

June 6, 2007

RE: NRLC urges "No" vote on H.R. 2560
(DeGette pro-human-cloning bill)

Dear Member of Congress:

Yesterday afternoon, we sent you a warning that Congresswoman DeGette planned to introduce a bill that would facilitate human cloning, and that you might be forced to vote on that bill as early as today on the Suspension Calendar.

Exactly what we predicted has occurred. Late yesterday, Rep. DeGette introduced H.R. 2560, a "clone-and-kill" bill. The language was not made available until after 6 PM Tuesday, and the bill is still not available on the official Congressional website, Thomas. Yet, the bill appears on today's Suspension Calendar (meaning, of course, that no amendments may be considered).

Why this extraordinary attempt at stealth legislation? Because the bill is a scam, and Congresswoman DeGette does not want to give you time to read it. (However, we have posted the bill text on our own website at http://www.nrlc.org/killing_embryos/HR2560DeGette.pdf.) While H.R. 2560 is titled "The Human Cloning Prohibition Act," a more honest title would be, "The Human Clone Harvesting and Anti-Motherhood Act." Or perhaps, "The Human Embryo Farm Protection Act."

There are some who will tell you that H.R. 2560 bans "one type" of human cloning -- that it "bans reproductive cloning." But in reality, H.R. 2560 does not ban any human cloning at all. H.R. 2560 would allow -- indeed, it is carefully constructed to encourage -- the creation of any number of cloned human embryos. H.R. 2560 would allow development of these cloned human embryos (individual members, male or female, of the species *Homo sapiens*) in the laboratory, perhaps even for weeks, so that they can be killed in order to harvest their stem cells or used in other research that will kill them -- a practice opposed by about 75% of the public.

H.R. 2560 actually does ban only the following: allowing a human clone to live, by implanting her or him "into a uterus or the functional equivalent of a uterus," or "to ship, mail, transport, or receive" such an embryo. Any person who may "perform or attempt to perform" such acts -- including the woman into whom the embryo is implanted or "received" -- is subject to a fine of \$10 million and up to 10 years in prison, and to "forfeiture" of "any property, real or personal, derived from or used to commit a violation."

As far as we know, Rep. DeGette has not yet explained whether she believes that cloned human embryos would be considered "personal property," and if so, how forfeiture of an implanted human embryo would be accomplished. If she does not consider cloned human embryos to be "personal property," then what would they be?

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(Curiously, Congresswoman DeGette is a cosponsor of another bill, H.R. 1964, the so-called "Freedom of Choice Act," which among other things, says that the government "may not deny or interfere with a woman's right . . . to bear a child . . ." Under H.R. 2560, however, a woman has a right to have cloned human embryos created with her genetic material and/or eggs, but not the right to "bear" the cloned child. Does Congresswoman DeGette agree with those who say that a baby whose life was begun by cloning would not be a real human "child"? Does she believe that Dolly was not a real sheep?)

It does not require any particular expertise to take an embryo created in the laboratory and place him or her into the uterus. Moreover, cloned human embryos, once created, will be indistinguishable from human embryos created by in vitro fertilization. The Justice Department has testified that once large numbers of cloned human embryos are created, there is no practical way to prevent some of them from being implanted in wombs, and that attempts to prevent this would raise "extremely serious legal, moral, and practical issues." Thus, the only practical way to prevent implantation of cloned human embryos is to prohibit the creation of cloned human embryos in the first place, which would be accomplished by enactment of the real ban on human cloning, the Weldon-Stupak bill, H.R. 2564 -- the bill that should be cosponsored by any House member who truly opposes human cloning. The Justice Department testimony is here: www.nrlc.org/killing_embryos/Justice_Dept_on_cloning.pdf

NOTE: H.R. 2560 does not actually use the term "embryo," but speaks instead of "the product of human somatic cell nuclear transfer technology." "Somatic cell nuclear transfer" (SCNT) is, of course, simply the standard cloning process, the same process that was used to produce Dolly the sheep and thousands of other mammalian clones. When SCNT is conducted successfully, using human genetic material, it will produce an embryo of the species homo sapiens -- a human embryo. (Please go to http://www.nrlc.org/killing_embryos/cloningSCNTcreatesHumanEmbryo.zip to download a file that contains statements by numerous pro-cloning and neutral scientific authorities that validate this statement. If you have trouble with the download, please request the documentation by emailing legfederal@aol.com.)

A White House statement on H.R. 2560 released today says in part: "The Administration is strongly opposed to any legislation that would prohibit human cloning for reproductive purposes but permit the creation of cloned embryos or development of human embryo farms for research, which would require the destruction of nascent human life. Thus, if legislation were presented to the President that permitted human embryos to be created, developed, and destroyed simply for research purposes, his senior advisors would recommend that he veto the bill." (See http://www.nrlc.org/Killing_Embryos/SAPonHR2560.html.)

H.R. 2560 should not be confused with S. 5, which will be voted on in the House on Thursday. S. 5 is the companion bill to Rep. DeGette's H.R. 3, which the House passed in January. S. 5 would mandate federal funding of research using "stem cells [that] were derived from human embryos that have been donated from in vitro fertilization clinics, were created for the purposes of fertility treatment, and were in excess of the clinical need of the individuals seeking such treatment." Congresswoman DeGette and her allies argue that such research should be funded by

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the government because the embryos are going to be discarded anyway. Yet Rep. DeGette's H.R. 2560 is carefully drafted precisely to permit the deliberate *creation* of human embryos for the sole purpose of research.

If you find that ground-shifting confusing, you are not the only one. On February 27, 2003, the House was debating the Greenwood-Deutsch Substitute Amendment, which was a bill to permit the creation of cloned human embryos while prohibiting their implantation, functionally quite similar to H.R. 2560. Congresswoman DeGette, speaking in favor of the Greenwood-Deutsch amendment (of which she was a cosponsor), said, "We are not, and we do not, support creating embryos for the purpose of this research. Instead what happens is researchers use existing embryos from reproductive clinics, which are going to be disposed of anyway." [Congressional Record, February 27, 2003, page H-1426] That statement was, of course, perfect nonsense, since the Greenwood-Deutsch Amendment, like H.R. 2560, had nothing to do with "surplus" embryos in "reproductive clinics," and everything to do with embryos created for the sole purpose of research. Watch for similar contradictions and verbal gymnastics during the debates on H.R. 2560 and S. 5 over the next two days.

In summary: H.R. 2560 is a "clone-and-kill" bill, which would pave the way for establishment of human embryo farms in the United States. NRLC is strongly opposed to H.R. 2560, regards a vote in favor of H.R. 2560 as a vote in favor of human cloning, and will include the roll call in its scorecard of key votes of the 110th Congress.

Thank you for your consideration of our concerns about this pernicious and deceptive legislation.

Sincerely,



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For additional resources on human cloning and related issues, see

http://www.nrlc.org/killing_embryos/index.html

http://www.nrlc.org/killing_embryos/CloningMisconceptions.html

<http://www.cloninginformation.org/>

<http://www.stemcellresearch.org/>