

SPECTER, Senator FEINSTEIN, Senator HATCH, and many other colleagues.

I yield the floor.

The PRESIDING OFFICER (Mrs. FEINSTEIN). The Senator from Ohio.

Mr. DEWINE. I thank the Chair.

(The remarks of Mr. DEWINE and Mr. KENNEDY pertaining to the introduction of S. 2626 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

### CLONING

Mrs. FEINSTEIN. Mr. President, I listened to the distinguished senior Senator from Massachusetts speak on the cloning issue. I thought it might be a good opportunity to offer a few thoughts on that issue.

When one says cloning, most people automatically think of human cloning. They don't know that there is an aspect of it which is called nuclear transplantation or stem cell research. The two issues become somewhat blurred. In fact, if you ask people, do they think stem cell research should proceed, the answer you get invariably, once they understand it, is yes.

I deeply believe that stem cell research today in America is one of the brightest scientific fields we know of and offers unparalleled hope and opportunity for so many victims of a myriad of chronic, debilitating, and often fatal diseases. It is the bright rainbow out there in medical research.

I understand last night the Senator from Kansas placed an amendment before the body. I rise to indicate my strong opposition for that amendment. As I understand it, it would prevent stem cell research from going ahead. I also know there is discussion in the Halls of this distinguished body about presenting legislation for a 2-year moratorium on both human cloning and stem cell research. I would oppose that as well.

What would that say to an ALS victim who maybe has 5 years to live with the understanding that all research which could be of help to that victim will be stopped for 2 years? It is a mistake. It is throwing the baby out with the bathwater. It should not happen.

A number of us, including the Presiding Officer, have put together a bill on a bipartisan basis which satisfies the overwhelming majority of the people in America as well as a substantial majority of this body. It says: We recognize the fact that the cloning of a human being is unacceptable. It is immoral, and it should not be done.

Therefore, our legislation would make it a crime punishable by up to 10 years in prison to clone or attempt to clone a human being, without exception. It would establish a fine of \$1 million or three times any profits made, whichever is greater, on any person who clones or attempts to clone a human being. The financial penalty is in addition to the 10-year prison term.

It is very strong. It is definitive on making the cloning of a human being illegal and subject to a 10-year prison sentence and strong fines.

The beauty of our legislation is that it would also allow this most promising form of stem cell research, somatic cell nuclear transplantation, to be conducted on a human egg for up to 14 days only, under strict standards and Federal regulation. This 14-day requirement is consistent with the standard established in the United Kingdom and recommended by the California Advisory Committee on Human Cloning. There is precedent for it.

The reason for 14 days is to limit any research before the so-called primitive streak can take over that egg.

This stem cell research can only take place on an unfertilized egg. This is important because many of the opponents of stem cell research say: Aha, this is an organism capable of being a living being.

It is no different than a clump of blood cells. They are alive. Those blood cells are not capable of becoming a human being.

Skin cells are alive. They are not capable of becoming a human being, nor are any cells in the human body capable of that. An unfertilized egg is not capable of becoming a human being. Therefore, we limit stem cell research to unfertilized eggs.

We would ban profiteering and coercion by requiring that all egg donations for this stem cell research be voluntary, and that women who donate eggs can only be compensated minimally—large payments to induce donation would be prohibited.

We would prohibit the purchase or sale of unfertilized eggs, something called oocytes or blastocysts. We would require that nuclear transplantation occur in laboratories, completely separate from labs that engage in invitro fertilization, to prevent a "blurring of the lines," to avoid the risk that eggs used in legitimate and important nuclear transplantation research would then be implanted in a woman.

We would prohibit the export of eggs that have undergone nuclear transplantation to any foreign country that does not ban human cloning. This prohibition is designed to avoid the risk that valuable research in the United States will result in a human clone anywhere in the world.

We include strong ethics requirements that mandate informed consent by egg donors, review of any nuclear transplantation research by an ethics board, and safety and privacy protection. And we have applied to this the

strict Federal regulations that are appropriate in this area.

