

(1) *IN GENERAL.*—The Secretary of Defense shall issue regulations in accordance with this subsection to provide for the establishment and maintenance of the list required by this section, including appropriate due process considerations.

(2) *TIMING.*—

(A) *PROPOSED REGULATIONS.*—Not later than the expiration of the 60-day period beginning on the date of enactment of this Act, the Secretary of Defense shall prepare and submit to the appropriate Committees of Congress a copy of the regulations required by this subsection that are proposed to be published for comment. The Secretary may not publish such regulations for comment in the Federal Register until the expiration of the 15-day period beginning on the date of such submission to the appropriate Committees of Congress.

(B) *FINAL REGULATIONS.*—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate Committees of Congress a copy of the regulations under this section to be published in final form.

(C) *EFFECTIVE DATE.*—Final regulations under this paragraph shall become effective 30 days after the date of their submission to the appropriate Committees of Congress under subparagraph (B).

(d) *DEFINITION.*—For purposes of this section, the term “appropriate Committees of Congress” means—

(1) the Committee on Financial Services and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Banking, Housing, and Urban Affairs and the Committee on Armed Services of the Senate.

SEC. 14. STUDY AND REPORTS BY INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) *STUDY.*—The Inspector General of the Department of Defense shall conduct a study on the impact of Department of Defense Instruction 1344.07 (as in effect on the date of enactment of this Act) and the reforms included in this Act on the quality and suitability of sales of securities and insurance products marketed or otherwise offered to members of the Armed Forces.

(b) *REPORTS.*—Not later than 12 months after the date of enactment of this Act, the Inspector General of the Department of Defense shall submit an initial report on the results of the study conducted under subsection (a) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, and shall submit followup reports to those committees on December 31, 2008 and December 31, 2010.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill as amended be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 418), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, JULY 20,
2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m.,

Thursday, July 20. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to H.R. 9, the Voting Rights Act, as under the previous order.

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

PROGRAM

Mr. McCONNELL. Mr. President, tomorrow, the Senate will consider the Voting Rights Act under a limited time agreement. There are 8 hours of debate, but we hope to yield back some of the time and vote in the afternoon tomorrow. We will also have votes on several circuit court and district court nominees, the Adam Walsh Child Protection and Safety Act, and under an agreement reached earlier this week, we will proceed to the consideration of S. 403, the Child Custody Protection Act. So Senators should plan for a full day tomorrow with a number of votes throughout the day.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator HARKIN.

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

The Senator from Iowa is recognized.

STEM CELL RESEARCH
ENHANCEMENT ACT

Mr. HARKIN. Mr. President, a few hours ago, the President used his first ever veto in his 6 years of being in office to kill H.R. 810, the Stem Cell Research Enhancement Act, a bill that is supported by over 70 percent of the American public, a bill that was supported by a bipartisan majority of the House, a bill that was supported by a bipartisan, big majority in the Senate—63 Members of the Senate, Republicans and Democrats, voted for it yesterday—and is supported by 591 different patient advocacy groups, research institutions, universities, scientific organizations, biomedical research institutions—everything from Alzheimer’s to Parkinson’s to cancer, spinal cord injuries, you name it. This bill has almost been universally supported. Over 80 Nobel laureates support this bill. Virtually every reputable scientist in America supports this bill.

I will mince no words about the President’s action today. The veto he cast is a shameful display of cruelty, hypocrisy, and contempt for science. It is cruel because it denies hope to millions of Americans who suffer from Parkinson’s and Alzheimer’s, who have already received the death sentence of Lou Gehrig’s disease, kids suffering

from juvenile diabetes all over America, those suffering from cancer and spinal cord injuries, and many other diseases and injuries.

The best scientists in the world, as I said, including many dozens of Nobel Prize winners and every Director at the National Institutes of Health say that embryonic stem cell research offers enormous potential to cure these illnesses, to ease suffering, to make the lame walk again.

H.R. 810 would have expanded Federal funding to pursue this research. But with the stroke of his pen today, the President vetoed this bill and dashed the hopes of millions of Americans.

This veto displays hypocrisy because the President describes the research as immoral. He himself provided Federal funding for it. His press Secretary, Tony Snow, claimed yesterday that using leftover embryos, even those already slated to be discarded, is tantamount to murder. That is the word he used. Here is his own words. Mr. Snow said:

The President believes strongly that for the purpose of research, it is inappropriate for the Federal Government to finance something that many people consider murder.

Mr. Snow went on to say that the President is one of those people who consider the practice to be murder.

