

fertilization that are going to be discarded. Read the bill:

Prior to the consideration of embryo donation and through consultation with the individuals seeking fertility treatment, it was determined that the embryos would never be implanted in a woman and would otherwise be discarded.

Written consent.

The individuals seeking fertility treatment donated the embryos with written informed consent and without receiving any financial or other inducements to make the donation.

It has to be determined, before any embryo could ever be used for stem cell derivation, that the embryos would never be implanted in a woman and would otherwise be discarded. Every day, fertility clinics discard unwanted embryos. People have IVF—50,000 babies were born last year to couples who wanted to have a baby and could not and needed IVF. But some embryos were left over. Well, couples who have had their children then call up the clinic or the clinic calls them and the clinic says: Do you want to continue to pay for us to keep these embryos frozen?

If you have had your children and you don't want to expand your family, you say: No, I don't want to pay for that anymore. Guess what. The IVF clinic discards it. I have heard they basically throw them in the sink and wash them down the sink. They are only as big as a period at the end of a sentence.

So the real question for us really comes down to that, unless we want to outlaw in vitro fertilization and make it a crime, which I don't hear anybody here wanting to do. As long as we have in vitro fertilization and have leftover embryos, the real question for us is this: If the donors of those embryos, through written informed consent, determine it will never be implanted in a woman and will be discarded, is it better to have them discarded and flushed down the drain or used for the kind of scientific research that will cure Lauren Stanford of her diabetes? Potential life versus real life. Potential life that will be discarded versus real life. Potential life that will be flushed down the drain versus Lauren Stanford, real life. That is the question for us.

We hear all of these arguments around here about we were all an embryo at one time. Of course we were. The question is, What happens to all those embryos? Right now, they are being discarded, and it is perfectly legal to do so. I don't see anyone here with legislation saying it is going to be a crime for them to be discarded, a crime to have in vitro fertilization. Really, that is the choice. Do we discard potential life or do we use it to save real life? This is not potential life, this is real.

My nephew Kelly, who suffered a tragic accident on an aircraft carrier 27 years ago, hasn't walked since. He keeps hope alive that one day he will walk again. He knows about the research that has been done on rats and

mice where spinal cords have been reconnected using embryonic stem cells. He knows that. I have never heard him say it, but I suppose he would probably echo what Christopher Reeve once said: Oh, to be a rat.

He knows that. That is real life. Kelly is a real person. He is alive. He is not potential life. That is our decision when we face the vote tomorrow on H.R. 810.

So all these other arguments about adult stem cells and this kind of stuff, fine, I have nothing against adult stem cell research. I am in favor of it. We ought to keep it going. But to choke off—not what I say but what the leading scientists say, the leading Nobel Prize winners say, what all of these disease groups who have medical people sitting on their boards, what they all say is the most promising avenue of research for curing Alzheimer's, juvenile diabetes, spinal cord injuries, Parkinson's, and ALS, the most promising is not adult stem cells. It is embryonic stem cells. That is what they say, not me.

To cut that off and to say, no, we won't do it is telling Lauren Stanford that potential life, that an embryo the size of a pencil dot, yes, is life; it is human potential that is as important as she is; that they have equal weight on the scales. I am sorry, Mr. President, I don't think so, not when it is going to be discarded, legally thrown down the drain. And as long as we have strict ethical guidelines in the bill—strict ethical guidelines, more than exists right now, stronger ethical guidelines than are in the law right now.

To me, there is really only one answer. We should be in favor of this real life of curing diseases, seeking treatments and cures in an ethical manner, which is what this bill does. So I hope that tomorrow we have an overwhelming vote in favor of H.R. 810.

I understand today the administration came out with a Statement of Administration Policy, or SAP as it is called around here, saying the President would veto it. I hope the President rethinks this. He is overseas anyway. Let's face it, we are all kind of captives of our staff around here. Staff tells us this and that. OMB says this, OMB says that. I am hopeful this is the work of some staff, that the President hasn't thought about it. He has been overseas focused on the G8; now, I am sure, focused on the Middle East.

I hope when President Bush thinks about it that he remembers Lauren Stanford, that he will remember the letter from Nancy Reagan and he will come down on the side of real life, and he will come down on the side of an ethical approach to embryonic stem cell research.

I still believe in miracles, and I hope a miracle will occur and the President of the United States finds it in his heart to say that what he did on August 9, 2001, was done with a lack of adequate knowledge. He can say: Look, we thought there were 78 lines, and

there were not; there were only 21 lines. We didn't know they were all contaminated with mouse feeder cells. They can't be used for human therapies. That he will say in light of all that we know now, and with the strict ethical guidelines we have in this bill, I see fit to sign into law H.R. 810.

That is my hope. That is the hope of Lauren Stanford. That is the hope of the millions of Americans out there who suffer from Alzheimer's, the millions who suffer from spinal cord injuries and their families and caregivers and Parkinson's and ALS, and so many more.

Tonight they are praying—they are praying—that a miracle occurs and that the President will change his mind and sign this bill. And until the very moment that he vetoes it, I will remain hopeful that miracle will occur.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, so ordered.

MORNING BUSINESS

Mr. FRIST. I ask unanimous consent there now be a period for morning business with Senators permitted to speak for up to 10 minutes each.

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

THE GREAT COMPROMISE; AN AMERICAN MOMENT

Mr. BYRD. Mr. President, yesterday, July 16, was the anniversary of one of the greatest events in American history. It was 219 years ago that our Founding Fathers were meeting at the Constitutional Convention in Philadelphia, attempting to formulate a workable plan of Government. At the time, the young American Government was operating under the Articles of Confederation, which every day was proving to be unworkable.

For 7 weeks, the Constitutional Convention had been working to devise a better form of Government, a "more perfect union." It would be a Government with three branches: an executive branch, a legislative branch, and a judicial branch. The branches of the Government would have separated powers and the ability to check and balance one another.

The Convention delegates had already made a number of important decisions about the structure of the Congress. The Convention had set the minimum age for Members of the Senate at 30 and a term length at 6 years, as opposed to 25 years of age for Members of the House of Representatives, who would have 2-year terms.

But then came the stumbling block, how the States would be represented in