nevada for his heartfelt remarks concerning the tragic death of Lt. Cmdr. A. Jason Bayer. I rise today to honor this outstanding individual, a patriot, and I agree that this country, and more importantly Nevada, has lost one of its cherished sons.

It is with deep sorrow that I make this statement to you today on the Senate floor. Anne, please accept my sincerest condolences for the loss of your husband.

Jason made the ultimate sacrifice while conducting a search and rescue training mission in the rugged Sierra

Nevada Mountains. He truly is an American hero. You should be extremely proud of your husband, and I want you to know that citizens in Nevada and across this great nation appreciate his selfless service. Your daughter Gabriella and your unborn son, Jason Christian, will forever know the dedication and patriotism of their father.

Mr. President, I am very proud of Jason's patriotism and devotion to duty. I am also extremely grateful for his exemplary service to our country. I know all Nevadans feel the same way. My thoughts and prayers are with you and your family throughout these difficult times.

#### THE UNTOLD STORY OF MURDER-SUICIDE IN THE UNITED STATES

Mr. LEVIN. Mr. President, according to a report on murder-suicides released last month by the Violence Policy Center, a firearm is the weapon most frequently used to murder the victims, with the offenders then taking their own lives. The study notes that easy access to a gun was the decisive component for almost all of the murder-suicides. Of the 54 murder-suicides reviewed in this study, 52 were firearm-related. If these people had not had access to a firearm, some of these deaths may not have occurred.

There is a piece of legislation in the Senate I believe would help prevent easy access to firearms by felons, those determined to be mentally ill by a court, those individuals with domestic violence misdemeanors and restraining orders, and others prohibited by law from owning a firearm. In April of last year, Senator JACK REED introduced the Gun Show Background Check Act. The Reed bill, which is supported by the International Association of Chiefs of Police, extends the Brady bill background check requirement to all sellers of firearms at gun shows. I cosponsored that bill because I believe it is critical that we do all we can to prevent guns from getting into the wrong hands.

Mr. President, I believe this piece of legislation would be one of many things we can do to address the problem of easy access to guns.

#### THE HOME HEALTH MODERNIZATION ACT OF 2002

Mr. HUTCHINSON. Mr. President, I rise today, as an original cosponsor of the Home Health Modernization Act of 2002, to express my strong support for a clarification of the definition of "homebound" with respect to eligibility for home health services under the Medicare program.

I want to tell you about Ms. Pamela Wolfenbarger of Fayetteville, AR. Ms. Wolfenbarger is a quadriplegic as the result of an accident and has devoted the last twenty years to raising her son. Now that her son is grown, she would like to return to school so that she might become more self-sufficient

financially. Due the current Medicare homebound policy, Ms. Wolfenbarger is unable to do so, nor can she leave her home to go clothes or food shopping, despite offers of assistance from a tremendous support group in her community. Ms. Wolfenbarger needs the services of a home health nurse to assist her in personal care, dressing, and transferring from her bed to her wheelchair.

The current Medicare statute states: "While an individual does not have to be bedridden to be considered to be confined to the home, the condition of the individual should be such that there exists a normal inability to leave home, that leaving home requires a considerable and taxing effort by the individual, and that absences from the home are infrequent or of relatively short duration, or are attributable to the need to receive medical treatment".

Problems have arisen because the terms "infrequently" and for periods of "relatively short duration" are comparative terms with no point of comparison, which has led the Centers for Medicare and Medicaid Services to interpret the statutory coverage criteria for home health as requiring patients to remain in their homes virtually at all times, except those times specifically excluded in the statute, in order to remain eligible for coverage of home health services. As a consequence, many beneficiaries who are dependent upon Medicare home services and medical equipment for survival, including Ms. Wolfenbarger, are being unnecessarily restricted to their homes out of fear that they will lose their home health benefits.

I believe we need to correct this problem for people like Ms. Wolfenbarger, and that is why I have joined Senators COLLINS, BOND and CLELAND in introducing S. 2085, to clarify the homebound definition. Under this important legislation, the current requirement that beneficiaries be allowed "only infrequent absences of short duration" would be eliminated. By doing so, reasonable absences from the home will be allowed and we will bring the home health benefit into the 21st century. I urge my Senate colleagues to support the Home Health Modernization Act of 2002.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred on May 19, 2001 in Fargo, ND. Two black men were assaulted late at night outside of their apartment. Just prior to the assault,

the assailants used racial epithets directed at the victims. Angela Schussler, Thomas Schussler, and Robert Schussler were arrested in connection with the incident, which police described as being "racially motivated."

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### EARLY MILLER: BIRTH OF A PLAYWRIGHT

Mr. KENNEDY. Mr. President, I would like to commend to my colleagues an article from the New York Times reviewing a new production of Arthur Miller's play, "The Man Who Had All the Luck."

Produced by the Williamstown Theater Festival last summer, this revival has earned acclaim for its extraordinary adaptation of this work by one of America's finest playwrights.

The critic has offered special praise for the lead actors, Chris O'Donnell and Samantha Mathis as well as Sam Robards.

The Williamstown Theater Festival is a tremendous organization which brings great drama to the Berkshires every summer, with some of the most talented performers and directors in the country. This production is now brilliantly staged on Broadway and I know that audiences will enjoy this timeless and poignant American story.

I ask unanimous consent that the article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 2, 2002]

EARLY MILLER: BIRTH OF A PLAYWRIGHT

(By Bruce Weber)

Unthreateningly handsome, with cornfed brawn, a polite-to-old-ladies manner and an earnest bleat in the voice, the young actor Chris O'Donnell certainly has the traditional mien of the All-American boy. He's a natural for the lead role in "The Man Who Had All the Luck," Arthur Miller's 1940 play, subtitled "A Fable," about America and the burdens of unmitigated good fortune, which opened in a stirring and rich revival last night on Broadway at the American Airlines Theater. I mean, he's really a natural. Known for playing sidekicks in popular films—he was Robin in two of the "Batman" movies, and he starred with Al Pacino in "Scent of a Woman"—Mr. O'Donnell had never appeared onstage before. "The Man Who Had All the Luck" was produced last summer at the Williamstown Theater Festival.

Mr. O'Donnell played the title character, David Beeves, a young Midwesterner who, with seemingly unearned fate, gets the girl, the business, the land and the legacy, while all of those around him fall victim to life's vicissitudes and suffer enormous disappointments. His performance then made it clear that some gifts—like effortless charisma and