Any researcher who violates the bill's ethics requirements—even without attempting to clone a human being and becoming subject to the 10-year prison term and \$1 million fine—will face civil penalties of up to \$250,000 per violation.

So the legislation that you, Senator HATCH, Senator SPECTER, Senator HARKIN, Senator THURMOND, and myself, in a bipartisan way, have put together, we believe, offers this body the soundest approach to make human cloning illegal and, yet, to permit stem cell research to go ahead only on an unfertilized egg, only up to 14 days with strict ethical and Federal regulatory standards; to prohibit export to any country that permits human cloning; to separate it from in vitro fertilization, so there can be no blurring of the lines.

I think it is a bill that is well thought out, a bill that will stand the test of time and, most importantly, it is a bill that, while prohibiting the cloning of the human, will permit this bright rainbow of research to go forward.

Mr. President, you and I know that today there are 90,000 people awaiting organs or tissue replacement. We know that 4,000 people a year die because they didn't get it or because their body rejects that organ. Let's talk about what stem cell research is.

You have a human egg. That egg is unfertilized. Before it exists for 14 days, its nucleus is withdrawn. Into that space of the nucleus in this egg is injected the DNA from a sick person—a person who may have cancer, or ALS, or a brittle child who may be subject to amputation, blindness or death; it could be a Parkinson's patient or a burn patient. That egg is then forced to differentiate. As it goes through that period, it then can be encouraged to grow into tissues, or an organ, which then, when given to the sick person, there will be no rejection of that tissue or that organ. It also can be used with blood. It also can be used for cancer patients.

I cannot stress too much, when we get to the actual debate, there is anecdote after anecdote of individuals who have lost hope, for whom stem cell research gives back that hope. We have 40 Nobel laureates supporting us. We have hundreds of patient advocacy groups all across this Nation supporting us. We have the hopes and dreams of hundreds of thousands of people who are otherwise condemned to a life of disability.

Mr. President, you and I stood at a press conference with Christopher Reeve, one of America's great and talented human beings. We listened to him plead to be able to go ahead because this is the first time that, if you have had your spine severed, there is an opportunity to regenerate, to do something that has never been done in history—to give a paraplegic or a quadriplegic the opportunity to walk again.

In the Judiciary Committee, we heard testimony from a young woman by the name of Chris Golden. She was an Arlington, VA, police officer and a marathon runner. She was out running and she was hit by a car and her spine was severed. All of her dreams and hopes of continuing in the Arlington Police Department and of running once again were severed. She says she now hopes and dreams that one day she will wake up and they will have found a treatment that can regenerate her spinal system. Instead, today she wakes up to a wheelchair, and she even has a problem being able to brush her teeth.

There is story after story of people who have lost hope and, because of this new scientific frontier, they can have hope again.

Life is for the living. It is important to improve that life. I cannot understand how people want to resist this. I cannot understand how they would prevent stem cell research. I cannot understand how they would say an unfertilized egg is something we have to protect, when women lose hundreds of these every month. It makes no sense. It is arbitrary; it is capricious; it is unscientific; it is wrong. And, yes, if we know of hundreds of thousands of suffering Americans who might be helped, it is also immoral.

So those of us who have put together this legislation believe it will stand the test of time. We are very close today to that 60-vote necessity to move ahead with it. So I am hopeful that sometime during next week we will be able to say, yes, in fact we have the 60 votes and, yes, in fact the Senate of the United States of America is going to stand tall to cross this frontier of stem cell research and be able to offer the hope and the dream of a good life to literally hundreds of thousands of people.

I thank the Chair and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FEINSTEIN). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators allowed to speak for a period not to exceed 10 minutes each.

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

#### NATIONAL SMALL CITIES DAY

Mr. DASCHLE. Madam President, today is National Flag Day, and it is appropriate that we all pause to honor this important symbol of American

Freedom. The National League of Cities has designated this day, June 14, 2002 as second annual National Small Cities Day to call attention to the role of small cities and towns in American life.

