

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 think 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 "thera-

peutic" 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