This is a very bizarre statement. First, H.R. 810 would not allow Federal funding to be used to derive human embryos. That is already prohibited by existing law. And I couldn’t believe my ears today when I heard the President say that H.R. 810—which passed with 63 Senate votes, and passed with the majority of the House—would overturn over 10 years of Federal prohibitions against deriving embryos.

I couldn’t believe the President said that. The bill expressly does not do that. How could he say that? Either A, he did not read the bill; B, his assistants didn’t read the bill; or C, he is purposely misleading the American public.

We do not overturn what is called the so-called Dickey-Wicker amendment that prohibits Federal funds from deriving stem cells. That is existing law. Federal funding can only be used to conduct research on stem cell lines, not to derive them. That derivation has to be funded privately. The President himself has already supported that.

What is even stranger and more bizarre and more hypocritical is that the President has already endorsed embryonic stem cell research. Under the policy that he announced 5 years ago, on August 9, 2001—I remember it well. I was in Iowa. I was listening to the radio, listening to his speech because this was an area of interest to me. Senator SPECTER and I had the first hearings in 1998, right after Doctors Gearhart and Thomson had derived the first human embryonic stem cells at the University of Wisconsin. That was in November of 1998. We commenced hearings after that, and when I was

chairman I continued the hearings. So I was chairman of the committee at the time—and of the subcommittee—that funded these programs at the time, so I was listening to the President's speech.

Under the policy that he announced nearly 5 years ago, he allowed Federal funding—get this—he allowed Federal funding for research on embryonic stem cell lines that were derived before 9 p.m., August 9, 2001, but no Federal funding for any research on any lines derived after that date and time.

So let's look at this. Here is the stem cell hypocrisy. The President of the United States—President Bush—said that all the stem cell lines derived before August 9, 2001, at 9 p.m.—is morally acceptable. If they are derived after 9 p.m. on August 9, 2001, they are morally unacceptable. Who drew this line, I ask? What right does the President of the United States have to say that something is moral before 9 p.m. and immoral afterward? I mean, what about the lines that were derived at 9:05 p.m. or 9:30 p.m.? Why is that line there? It is because the President arbitrarily drew it.

So I ask, if using discarded embryos to extract stem cells is murder, isn't it then immoral to allow Federal research on existing lines of embryonic stem cells, as the current administration policy permits? Murder is murder, Mr. President. So if you, Mr. President, are saying that it is all right for Federal funds to be used for research on stem cell lines derived before August 9, 2001, at 9 p.m., why is that any different from afterward? Why isn't it here murder and here it is not? And isn't it immoral to allow privately funded embryonic stem cell research to continue?

Now, again, as we heard many times on the Senate floor over the last couple of days of debate, privately funded embryonic stem cell research goes on in the United States, but according to the President, this is murder. And if it is really murder to take left over human embryos and cause them to cease to be embryos, but to take the stem cells out, why isn't the President using his authority, his moral authority to shut down all the in vitro fertilization clinics in America?

By his definition of murder, these clinics are institutions of mass murder because they routinely dispose of countless unwanted embryos. Virtually every time a couple goes to a fertility clinic, left over embryos are created. That is how the IVF—in vitro fertilization—process, works. Eventually, after moms and dads have had their children, when they have had all the children they want, they either call the clinic or the clinic calls them—someone has to pay to keep these frozen, so the clinic may call and say: Well, we have all these embryos left over. Do you want to continue to pay to have them frozen?

No, we don't want them anymore. You have our consent to discard them.

Every day this happens. If that is murder, then how can the President permit it to continue? Where is his outrage? Where is his outrage at the IVF clinics in this country? Why isn't he here proposing legislation to shut down in vitro fertilization in this country, make it a crime, a Federal crime to conduct in vitro fertilization?

In the President's narrow moral universe, it seems to be fine to destroy embryos—to throw them away as the byproduct of producing babies through IVF, but it is murder to use the embryos to conduct lifesaving research. Someone please explain the logic of that to me.

One more time: In the President's narrow moral universe, to take these unwanted embryos that are left over from in vitro fertilization clinics, throw them away, flush them down the drain, that is OK. To take the same embryos, extract the stem cells, keep them alive, keep them growing, to perhaps discover something that will save someone's life, that is murder.

I don't get it. Who gave the President the authority to draw that line? He may be the President of the United States, but he is not the moral authority for all Americans. I say, Mr. President, you are not our moral Ayatollah. You don't have that right, and you don't have that power. Oh, you can veto legislation. You can veto it. But you notice, when the President vetoed the bill today, he didn't veto it on the grounds it was unconstitutional. He did not veto it on the grounds it spent too much money. He did not veto it on any grounds that Congress exceeded its authority, none of the usual reasons that a President gives for vetoing a bill. He vetoed it because he said it is immoral, tantamount to murder.

No. I am sorry. It is hypocrisy at the extreme for the President to take that position. As I said, if you take the lines before August 9 at 9 p.m., it is OK; after August 9 at 9 p.m., it is not OK. No, you are not our moral Ayatollah, Mr. President. You may be our President, and I respect you for being the President of the United States. I respect the office. But I don't pay any respect to someone trying to dictate to me the moral authority of the President of the United States; that somehow you can define what is moral and what is immoral. Leave that to our religious leaders. Leave that to our theologians.

Why isn't the President prosecuting the many thousands of American men and women who use these IVF clinics? If their attempts to have children result in leftover embryos and their embryos eventually get discarded, aren't they complicit in murder? Let's say a couple had in vitro fertilization; they wanted to have children. They finally have their children, and they say: We don't want the rest of those embryos, you can discard them—because they have to approve it. Are they complicit in murder?

Under the President's narrow moral logic—I hate to call it logic—under the

President's narrow moral view, any man or woman who allows their embryos to be discarded, something that happens every single day all over the country, is authorizing murder. Why is the President standing idly by? Why isn't he putting all these men and women in jail? I would have to warn him, though, there are over 50,000 babies born every year to couples via IVF. We are going to have to build a lot of jails if you are going to throw them all in jail for murder.

As I have said, the President's veto is cruel for dashing the hopes of millions of Americans who suffer. It is hypocritical, as I pointed out here, because the President says it is OK in one moment but it is not OK here.

I want to point out another thing the President gave misinformation about today. He said today that there were 22 lines, stem cell lines for research—from here on this chart. That is OK, you understand. That is morally OK because, according to the President, it was before 9 p.m. of August 9. I still don't understand that, but somehow that is morally OK. What he didn't tell you is that when he made this decision at 9 p.m. on August 9, at that time he said there were 78 lines. Now he says there are 22.

There is one other thing the President didn't say today and we all know is a scientific fact: Every single one of those stem cell lines is contaminated because they were all grown in Petri dishes with mouse cells to energize them and grow them—so they are all contaminated. They will not be used for human therapies. Many of those stem cell lines are sick. They are not viable. He didn't tell you that, either, did he? He didn't tell you that they are all contaminated with mouse cells. He didn't say that.

As I have said, it is cruel, it is hypocritical, and his veto today shows a shocking contempt for science, a disdain for science. I don't know who the President's science teachers were when he was in school, but I will bet none of them are bragging about it.

The President's political adviser, Karl Rove, told the Denver Post last week that researchers have found "far more promise from adult stem cells than from embryonic stem cells." I hate to disagree with such a renowned biomedical expert as Karl Rove but, frankly, he does not know what he is talking about and his statement is absolutely, totally, irrevocably false.

Here is what Dr. Michael Clarke of Stanford University said about Mr. Rove's claim: It is "just not true." I will take Dr. Clarke's word over Mr. Rove's any day of the week. Dr. Clarke is the director of the Stanford stem cell institute, and he published the first study showing how adult stem cells replicate themselves. So here is an authority on adult stem cells basically saying what Karl Rove said is just not true. Yet Karl Rove says it.

Dr. Stephen Teitelbaum also disagrees with Mr. Rove. Dr. Teitelbaum

is a professor of pathology at the Washington University School of Medicine in St. Louis, a former President of the Federation of American Societies for Experimental Biology. I spoke with him on the phone yesterday. He said something that struck me, and I wrote it down. He said if people want to disagree on moral grounds, that is fine. If people want to have a certain moral view of something, that is their right in our society. But they don't have the right to buttress their claims with misinformation and falsehoods. In other words, the President and Mr. Rove are entitled to their own moral opinions, whatever they may be. However narrow they may be, they are entitled to them. But they are not entitled to mislead the public with misinformation and falsehoods. And that is what the President did today. That is what the President did today.

The facts are that virtually every reputable scientist in this country believes in the promise of embryonic stem cell research to cure and treat diseases. It has the greatest potential to do so. By vetoing H.R. 810, the President is closing his heart and his mind to the facts, to the science, and to the strict ethical guidelines we put in the bill.

By his veto today, the President has put himself in some very illustrious company down through history, people such as Cardinal Roberto Bellarmino, who told Galileo that it was heresy for him to claim that the Earth went around the Sun. Religious teaching at that time said that the Earth was the center of the universe and everything revolved around the Earth. We forget that Galileo was sentenced to life in prison.

The President also puts himself in the company of people such as Pope Boniface VIII, who banned the practice of cadaver dissection in the 1200s, and for 300 years it was banned. There was no dissection of cadavers until finally someone came along who decided to do it and discovered all of the different ways the muscles work in the body. Of course, now we know that cadaver dissection from donated cadavers has led us to all kinds of medical breakthroughs and the understanding of how the human body works. But here was a Pope who said: No, you can't do it. Just like the President today—no, you can't do it. So the President can take his place alongside Pope Boniface VIII.

The President could also take his spot alongside people such as Rev. Edward Massey, who had this to say in 1722 in response to the new science of vaccination. Here is what Reverend Massey said:

Diseases are sent by providence for the punishment of sin and a proposed attempt to prevent them is a diabolical operation.

Imagine how many millions of lives would have been lost if the Reverend Massey's ignorance had prevailed, if a President of the United States had said: You know, Reverend Massey is right, we are not going to permit vac-

inations. Think of it. President Bush, take your place right alongside him.

I might add you don't even have to go back so far. The President has company in more recent times. Just a few decades ago, many religious people considered heart transplants to be immoral—heart transplants to be immoral. Others objected on moral grounds to the use of anesthesia during childbirth, saying that the Bible held that women were meant to suffer when delivering babies.

Many people opposed in vitro fertilization, one of those being Dr. Leon Kass. Guess what he was. He was the head of this President's Bioethics Council. Years ago, he opposed in vitro fertilization. Do you get the picture? And the President made him the head of his Bioethics Council.

I guess, Mr. President, you can take your place alongside Leon Kass, too. Tell all those wonderful families out there who have had babies through IVF, tell them that they were wrong, they should not have had them.

In all of these cases, we look back with a sense of astonishment that people could be so blinded by a narrow view of religion or ideology that they could stand in the way of scientific progress that has saved lives, eased pain and made life better for so many people.

Twenty or 30 years from now, history books will ask the same question about this President. People will wonder: How could he have objected to research that has led to so much good for so many people?

Maybe not in my lifetime—I don't know how long God will give me here on Earth. But maybe these young people's lifetimes here, the pages, maybe in their lifetime through the embryonic stem cell research that is being done in Great Britain, Korea, Singapore, and other places around the world where a number of scientists—because they are handcuffed to do that research here—will find a way of taking embryonic pluripotent stem cells and finding how they make nerve cells. And guess what. Just as they have done with rats—we have seen the films of rats with their spinal cords severed, taking embryonic stem cells from other rats and putting them into these rats and watching them walk again. As my departed friend Christopher Reeve, the first Superman, said after that, "Oh, to be a rat."

You all remember the tragedy of Christopher Reeve. He was paralyzed from the neck down. He fought so hard for embryonic stem cell research.

It has been said that we are 99 percent rat. I don't mean just us politicians. I mean humans. And politicians, maybe more. I don't know. But it is said of humans that we are basically 99 percent the same DNA as a rat. We can do it for rats. It is not hard to think that the same thing can be done for humans.

It is going to happen in their lifetimes—the lifetimes of these young

people here today. Somewhere, in Great Britain, somewhere, they can do this research and we will find out how to take these cells—people like my nephew Kelly who hasn't walked for 27 years because of a spinal cord injury—and make it possible for people like him to walk again.

People will say, What was this President thinking? Like Pope Boniface VIII, like Cardinal Bellarmino, like Reverend Massey—how could the President have objected to this ethical good research that has led to so much good for so many people?

Let's be clear. Nothing could be more pro-life than signing this bill into law.

We all know people—friends or family members—with ALS or Parkinson's or juvenile diabetes or a spinal cord injury. What could be more pro-life than using the scientific tools that God has given us to help heal them?

White House spokesperson Tony Snow said yesterday, "The President is not going to get on the slippery slope of taking something that is living and making it dead for the purpose of research."

Again, I want to emphasize a couple of things. We carefully crafted H.R. 810 to impose strict ethical standards on embryonic stem cell research. This bill would not allow Federal funds to be used to create or destroy human embryos. The only embryos we are talking about are those already slated for destruction in the clinics. It is right there in the bill. Let me read it:

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.

It is right there in the bill.

All we are saying is, instead of discarding some 400,000 embryos that are currently sitting frozen in storage, let us use some of them—as long as the donors give written informed consent—to help people who are suffering from diseases. I think it is this choice that is truly respectful of human life.

Besides, the stem cells that come from those embryos don't die. That is the amazing thing about stem cells. They keep reproducing themselves. They just keep reproducing themselves. They will be more alive when used as treatment in research than if they were washed down a drain or sit in storage for another hundred years.

Think about that. They talk about destroying these embryos. If you take an embryo from an IVF clinic and destroy it, wash it down the drain, that is the end of it. That really does destroy the embryo. That does kill it. That ends it.

But if you take that embryo and take the stem cells out—talking about a blastocyst which has about 100 or 200 cells—take some of those cells out, those cells live. They are alive. They do not die. They live. They grow. They became tissue, nerve tissue, bone tissue, or maybe they became other

things that we can use to help cure disease. They live. It seems to me that it is the pro-life position. Using research to improve people's lives is a true pro-life position.

Once again, the President has staked out an extreme ideological position—a position that flies in the face of science and common sense. He refuses to listen to any other point of view, including the pleas of Nancy Reagan, Republican supporters of the bill, scientists all over America, and people at NIH.

I was told that some Republican supporters of this bill requested an opportunity to talk with the President, and they were turned down. He didn't even want to talk to them.

As I have said, President Bush's veto is cruel, hypocritical, and absolutely disdainful of science. But I guess most of all, it is just sad. It is just sad.

On Monday and Tuesday, we had a great debate. On Tuesday we had a great bipartisan vote, 63 Senators, Republicans, Democrats, liberals, conservatives, pro-life, pro-choice, all came together to support life-saving research. That was also supported by more than 70 percent of Americans. It was a huge debate for millions of Americans suffering from disease and paralysis who might be cured by this life-saving research.

After the vote, I went upstairs. There was a young woman in a wheelchair. She must have been upstairs watching the vote. I didn't ask her name. She was using a wheelchair, and she said, "Thank you—thank you for giving me hope."

Today, the President slammed the door. He took that hope away. How sad. How sad.

The President insists that he knows better than the American people; he knows better than all of the scientists;

he knows better than all the directors at the National Institutes of Health; he knows better than 63 Senators; he knows better than the majority of the House.

So with one arrogant stroke of his pen, he dashed the bill, dashed the hopes of millions of Americans. He vetoed the hopes. It wasn't just a veto of the bill. He vetoed the hopes of millions of Americans living with Parkinson's, ALS, juvenile diabetes, and spinal cord injuries.

Where is the President's compassion? How dare the President refer to himself as a compassionate conservative.

I don't think you can get much more conservative than Senator ORRIN HATCH, Senator SMITH, Senator LOTT, and a number of Senators here. I named them because they are cosponsors of the bill. You don't get much more conservative than that. Can you get much more conservative than Nancy Reagan? I don't think so. They were compassionate. They were truly compassionate.

My message to my nephew Kelly who waited 27 years, my message to millions of others whose hopes were raised this week and then sadly crushed today, my message is this: The President's veto is not the final word. It may be this year because to get the agreement to bring up the bill we had to agree that we wouldn't bring it up again this year. So it is over for this year. Perhaps next year, when Senator SPECTER and I will reintroduce this bill along with others in January, we will have more Senators here. We will have more Senators who represent the true wishes of the American people, who understand the necessity for moving ahead on stem cell research.

Maybe the voters this fall will speak about that. All those families who have

someone with Parkinson's, Alzheimer's or juvenile diabetes, maybe they will say, Look, we need people in the Senate and in the House who will help us get over this veto.

The President's veto is not the final word. Science is on our side. Ethics is on our side. There is an election in November. It will be known where every candidate, where he or she stands on embryonic stem cell research. We will introduce it again in January. We will be back. We will not go away. And just perhaps we will have a few more Senators and a few more Members of the House who want to do the ethical, right thing, and help cure disease and suffering with the potential of embryonic stem cell research.

It is a sad day, a sad day, indeed. We will be back.

ORDER OF PROCEDURE

Mr. HARKIN. Mr. President, I ask unanimous consent that if the majority leader or his designee introduces a bill related to energy during Thursday's session, it be in order to move to proceed to that legislation on Friday.

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

Mr. HARKIN. I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Thursday, June 20, 2006.

Thereupon, the Senate, at 7:41 p.m., adjourned until Thursday, June 20, 2006, at 9:30 a.m.