The vast majority of cities throughout our Nation have populations of fewer than 50,000 people. These communities play an essential role in nurturing families, cultivating values, and building a strong sense of commitment and connection. In fact, the theme for National Small Cities Day is building quality communities by making decisions by choice and not by chance.

Millions of Americans live better lives because small cities provide services and programs that meet the needs of their citizens. In the wake of the September 11 terrorist attacks, millions of Americans have looked to the leaders of their small communities to help ensure their safety and security by working in partnership with other levels of government.

Businesses, civic organizations, and citizens across the nation are partners in building quality communities and must be encouraged to continue to support efforts that make these cities and towns better places in which to live. The Federal government, too, must continue to be a good partner by supporting important efforts that help strengthen communities, such as the Community Oriented Policing Program, the Community Development Block Grant program, and funds for local terrorism preparedness programs.

We must continue to work together and look for ways to further strengthen our small cities and towns through creativity, innovation, and collaboration.

I join the National League of Cities and the Small Cities Council in encouraging President Bush, my Congressional colleagues, state governments, community organizations, businesses, and citizens to honor the efforts of "small town America" today and renew our commitment to work together on this day and in the future to build quality communities that improve the lives of citizens throughout the nation.

#### COMMEMORATION OF FLAG DAY

Mr. THURMOND. Madam President, two hundred and twenty-five years ago today, the United States was engaged in its War for Independence. I note that the American Continental Army, now the United States Army, was established by the Continental Congress, just 2 years earlier on June 14, 1775. I express my congratulations to the United States Army on its 227th birthday.

At the start of that War, American colonists fought under a variety of local flags. The Continental Colors, or Grand Union Flag, was the unofficial national flag from 1775-1777. This flag had thirteen alternating red and white stripes, with the English flag in the upper left corner.

Following the publication of the Declaration of Independence, it was no longer appropriate to fly a banner containing the British flag. Accordingly, on June 14, 1777, the Continental Congress passed a resolution that "the Flag of the United States be 13 stripes alternate red and white, and the Union be 13 stars white in a blue field representing a new constellation."

No record exists as to why the Continental Congress adopted the now-familiar red, white and blue. A later action by the Congress, convened under the Articles of Confederation, may provide an appropriate interpretation on the use of these colors. Five years after adopting the flag resolution, in 1782, a resolution regarding the Great Seal of the United States contained a statement on the meanings of the colors: Red: For hardiness and courage; White: For purity and innocence; and Blue: For vigilance, perseverance, and justice.

The stripes, symbolic of the 13 original colonies, were similar to the five red and four white stripes on the flag of the Sons of Liberty, an early colonial flag. The stars of the first national flag after 1777 were arranged in a variety of patterns. The most popular design placed the stars in alternating rows of three or two stars. Another flag placed twelve stars in a circle with the thirteenth star in the center. A now popular image of a flag of that day, although it was rarely used at the time, placed the thirteen stars in a circle.

As our country has grown, the Stars and Stripes have undergone necessary modifications. Alterations include the addition, then deletion, of stripes; and the addition and rearrangement of the field of stars.

While our Star-Spangled Banner has seen changes, the message it represents is constant. That message is one of patriotism and respect, wherever the flag is found flying. Henry Ward Beecher, a prominent 19th century clergyman and lecturer stated:

A thoughtful mind, when it sees a nation's flag, sees not the flag only, but the nation itself; and whatever may be its symbols, its insignia, he reads chiefly in the flag the Government, the principles, the truths, and the history which belong to the nation that sets it forth.

Old Glory represents the land, the people, the government and the ideals of the United States, no matter when or where it is displayed throughout the world. The flag has proudly represented our Republic beyond the Earth and into the heavens. The stirring images of Neil Armstrong and Edwin Aldrin saluting the flag on the moon, on July 20, 1969 moved the Nation to new heights of patriotism and national pride.

Today we pause to commemorate our Nation's most clear symbol, our flag. President Woodrow Wilson signed a Presidential Proclamation designating June 14, 1916 as Flag Day. On a prior occasion President Wilson noted: